



- e. Rezoning Certain Parcels of Land Lying in Maplewood Estates Addition, Fargo, Cass County, North Dakota.
  - f. Rezoning Certain Parcels of Land Lying in Brandt Crossing Seventh Addition, Fargo, Cass County, North Dakota.
  - g. Rezoning Certain Parcels of Land Lying in Urban Plains Medical Park, Urban Plains by Brandt First, Urban Plains Center, Urban Plains Rec Facility, Urban Plains Retail, Urban Plains Northeast Retail, Brandt Park, Urban Plains Northeast Retail Second, Urban Plains Starion, Urban Plains Recreational, Urban Plains Recreational Second, PTP Additions, Urban Plains by Brandt Second Addition and Amber Valley West Fourth Addition to the City of Fargo, Cass County, North Dakota.
- 4. Wildlife Management Program Report for 2014 and Resolution authorizing program for 2015/2016 (Attachment "A").
  - 5. Purchase of Service Agreement with the North Dakota Department of Health for HIV Counseling, Testing and Referral Program (CFDA # 93.940).
  - 6. Change Order No. G-9 for an increase of \$8,246.75 for the Fargo Cass Public Health Remodeling Project.
  - 7. Expenditure of NSP funds for the acquisition and redevelopment of 810 12th Avenue North.
  - 8. Acquisition of 708 4th Avenue North for \$98,100.00.
  - 9. Resolution Approving Plat of Corwin FLP I First Addition (Attachment "B").
  - 10. Ratification of agreement to resolve the matter between the City of Fargo and Ronald Bergan.
  - 11. PEC recommendation for the temporary reorganization of the Deputy Chief assignments and a Lieutenant assignment at the Police Department.
  - 12. Five-year tax exemptions for improvements made to buildings:
    - a. Janice Kirby, 1218 2nd Street North.
    - b. Michael Softing, 1526 11th Avenue South.
    - c. Patrick Scherling, 1118 8th Avenue South.
  - 13. Applications for Games of Chance:
    - a. Altrusa International Foundation of Fargo ND, Inc. for a raffle on 4/18/15; Public Spirited Resolution.
    - b. USA Wrestling of North Dakota for a raffle on 7/24/15.
    - c. Osgood Parent Teacher Organization for a raffle on 3/20/15.
    - d. YMCA of Cass and Clay Counties for a raffle on 3/28/15.
    - e. Zach Kraft Benefit Fund for a raffle on 4/25/15.
    - f. The Arc of Cass County for a raffle on 4/23/15.
    - g. NDSU Lions Club for a raffle on 4/29/15.

- h. Joan-a-Palooza for a raffle on 3/21/15; Public Spirited Resolution.
  - i. NDSU Sigma Alpha Epsilon for a raffle on 3/30/15.
  - j. El Zagal Arab Patrol for a raffle on 3/20/15.
- 14. Purchase of one compost turner from RDO Equipment Company for \$211,204.00 with financing through Kinetic Leasing.
  - 15. Amendment to the Joint Powers Agreement for the Red River Regional Dispatch Center.
  - 16. Letters of Agreement with NDSU for CNG grant writing assistance and the Georgetown University Energy Prize Competition.
  - 17. Engineering Task Order, in the amount of \$237,500.00, for the Downtown Water and Sewer Master Plan.
  - 18. Engineering Task Order, in the amount of \$249,000.00, for the Southside Water and Sewer Master Plan.
  - 19. Rejection of all bids in connection with Project No. WW1404.
  - 20. Downtown Parking Ramp Feasibility Study contract addendum.
  - 21. Memorandum of Offers to Landowners for Permanent Easements for Project PR-14-01:
    - a. GMRI, Inc.
    - b. Phillips-Staveteig, LLC.
  - 22. Contract awards for construction and materials testing for 2015, 2016 and 2017 to Braun Intertec Corporation, Northern Technologies, Inc. and Terracon Consultants, Inc.
  - 23. Bid awards for Project Nos. HD-15-A1 to Landwehr Construction, Inc. in the amount of \$124,848.00 and TR-15-B1 to Moorhead Electric in the amount of \$114,000.00.
  - 24. Change Order #2, for an increase of \$49,828.00, for Project No. 6234.
  - 25. Advertisement for bids for Project No. FM-14-6 and amended engineer's report
  - 26. Bills in the amount of \$5,316,935.74.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Developers Agreement and Utility Easement for Improvement District No. VF-15-A Approved (Aspens at Timber Creek)

Commissioner Sobolik moved the Developers Agreement and Utility Easement for Improvement District No. VF-15-A be approved.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Contract Amendment No. 1 for Improvement District No. 6236 Approved:

The Board received a Report of Action from the Public Works Projects Evaluation Committee (PWPEC) stating a Contract Amendment was submitted by Moore Engineering in the amount of \$153,186.00, bringing the total contract amount to \$337,166.00. They said the additional costs covered in the request are related to the construction duration extending past the 24 week quote.

