



Jim Brownlee, CPA, City Administrator  
Sharon Schacher, City Finance Director  
Dorinda Anderson, Business Development Director

The West Fargo City Commission met on Monday, May 15, 2006, at 5:30 P.M. Those present were Rich Mattern, Brenda Warren, Bryan, Schulz, Lou Bennett and Mark Simmons. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that Employee of the Quarter and Appointment of liaison to the West Fargo Chamber Board of Directors are to be added to the Regular Agenda and Item g under the Consent Agenda should be corrected from Phase II to Water Improvement District No. 1170 - Phase III. Commissioner Simmons moved and Commissioner Schulz seconded to approve the Order of Agenda with the additions and correction as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Warren seconded to approve the Minutes of May 1, 2006. No opposition. Motion carried.

The Commission reviewed Building Permits 265 – 333 along with the Building Department Activity Report dated May 15, 2006.

There were no Commissioner Committee Reports.

The Auditor's Reports for April 2006 were received by the Commission.

The Sanitation Department Report for March and April 2006 was received by the Commission.

Commissioner Schulz moved and Commissioner Simmons seconded to approve the following items on the Consent Agenda:

#### Bills

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1192, Phase I

Games of Chance Site Authorization for West Fargo Fire Department at the Silver Dollar Bar

Public Hearing June 5, 2006, at 5:45 PM on rezoning of Certain City Parks to Public Facilities District (North Elmwood Park, South Elmwood Park, Armour Park, Herb Tintes Park, Maplewood Park)

Revised Assessment District for Sewer & Water District No. 1180 (Butler's 3<sup>rd</sup> Addition)

Revised Assessment District for Street Light Improvement District No. 7070 (Butler's 3<sup>rd</sup> Addition)

Engineer's Report for Water Improvement District No. 1170 – Phase III (North Water Loop) and authorize City Engineer to prepare Plans and Specifications

Street Improvement District No. 2168 (9<sup>th</sup> Street East South of Interchange) / Approve Details of Document with Openings Spaced at 1320'

No opposition. Motion carried.

City Administrator Jim Brownlee appeared before the Commission to announce the Employee of the Quarter Award as of March 31, 2006, awarded to Detective Greg Warren. Commissioner Bryan Schulz presented the plaque and token of appreciation to Greg Warren.

City Auditor Jim Brownlee appeared before the Commission on a proposal from CBI Business Services for a Human Resource Contract. Kevin Wilson of CBI and Finance Director Sharon Schacher also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve the proposed contract with additions of an out-clause and contact person to be City Administrator Jim Brownlee. No opposition. Motion carried.

City Assessor Wanda Wilcox appeared before the Commission on the request from Char-Lo's on Main at 133 Main Avenue West, for a five year Property Tax Exemption for Improvements to a Commercial or Residential Building. Planning Director Larry Weil also appeared before the Commission. After discussion, Commissioner Bennett moved and Commissioner Warren seconded to approve the five year exemption as presented by City Assessor Wanda Wilcox. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the Lodoen Center Addition rezoning from One and Two Family Dwellings to Planned Unit Development. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Schulz moved and Commissioner Bennett seconded to place the rezoning of the Lodoen Center Addition from One and Two Family Dwellings to Planned Unit Development on First Reading subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the rezoning of Woodlinn West 4<sup>th</sup> Addition from Limited Multiple Dwellings to Light Commercial and Planned Unit Development. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Bennett moved and Commissioner Warren seconded to place the rezoning of Woodlinn West 4<sup>th</sup> Addition from Limited Multiple Dwellings to Light Commercial and Planned Unit Development on First Reading subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Ordinance No. 772 relating to the Zoning Ordinance Amendment to Section 4-427.2.14 providing for Automobile Repair Shops and major Mechanical Work as Permitted Uses within the Light Commercial District. Commissioner Schulz moved and Commissioner Simmons seconded to place Ordinance No. 772 on Second Reading. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Ordinance No. 773 relating to the rezoning of Part of Lot 1 and all of Lot 2, Block 1 of High School 3<sup>rd</sup> Addition and Lot 32, Block 1 of Homestead 1<sup>st</sup> Addition from Single Family Dwellings District to Public Facilities and One and Two Family Dwellings to Public Facilities. Commissioner Bennett moved and Commissioner Warren seconded to place Ordinance No. 773 on Second Reading and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on a request from Cheney Motors for a Conditional Use Permit for sale of recreational vehicles (lawnmowers and golf carts) at 102 East Main Avenue. After discussion, Commissioner Warren moved and Commissioner Schulz seconded to deny the Conditional Use Permit. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on a request from Gerald and Cindy Urlaub for a Conditional Use Permit for oversized garage at 4206 Carmel Place. Commissioner Simmons moved and Commissioner Bennett seconded to approve the Conditional Use Permit subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Northland Auto for a Conditional Use Permit for auto sales in a Light Commercial District at 101 East Main Avenue. Captain Michael Reitan and Planning Director Larry Weil also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded that Northland Auto provide a scaled drawing of the site plan. No opposition. Motion carried. Commissioner Schulz also asked that the site be monitored for the next two weeks.

Senior Planner Steve Zimmer appeared before the Commission on the request from GRB Properties for a Planned Unit Development Amendment for Fast Food Restaurant and Future Retail Lease Space at 825 13<sup>th</sup> Avenue East and 855 13<sup>th</sup> Avenue East. Commissioner Bennett moved and Commissioner Schulz seconded to approve the Planned Unit Development subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Elmwood Court 3<sup>rd</sup> Addition. Commissioner Warren moved and Commissioner Schulz seconded to approve the Final Plat of Elmwood Court 3<sup>rd</sup> Addition subject to the conditions listed in the Staff Report. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on City Sidewalk Improvement District No. 6043 (2006 New Walks). Commissioner Schulz moved and Commissioner Bennett seconded to award the contract for City Sidewalk Improvement District No. 6043 to Specialized Contracting, Inc. for their bid amount of \$170,847.00. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2170 (Roundabout Improvements / Eagle Run area). Commissioner Bennett moved and Commissioner Warren seconded to award the contract for Street Improvement District No. 2170 to Opp Construction, LLC, for their bid amount of \$103,822.05. No opposition. Motion carried.

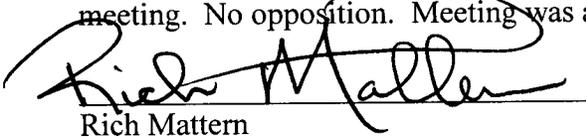
City Engineer Kevin Bucholz appeared before the Commission on Sewer & Water Improvement District No. 1190 (I-94/9<sup>th</sup> Street East Utility Relocation). Commissioner Simmons moved and Commissioner Schulz seconded to award the contract for Sewer & Water Improvement District No. 1190 to Dakota Underground Co. for their bid amount of \$124,558.20. No opposition. Motion carried.

Business Development Director Dorinda Anderson appeared before the Commission for approval of the Renaissance Zone lease project for "The Workzone", a bar located at 701 East Main. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve the Renaissance Zone lease project. No opposition. Motion carried.

Commissioner Warren moved and Commissioner Bennett seconded to reappoint Commissioner Bryan Schulz as the City Commission liaison to the West Fargo Chamber of Commerce Board of Directors. No opposition. Motion carried.

There was no correspondence

Commissioner Schulz moved and Commissioner Bennett seconded to adjourn the meeting. No opposition. Meeting was adjourned.

  
Rich Mattern  
President of the Board

  
James Brownlee  
City Auditor