



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

The West Fargo City Commission met on Monday, January 15, 2007, 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 Receipt of Engineer's Return of Assessments and appointment of George Hahn to the Library Board are to be added to the Consent Agenda and Transfer Station Purchase is to be discussed under Non-Agenda. 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 Warren seconded to approve the Minutes of December 18, 2006. No opposition. Motion carried.

The Commission reviewed 2006 Building Permits #925 – 936 and 2007 Building Permits #1 - 7 along with the Building Department Activity Reports dated January 2, 2007 and January 15, 2007, the Building Department Monthly Comparison Report for December 2005/December 2006 and the Building Permit Valuation Report for 2005 Valuation and 2006 Valuation. Building Administrator Mark Housh advised that he will be forwarding 2006 May – June corrections which will not affect the year end reports.

There were no Commissioner Committee Reports.

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

The Sanitation Department Reports for October, November and December 2006 were received by the Commission along with the Sanitation Department Report Totals for 2006.

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

Bills

Appointment of Benji Cunningham and Daryl Baker to the Airport Authority to replace Todd Warner and Keith Murray (five year terms December 2006 to December 2011)

Games of Chance for West Fargo Dollars for Scholars for Calendar Raffle from March 1, 2007 to March 31, 2007 at the West Fargo High School

Games of Chance for Roamers Four Wheel Drive Club for Raffle to be held April 4, 2007, at the Speedway Restaurant

Resolution Directing Assessments to be Levied in Street Improvement Districts No. 2157, 2182, 2186 and 2188, Street Light Improvement District No. 7072, Storm Sewer Improvement District No. 4038, Water and Sewer Improvement Districts No. 1148, 1182, 1184, 1189 and 1195

Request from Public Works Director Barry Johnson for the sale of two solar powered mixers

Street Improvement District No. 2191 (Pinewood Boulevard Extension – DMI) – approve Engineer’s Report and authorize City Engineer to prepare Plans and Specifications

Sewer Improvement District No. 1185 (West Regional Sanitary Lift) – approve Engineer’s Report, authorize City Engineer to prepare Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on February 1, 2007

Return of Assessments for Sidewalk District No. 6043

Appointment of George Hahn to the Library Board to replace Jeremy Dworshak.

Commissioner Warren asked City Engineer Kevin Bucholz about assessments for Street Improvement District No. 2191 and was advised that the current assessments and all future assessments will be the responsibility of adjacent property owners.

No opposition. Motion carried.

*See Amendment
in Minutes of
1/29/07

City Auditor Jim Brownlee appeared before the Commission on rate increases for the Planning Department and Building Inspection Fees and provided to each Commissioner an additional page of Proposed Residential Building Permit Fees for the City of West Fargo. City Auditor Jim Brownlee advised that the new fees are based upon what other cities are charging. Building Administrator Mark Housh, Planning Director Larry Weil, City Engineer Kevin Bucholz and Police Chief Arland Rasmussen also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Warren seconded to approve the rate increases for the Planning Department and Building Inspection Fees according to the Schedules recommended by City Auditor Jim Brownlee. Commissioners Mattern, Warren, Bennett and Schulz voting aye. Commissioner Simmons voting no. Motion carried.

City Auditor Jim Brownlee appeared before the Commission on the offer from the North Dakota Department of Transportation to purchase the land for the 9th Street overpass for a total of \$134,450 which includes appraisal costs. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded to accept the offer as presented by City Auditor Jim Brownlee. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission to review the Amended Official Zoning Map. A public hearing was held and there was no public comment. Commissioner Schulz moved and Commissioner Warren seconded to place the Amended Official Zoning Map on First Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission to provide a proposed West Fargo Comprehensive Plan Steering Committee. After review of the proposed committee members, it was the consensus of the City Commission to concur with Staff recommendations.

Planning Director Larry Weil appeared before the Commission on House Bill 1321 on the reduction of city extraterritorial zoning authority. Commissioner Bennett moved and Commissioner Schulz seconded to approve Staff testimony on House Bill 1321. No opposition. Motion carried.

The City Commission also agreed that in the future, if action is needed on certain bills prior to approval at a City Commission Meeting, the Department Heads are to contact the Commissioners by phone call or e-mail to advise them of testimony that will be given.