Commissioner Sobolik moved Contract Amendment No. 1 in the amount of \$153,186.00 for Improvement District No. 6236 be approved.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

No Protests Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on February 9 and 16, 2015 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Sobolik moved that the Board declare that no protests have been filed to the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1:

The bids for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., March 11, 2015 and the bids were found to be as follows:

Northern Improvement Company  
Bid:

Fargo, ND  
\$841,945.20

Border States Paving, Inc.  
Bid:

Fargo, ND  
\$873,823.25

Central Specialties, Inc.  
Bid:

Alexandria, MN  
\$889,990.00

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1 Awarded to Northern Improvement Company in the Amount of \$841,945.20:

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received March 11, 2015 for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1 shows the bid of Northern Improvement Company of Fargo, North Dakota, in the sum of \$841,945.20 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Northern Improvement Company in the sum of \$841,945.20 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-G1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Northern Improvement Company for the sum of \$841,945.20, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

No Protests Received for Seal Coat and Incidentals Improvement District No. PR-15-E1:

The Statutory Resolution of Necessity for the construction of Seal Coat and Incidentals Improvement District No. PR-15-E1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on February 9 and 16, 2015 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Sobolik moved that the Board declare that no protests have been filed to the construction of Seal Coat and Incidentals Improvement District No. PR-15-E1.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Seal Coat and Incidentals Improvement District No. PR-15-E1:

The bids for Seal Coat and Incidentals Improvement District No. PR-15-E1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., March 11, 2015 and the bids were found to be as follows:

|  |                |
|--|----------------|
| Asphalt Surface Technologies Corporation | St. Cloud, MN  |
| Bid:                                     | \$1,284,392.19 |

|                        |                |
|------------------------|----------------|
| Pearson Brothers, Inc. | Hanover, MN    |
| Bid:                   | \$1,307,173.65 |

Contract for Seal Coat and Incidentals Improvement District No. PR-15-E1 Awarded to Asphalt Surface Technologies Corporation in the Amount of \$1,284,392.19:

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Seal Coat and Incidentals Improvement District No. PR-15-E1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received March 11, 2015 for Seal Coat and Incidentals Improvement District No. PR-15-E1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Seal Coat and Incidentals Improvement District No. PR-15-E1 shows the bid of Asphalt Surface Technologies Corporation of St. Cloud, Minnesota, in the sum of \$1,284,392.19 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Asphalt Surface Technologies Corporation in the sum of \$1,284,392.19 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Seal Coat and Incidentals Improvement District No. PR-15-E1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Asphalt Surface Technologies Corporation for the sum of \$1,284,392.19, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Final Balancing Change Order No. 1 for Improvement District No. 6175 Approved:

Commissioner Sobolik moved approval of Final Balancing Change Order No. 1 for an increase of \$123,487.48 for Improvement District No. 6175.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Final Balancing Change Order No. 2 for Improvement District No. 6204 Approved:

Commissioner Sobolik moved approval of Final Balancing Change Order No. 2 for an increase of \$66,684.85 for Improvement District No. 6204.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Final Balancing Change Order No. 2 for Improvement District No. 6243 Approved:

Commissioner Sobolik moved approval of Final Balancing Change Order No. 2 for an increase of \$2,543.56 for Improvement District No. 6243.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Concrete Curb and Gutter, Asphalt Paving and Incidentals Improvement District No. BN-15-E (Woodhurst Addition):

Commissioner Sobolik moved the following action be taken in connection with Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Concrete Curb and Gutter, Asphalt Paving and Incidentals Improvement District No. BN-15-E:

Adopt Resolution Creating Improvement District No. BN-15-E:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. BN-15-E in the City of Fargo, North Dakota, be created

31st Street South from 64th Avenue North to the north property line of Lot 1, Block 1 of Woodhurst Addition.

COMPRISING:

Lots 1 through 10, Inclusive, Block 1.

Lots 1 through 6, Inclusive, Block 2.

All platted in Woodhurst Addition.

All the unplatted land in the south half of Section 2, Township 138 North, Range 49 West, west of 31st Street and east of 33rd Street South.

All of the foregoing located in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Concrete Curb and Gutter, Asphalt Paving and Incidentals Improvement District No. BN-15-E in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost From the City Engineer for Improvement District No. BN-15-E:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BN-15-E in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$1,484,900.00.)

