



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

The West Fargo City Commission met on Monday, July 31, 2006, at 5:30 P.M. Those present were Rich Mattern, Bryan Schulz, Lou Bennett and Mark Simmons. Absent was Brenda Warren. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that "Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1189" is to be added to the Consent Agenda. Commissioner Schulz moved and Commissioner Bennett seconded to approve the Order of Agenda with the addition to the Consent Agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of July 17, 2006. No opposition. Motion carried.

The Commission reviewed Building Permits 555 - 622 along with the Building Department Activity Report dated July 31, 2006.

There were no Commissioner Committee Reports.

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

#### Bills

Games of Chance for First Link for raffle to be held September 17, 2006, at 631 5<sup>th</sup> Street E #202, West Fargo, ND

Games of Chance for AMITA for raffle to be held September 29, 2006, at West Fargo Public Library

Games of Chance for Marine Corps League Rough for raffle to be held November 10, 2006 at the West Fargo VFW

Games of Chance for Learn-a-Craft for bingo and raffle to be held July 31, 2006 to June 30, 2007, at the Low Rise Community Room

Gaming Site Authorization for El Zagal Temple Holding Co. at Hooligans's, 3300 Sheyenne St. S., West Fargo.

Sewer & Water Improvement District No. 1197 (Westport Beach First Addition, Lot 25 & 26, Block 1): Create Assessment District, authorize City Engineer to prepare Engineer's Report, approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

Street Improvement District No. 2186 (Meyer Drive Extension): approve Plans and Specifications and authorize Advertisement for Bids with bid opening on August 17, 2006

Sewer & Water Improvement District No. 1196 (Eagle Run 12<sup>th</sup> Addition – Phase II): create Assessment District and authorize City Engineer to prepare Engineer's Report

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1189

No opposition. Motion carried.

Assistant United States Attorney Chris Myers and Resident Agent in Charge of Drug Enforcement Administration Jeff Behrmann appeared before the Commission to recognize Detective Derek Cruff and Sergeant Duane Sall and present them with a plaque for their work on a drug case that resulted in several federal court convictions.

A discussion was held on the lawn watering hours for the residents of the City of West Fargo. Public Works Director Barry Johnson appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to remain with odd-even number watering days and to change the watering times from 6:00 AM to 9:00 AM and from 8:00 PM to Midnight. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 777 relating to the granting of a Limited Cable Franchise. Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 777 on Second Reading, adopt the Resolution Approving Franchise Agreement and approve the Franchise Agreement between the City of West Fargo and Midcontinent Communications, G.P. , and to approve an amendment to the Cable One Agreement that would not require them to serve the area served by Mid-Continent. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Kass 3<sup>rd</sup> Addition. Commissioner Bennett moved and Commissioner Simmons seconded to place Ordinance No 784 on Second Reading for the rezoning of Kass 3<sup>rd</sup> Addition from Agricultural to Limited Multiple Dwellings and Planned Unit Development subject to any conditions listed in the Staff Report, to approve the Final Plat of Kass 3<sup>rd</sup> Addition and to adopt the Land Use Plan Amendment from Medium Density Residential to Retail Commercial. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on West River Addition. Commissioner Simmons moved and Commissioner Bennett seconded to place Ordinance No. 781 on Second Reading for the rezoning of West River Addition from Agricultural to Large Lot Single Family Dwellings, Single Family Dwellings and One and Two Family Dwellings subject to any conditions listed in the Staff Report, to approve the Final Plat of West River Addition, to approve the Sheyenne Riverbank Stabilization Area Resolution and to delay the approval to change street names and addresses at this time. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Doll's 3<sup>rd</sup> Addition. Commissioner Bennett moved and Commissioner Schulz seconded to place Ordinance No. 782 on Second Reading for the rezoning of Doll's 3<sup>rd</sup> Addition from Agricultural to Light Commercial subject to any conditions listed in the Staff Report, to approve the Final Plat and to approve the Conditional Use Permit for a golf cart sales and service business. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the Zoning Ordinance Amendment regarding Child Care Facilities. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to place Ordinance No. 783 on Second Reading. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Westport Beach 2<sup>nd</sup> Addition. Commissioner Bennett moved and Commissioner Schulz seconded to place Ordinance No. 785 on Second Reading for the rezoning of Westport Beach 2<sup>nd</sup> Addition from Multiple Dwellings to Planned United Development and to approve the Final Plat. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Bordertown 1<sup>st</sup> Addition. Business Development Director Dorinda Anderson also appeared before the Commission regarding the asphalt parking and landscaping plans. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the Final Plat subject to conditions listed in the Staff Report and to approve the Shared Parking Agreement subject to conditions of Staff. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2188 (South Elmwood Park). Commissioner Schulz moved and Commissioner Simmons seconded to award the contract for Street Improvement District No. 2188 to Aggregate Industries for their bid amount of \$286,569.55. No opposition. Motion carried.

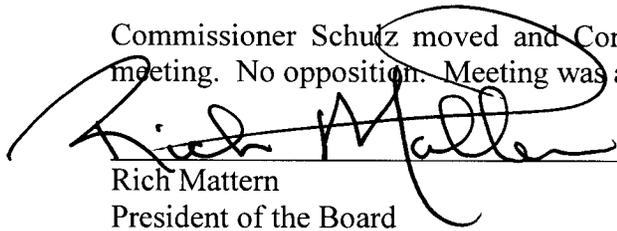
City Engineer Kevin Bucholz appeared before the Commission on Water Improvement District No. 1170 – Phase III (12<sup>th</sup> Avenue North Water Main Loop). Commissioner Schulz moved and Commissioner Bennett seconded to award the contract for Water Improvement District No. 1170 – Phase III to Master Construction for their bid amount of \$391,930.00. No opposition. Motion carried.

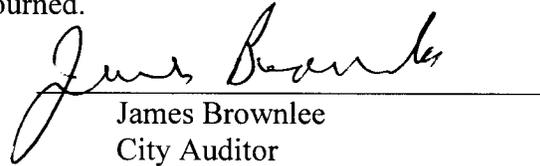
City Auditor Jim Brownlee provided each Commissioner with a copy of the 2007 Preliminary Budget. It was agreed that a Budget Meeting would be held immediately after the August 7, 2006 City Commission Meeting.

There were no Non-Agenda items.

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