



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

The West Fargo City Commission met on Monday, June 5, 2006, at 5:30 P.M. Those present were Rich Mattern, Brenda Warren, Bryan Schultz, 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 "Final Plat Approval" of Furnberg First Addition is to be added to Item d on the Consent Agenda and a Public Hearing at 5:45 PM will be held to allow comments on the project for Forklifts of ND and approval of the PILOT (Payment in Lieu of Taxes). Commissioner Schulz moved and Commissioner Warren seconded to approve the Order of Agenda with the additions as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of May 15, 2006. No opposition. Motion carried.

The Commission reviewed Building Permits #334 - 410 along with the Building Department Activity Report dated June 5, 2006 and the Building Permit Monthly Comparison Report for May 2005/ May 2006.

Commissioner Warren stated that EPA advised it could take two months to remove the pipes at the Camelot Cleaners cleanup site.

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

#### Bills

Site Authorization Renewals: West Fargo Hockey Association at Border Town Bar & Grill, M & J Brand Saloon, Speedway Event Center, Speedway Restaurant

Appointment of Jeremy Dworshak and Susan Ellison to serve three year terms as members of the Library Board beginning July 1, 2006

Furnberg First Addition Agreement between City of West Fargo and West Fargo Public School District and Final Plat Approval of Furnberg First Addition

Second Resolution Declaring Work Necessary (Sidewalk District No. 6043)

Watering Restrictions as recommended by Public Works Director Barry Johnson

Assessment District for Sewer & Water Improvement District No. 1194 (Westport Beach 2<sup>nd</sup> Addition), authorize Engineer to prepare Engineer's Report, approve Engineer's Report and authorize preparation of Plans and Specifications

Assessment District for Street Improvement District No. 2188 (South Elmwood Park) and authorize City Engineer to prepare Engineer's Report

Games of Chance: West Fargo Babe Ruth Baseball for Raffle to be held July 22, 2006, at the West Fargo Legion Baseball Field

Sale of used Crown Victoria Patrol car

No opposition. Motion carried.

Angela Balint of Cass County Vector Control did not appear at the meeting to give an update on the mosquito control activities.

Gwen Peterson and Kim Baird, President of the Board for Bonanzaville, appeared before the Commission to request that the City of West Fargo allocate funds in the 2007 budget to provide institutional support for Bonanzaville. Commissioner Mattern advised this request will be discussed during the 2007 budget process.

City Attorney Brian Neugebauer reviewed Ordinance No. 778 relating to Flood Damage Prevention. Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 778 on First Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer reviewed Ordinance No. 779 relating to Public Nuisances. Commissioner Warren moved and Commissioner Bennett seconded to place Ordinance No. 779 on First Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer reviewed Ordinance No. 780 relating to Salaries of City Commissioners. Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 780 on First Reading. Commissioners Mattern, Warren, Schulz and Bennett voting aye. Commissioner Simmons voting no. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the rezoning of Lodoen Center Addition from One and Two Family Dwellings to Planned Unit Development. Commissioner Warren moved and Commissioner Bennett seconded to place Ordinance No. 774 relating to the rezoning on Second Reading and to approve the Final Plat of Lodoen Center Addition. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the rezoning of certain City Parks to Public Facilities District (North Elmwood Park, South Elmwood Park, Armour Park, Herb Tintes Park and Maplewood Park). Director of Parks and Recreation Barb Erbstoesser also appeared before the Commission. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Bennett moved and Commissioner Simmons seconded to place the rezoning on First Reading subject to conditions listed in the Staff Report. No opposition. Motion carried.

Business Development Director Dorinda Anderson appeared before the Commission on an expansion project for Forklifts of ND at 1808 East Main Avenue and advised that the Economic Development Advisory Committee approved the PILOT (Payment in Lieu of Taxes) at a five year graduated rate. Chad Lentz of Forklifts of ND appeared before the Commission. A public hearing was held. There was no public comment. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve the PILOT for Forklifts of ND at a five year graduated rate as recommended by the Economic Development Advisory Committee. 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 and reviewed an updated site plan. At the May 15, 2006, City Commission Meeting, a motion was made and seconded that Northland Auto provide a scaled drawing of the site plan. Since the owner of Northland Auto was not present at the meeting to answer questions, Commissioner Simmons moved and Commissioner Schulz seconded to table this request for a Conditional Use Permit for an additional two weeks and if the owner is not present at that meeting, the Conditional Use Permit will not be approved. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer Improvement District No. 1189 (Section 29 Lift Station/Forcemain). Commissioner Schulz moved and Commissioner Bennett seconded to award the contract for Sewer Improvement District No. 1189 to Dakota Underground Co. for their bid amount of \$1,287,840.00. No opposition. Motion carried.

Engineering Assistant Chris Brungardt appeared before the Commission on the Traffic Safety Analysis for the Sheyenne Street Corridor between I-94 and 52<sup>nd</sup> Avenue West. A discussion was held on speed limits. City Attorney Brian Neugebauer, Police Chief Arland Rasmussen and City Engineer Kevin Bucholz appeared before the Commission. Commissioner Simmons moved and Commissioner Schulz seconded to decrease the speed limit from 45 to 40 mph and to implement this change when deemed necessary by Staff. No opposition. Motion carried.

Engineering Assistant Chris Brungardt then reviewed overlays and auxiliary lanes (left and right turn lanes at 32<sup>nd</sup> Avenue, right in/right out onto Sheyenne Street at the Eagle Run Plaza and overlay from box culvert on Sheyenne Street South to 52<sup>nd</sup> Avenue). After discussion, Commissioner Schulz moved and Commissioner Warren seconded to authorize the City Engineer to prepare the Engineer's Report and Plans and Specifications for turn lanes and overlay. No opposition. Motion carried.

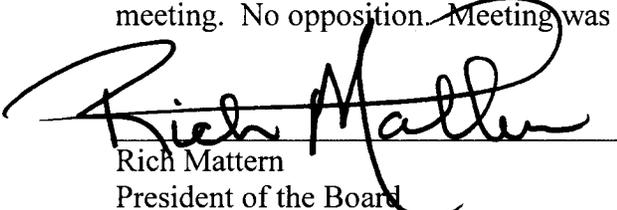
Engineering Assistant Chris Brungardt then reviewed traffic lights on Sheyenne Street at 32<sup>nd</sup> Avenue and 40<sup>th</sup> Avenue, advising that the Federal guideline criteria has not been met for lights at those locations. A discussion was held on the cost and liability for the City for unwarranted signals. City Attorney Brian Neugebauer and City Auditor Jim Brownlee appeared before the Commission. After discussion, Commissioner Warren moved and Commissioner Simmons seconded to authorize the City Engineer to prepare Engineer's Report and Plans and Specifications for two signals at 32<sup>nd</sup> Avenue and 40<sup>th</sup> Avenue. No opposition. Motion carried.

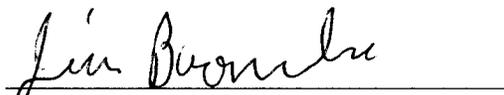
A discussion was held on the City Commission Meeting to be held July 3, 2006. Commissioner Warren moved and Commissioner Bennett seconded to cancel the July 3<sup>rd</sup> meeting. No opposition. Motion carried.

Commissioner Mattern suggested that since July 4<sup>th</sup> is on a Tuesday, the Commission should consider July 3<sup>rd</sup> as a paid holiday for the City employees. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded that the City employees be given July 3, 2006, as a paid holiday. No opposition. Motion carried.

There was no correspondence.

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

  
Rich Mattern  
President of the Board

  
Jim Brownlee  
City Auditor