Order Plans and Specifications for Improvement District No. BN-15-E:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. BN-15-E in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. BN-15-E:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BN-15-E in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. BN-15-E in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Concrete Curb and Gutter, Asphalt Paving and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Concrete Curb and Gutter, Asphalt Paving and Incidentals Improvement District No. BN-15-E in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That the entire cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Concrete Curb and Gutter, Asphalt Paving and



Incidentals must be in writing and must be filed with the City Auditor's Office within 30 days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. BN-15-E:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. BN-15-E in the City of Fargo, North Dakota.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-15-A (Along 14th Avenue North between Oak Street North and 3rd Street North):

Commissioner Sobolik moved the following action be taken in connection with Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-15-A:

Adopt Resolution Creating Improvement District No. BR-15-A:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. BR-15-A in the City of Fargo, North Dakota, be created

Along 14th Avenue North between Oak Street North and 3rd Street North.

COMPRISING

Lots 2 through 5, Inclusive.

All platted within El Zagal Park.

Lots 16 & 17, Block 6.

Lots 16 through 19 and the north 5' of lot 20, Block 7.

All platted within the Holes First Addition.

Lots 1 & 2, Block 1.

All platted within the Bernard Holes Addition.

The north 15' of the east 140' of Lot 9, Block 2.

The east 140' of lot 10, Block 2.

The north 15' of lot 8 & the south 55' of lot 9, Block 2.

Lot 10 & part of lot 11, Block 3.

All platted within the Bernard Holes Second Addition.

All of the foregoing is located in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-15-A in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost From the City Engineer for Improvement District No. BR-15-A:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BR-15-A in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$1,806,460.92.)

Order Plans and Specifications for Improvement District No. BR-15-A:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. BR-15-A in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. BR-15-A:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BR-15-A in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. BR-15-A in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Direct City Auditor's Office to Call for Bids for Improvement District No. BR-15-A:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. BR-15-A in the City of Fargo, North Dakota.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-E (Rocking Horse Farms 2nd Addition):

Commissioner Sobolik moved the following action be taken in connection with Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-E:

Adopt Resolution Creating Improvement District No. UN-15-E:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. UN-15-E in the City of Fargo, North Dakota, be created

On 48th Avenue South between Veterans Blvd and Rocking Horse Circle South.

On 49th Avenue South between 63rd Street South and Rocking Horse Circle South.

On 51st Avenue South between 63rd Street South and 61st Street South.

On 59th Street South between 48th Avenue South and Wildflower Drive South.

On 61st Street South between 51st Avenue South and Rocking Horse Circle South.

On 63rd Street South between 52nd Avenue South and 51st Avenue South.

On 63rd Street South between 49th Avenue South and Wildflower Drive South.

On Marigold Loop South off of 61st Street South from 250 feet north of 51st Avenue South to 275 feet Southwest of Rocking Horse Circle South.

On Cattail Cove South east of 63rd Street South to 400 feet east of 63rd Street South.

On Prairie Pond Xing South between Wildflower Drive South and Rocking Horse Circle South.

On Tallgrass Cove South south of Wildflower Drive South to 400 feet south of Wildflower Drive South.

On Wildflower Drive South between 63rd Street South and 48th Avenue South.

COMPRISING

Lot 1 through 67, inclusive, Block 1.

Lot 1 through 10, inclusive, Block 2.

Lot 1 through 28, inclusive, Block 3.

Lot 1 through 26, inclusive, Block 4.

Lot 1 through 7, inclusive, Block 5.

Lot 1 through 3, inclusive, Block 6.

Lot 1 through 5, inclusive, Block 7.

All platted in Rocking Horse Farms Second Addition.

All the unplatted land in the SE ¼ of Section 32, T139N, R49W.

All of the foregoing is located in the City of Fargo, Cass County, North Dakota

NOW, THEREFORE, BE IT RESOLVED, That Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-E in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost From the City Engineer for Improvement District No. UN-15-E:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. UN-15-E in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$7,776,850.00.)

Order Plans and Specifications for Improvement District No. UN-15-E:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. UN-15-E in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. UN-15-E:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. UN-15-E in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. UN-15-E in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Direct City Auditor's Office to Call for Bids for Improvement District No. UN-15-E:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. UN-15-E in the City of Fargo, North Dakota.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Retirement Resignation from the Civic Center Director Approved:

The Board received a communication from City Administrator Pat Zavoral stating he received a letter from Chair of the City Hall - Auditorium Commission Dan Armbrust. The letter states, he said, that the Auditorium Commission took two actions at its last meeting, one was to accept the retirement resignation from the Civic Center Director Bob Getz, and the other was to ask that Mr. Getz be allowed to stay on as a contract employee for up to 12 months. He said the Auditorium Commission also asked that the job description for the Director be reviewed in light of possible changes to the management responsibilities of the position over the next 12 months. He said this request is based on discussions being undertaken at the City Commission level relating to the combining of the Fargodome and Civic Auditorium management.