Senior Planner Steve Zimmer appeared before the Commission on a subdivision located in the SW ¼ of Section 5, T139N, R49W, City of West Fargo. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve the Final Plat for this subdivision subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Public Works Director Barry Johnson appeared before the Commission to review equipment bids. After discussion, Commissioner Warren moved and Commissioner Bennett seconded to award the bid for the ½ Ton 4X4 Pickup to Luther Family Buick Pontiac of Fargo, ND in the amount of \$21,336.95, to award the bid for the Tandem Truck Chassis Cab to Nelson International of Fargo in the amount of \$58,709.00, to award the bid for the 13 foot dump body to Bert's Truck of Moorhead, MN in the amount of \$13,976.00, to award the bid for the hydraulics for the Tandem Truck to Muncie Power Products in the amount of \$6,500.00 and to table action on the 12 foot reversible plow bid in order to re-bid, as recommended by Public Works Director Barry Johnson. No opposition. Motion carried.

Commissioner Mattern presented the Amended Articles of Association for the Fargo-Moorhead Metropolitan Council of Governments to allow for a change in quorum requirements. After discussion, Commissioner Warren moved and Commissioner Bennett seconded to approve the Amended Articles of Association. No opposition. Motion carried.

Commissioner Schulz reviewed information on the Regional Smoking Task Force and provided the Commission with a list of questions that need to be answered. The following questions were reviewed:

1a) Does the West Fargo City Commission wish to continue its involvement in an open-ended, regional discussion on issues relating to local/metrowide/statewide smoking restrictions through the creation of a formal Regional Task Force and appointment to this Task Force (2) official representatives from each participating jurisdiction? Commissioners Bennett, Warren, Simmons, Schulz and Mattern voting aye. Commissioners Simmons and Schulz are to be the official representatives.

2) Would the position of the West Fargo City Commission on Question #1 be different if the work of the Regional Task Force was limited to tracking and discussion of regional issues and potential statewide debate or legislation? Question needs clarification

3) Would the position of the West Fargo City Commission on Question #1 be different if the work of the Regional Task Force may include formation of a draft model no-smoking ordinance for future consideration by the participating jurisdictions? Question needs clarification

4) Would the position of the West Fargo City Commission on Question #1 be different if the work of the Regional Task Force may include formation of a draft resolution in support of reciprocal statewide no-smoking ordinances for future consideration by the participating jurisdictions? Question needs clarification

5) Would the West Fargo City Commission support today a more restrictive no-smoking ordinance for your community, regardless of the status of no-smoking ordinances in neighboring jurisdictions? Commissioners Bennett, Simmons, Schulz and Mattern voting no. Commissioner Warren voting yes.

6) Would the West Fargo City Commission support today a more restrictive no-smoking ordinance for your community if neighboring jurisdictions adopted a similar/identical no-smoking ordinance? Commissioners Bennett, Warren, Simmons, and Schulz voting yes. Commissioner Mattern voting no.

7) If yes to Questions #6, what other neighboring jurisdictions would the West Fargo City Commission consider as necessary? Harwood, Horace, Mapleton and the four Metropolitan Cities.

8) Even if not participating or supportive today of a more restrictive no-smoking ordinance, would the West Fargo City Commission be willing to consider in the future the work/recommendations of the Regional Task Force? No action needs to be taken

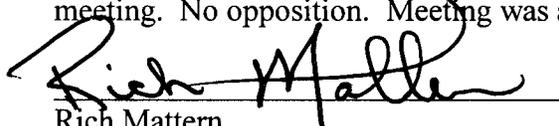
City Auditor Jim Brownlee appeared before the City Commission on the Transfer Station purchase agreement and advised that the City of West Fargo will be the owner of the Transfer Station after closing on January 16, 2007.

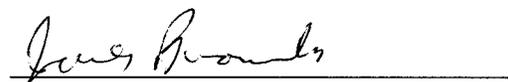
City Attorney Brian Neugebauer advised that the City Commission needs to set a Public Hearing for January 29, 2007, at 5:45 PM for Sidewalk District No. 6043. Commissioner Schulz moved and Commissioner Bennett seconded to set the Public Hearing for Sidewalk District No. 6043 for January 29, 2007 at 5:45 PM. No opposition. Motion carried.

City Auditor Jim Brownlee advised the City Commission that the League of Cities website has a list of all pending bills and they can be advised what bills that a city is for or against.

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


James Brownlee
City Auditor