Commissioner Piepkorn moved to accept the retirement resignation of Civic Center Director Bob Getz, and to direct the City Administrator and appropriate staff to negotiate a contract with Mr. Getz for up to 12 months.

Second by Williams. On call of the roll Commissioners Piepkorn, Williams, Sobolik and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Proposal from HVS/JLG/Schuler Shook for Completion of a Feasibility Study to Evaluate the Repurposing of the Civic Center into a Multi-Purpose Performance Facility Approved:

The Board received a communication from Enterprise Director Bruce Grubb stating the City Commission approved the advertisement of a Request for Proposals for consulting services related to the potential repurposing of the Civic Center into a multi-purpose performance facility. He said the Civic Center Task Force prepared an RFP and on February 6th seven proposals were received from consultant teams. He said based on the proposal reviews, the Civic Center Task Force scheduled five follow-up interviews with the consultant teams and subsequently selected HVS/JLG/Schuler Shook as the preferred consultant team.

Commissioner Williams moved the proposal from HVS/JLG/Schuler Shook in the amount of \$107,800.00 for completion of a feasibility study to evaluate the repurposing of the Civic Center into a multi-purpose performance facility be approved.

Second by Piepkorn. On call of the roll Commissioners Williams, Piepkorn, Sobolik and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

State Water Commission Cost Reimbursement Request for FM Diversion Flood Project Costs Approved:

Finance Director Kent Costin said the expenditures listed in the reimbursement request are for \$470,398.00.

Commissioner Sobolik moved the cost reimbursement request to the State Water Commission for FM Diversion Flood Project costs in the amount of \$470,398.00 be approved.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Application Filed by PAC DAK Hospitality, LLC d/b/a Holiday Inn Express and Suites I-94 for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by PAC DAK Hospitality, LLC d/b/a Holiday Inn Express and Suites I-94 for a Class "ABH-Limited" Alcoholic Beverage License at 4711 19th Avenue South, notice of which had been duly published in the official newspaper for the City of Fargo.

City Auditor Steve Sprague said he has recently had discussions with staff and there are certain parameters in this ordinance that the Health and Police Departments are not 100% on board with. He said they would like to make a couple of amendments to the ordinance that was just passed. He said one of staff's recommendations was that the cooler needs to be under lock and key at all times, as well as a couple of other things that staff is recommending. He said the applicants are aware of the request and will make the appropriate accommodations.

No written protest or objection to the granting of the application has been received or filed in the office of the City Auditor, and said application has been approved by the Police Department as to the character of the applicant.

The Board determined that no person is present at this Hearing to protest or offer objection to the granting of the application.

Commissioner Piepkorn moved the application be approved.

Second by Williams. On call of the roll Commissioners Piepkorn, Williams, Sobolik and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Application Filed by FCH Fargo HIE, LLC d/b/a Holiday Inn Express for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by FCH Fargo HIE, LLC d/b/a Holiday Inn Express for a Class "ABH-Limited" Alcoholic Beverage License at 4010 40th Street Southwest, notice of which had been duly published in the official newspaper for the City of Fargo.

No written protest or objection to the granting of the application has been received or filed in the office of the City Auditor, and said application has been approved by the Police Department as to the character of the applicant.

The Board determined that no person is present at this Hearing to protest or offer objection to the granting of the application.

Commissioner Piepkorn moved the application be approved.

Second by Williams. On call of the roll Commissioners Piepkorn, Williams, Sobolik and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Discussion Regarding the Downtown Circulator Bus: Commissioners Williams and Piepkorn Appointed to the Downtown Circulator Task Force:

Commissioner Piepkorn said the circulator bus is a great concept and he thinks it will be very successful. He said he has asked Planning Director Jim Gilmour to determine if there are any potential parking spots in downtown Fargo that can be used, since it will be Fargo taxpayer's money funding the bus.

Planning Director Jim Gilmour said the most of the City-owned lots are at or near capacity. He said the need for downtown parking is not just for the City Hall campus but for any other business looking to expand downtown that will not be able to find parking for their employees. He said the circulator could be a win/win for a lot of downtown workers and businesses. He said he and the Mayor went to a Moorhead City Council meeting and they would like to form a Technical Committee to look at this idea. He said they have already appointed two council members to serve on the Committee.

Commissioner Piepkorn said he would like to look at other options within the City of Fargo, as he wants to see businesses in Fargo grow.

Transit Manager for MATBUS in Moorhead Lori Van Beek said buses and cars cross the river, Fargo and Moorhead are one community and it would be wonderful to see the downtowns grow in both communities.

Economic Development Director for the City of Moorhead Matt Maslowski said several of the businesses surrounding the Moorhead Center Mall area that he spoke to last week were very supportive of this idea. He said his City Council is definitely

open to have a discussion about putting resources into this idea. He said this could be a great test run for something bigger.

Commissioner Sobolik moved Commissioners Williams and Piepkorn be appointed to serve on the Downtown Circulator Task Force along with any additional staff that may be needed.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Setback Waiver Request for the Proposed City Hall Structure Approved:

The Board received a communication from Division Engineer Nathan Boerboom stating the Engineering Department has reviewed the setback waiver submitted by Houston Engineering on behalf of T.L. Stroh Architects for the proposed City Hall structure. He said the proposed structure is located entirely outside of the minimum disturbance zone setback (MDZS) and appears to meet the City's floodproofing construction requirements by providing for a floodproof perimeter around the structure. He said included within the proposal are complete geotechnical reports that were completed for the proposed City Hall structure design and the planned flood mitigation project along 2nd Street North. He said after reviewing the submittal, City staff feels that the waiver meets all of the necessary requirements of the City flood proofing code and policy.

In response to a question from Commissioner Piepkorn as to what the river level is on the first floor of the structure, Michael Love from Houston Engineering said the level is at 34.5 feet.

Commissioner Sobolik moved the setback waiver request for the proposed City Hall structure be approved.

Second by Williams. On call of the roll Commissioners Sobolik, Williams and Mahoney voted aye.

Commissioner Piepkorn voted nay.

The motion was declared carried.

Virginia Clark Johnson Reappointed to the Airport Authority:

The Board received a communication from Mayor Mahoney recommending that Virginia Clark Johnson be reappointed to the Airport Authority.

Commissioner Piepkorn moved Virginia Clark Johnson be reappointed to the Airport Authority for a five-year term ending April 8, 2020.

Second by Sobolik. On call of the roll Commissioners Piepkorn, Sobolik, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Blake Nelson and Nancy Jordheim Appointed to the Fargo Dome Authority:

The Board received a communication from Mayor Mahoney stating the terms of Dennis Fuhrman, Park District nominee, Darrell Vanyo, Cass County Commission and Deb Mathern, Board of Education nominee on the Fargo Dome Authority expire on April 1, 2015. He said he is recommending that Blake Nelson as the Park District nominee, Chad Peterson as the Cass County Commission nominee and Nancy

Jordheim as the Board of Education nominee be appointed to the Fargo Dome Authority.

Commissioner Piepkorn said he would like the Commission to consider nominating Darrell Vanyo to retain continuity on the Board.

Commissioner Williams moved Blake Nelson, Chad Peterson and Nancy Jordheim be appointed to the Fargo Dome Authority for four-year terms ending April 1, 2019.

The motion died for the lack of a second.

Commissioner Sobolik moved Blake Nelson, Darrell Vanyo and Nancy Jordheim be appointed to the Fargo Dome Authority for four-year terms ending April 1, 2019.

Second by Piepkorn. On call of the roll Commissioners Sobolik and Piepkorn voted aye.

Commissioners Williams and Mahoney voted nay.

The motion died for a lack of a majority.

Commissioner Piepkorn moved Blake Nelson and Nancy Jordheim be appointed to the Fargo Dome Authority for four-year terms ending April 1, 2019.

Second by Williams. On call of the roll Commissioners Piepkorn, Williams, Sobolik and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Sobolik moved that the Cass County Commission nomination be referred back to the Cass County Commission, requesting a letter of recommendation for one nominee to the Fargo Dome Authority.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

#### Legislative Issues:

City Administrator Pat Zavoral reviewed the 2015 Legislative issues matrix and shared the legislative hearings that will be held this week.

#### Board of Equalization to Meet at 7:30 a.m. on Tuesday, April 14, 2015:

Commissioner Sobolik moved the Board of Equalization meet at 7:30 o'clock a.m. on Tuesday, April 14, 2015.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Piepkorn moved that the Board adjourn to 5:00 o'clock p.m., Monday, March 30, 2015.

Second by Sobolik. All the Commissioners voted aye and the motion was declared carried.

The time at adjournment was 5:51 o'clock p.m.