

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

Regular Meeting:

Monday:

July 6, 2015:

The Regular Meeting of the Board of City Commissioners of the City of Fargo, North Dakota, was held in the City Commission Room at City Hall at 4:15 o'clock p.m., Monday, July 6, 2015.

The Commissioners present or absent were as shown following:

Present: Gehrig, Piepkorn, Sobolik, Williams, Mahoney.

Absent: None.

Mayor Mahoney presiding.

Mayor Mahoney announced that the Board will meet in Executive Session in the River Room for the purpose of attorney consultation pursuant to N.D. Cent. Code § 44-04-19.1(2) in reasonable anticipation of civil litigation pertaining to liquidated damages assessed ICS, Inc.

Commissioner Williams moved the Commissioners meet in Executive Session in the River Room as authorized by NDCC, Section 44-04-19.1(2) to discuss said matter.

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

At 4:16 p.m. the Board moved to the River Room to discuss said matter in Executive Session.

Members present were: Gehrig, Piepkorn, Sobolik, Williams and Mahoney.

The Executive Session closed at 4:40 o'clock p.m. and the meeting reconvened in public session at 5:00 p.m.

All Commissioners present. Mayor Mahoney presiding.

Order of Agenda Approved:

Commissioner Williams moved the Order of the Agenda be approved.

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

Minutes Approved:

Commissioner Piepkorn moved that the Minutes of the Regular Meeting of the Board held on June 22, 2015 be approved as read.

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

Consent Agenda Approved:

Commissioner Sobolik moved the Consent Agenda be approved as follows:

1. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 6/22/15:
  - a. Amending Section 23-0211 of Article 23-02 of Chapter 23 of the Fargo Municipal Code Relating to the Electrical Code.
  - b. Rezoning Certain Parcels of Land Lying in Edgewood First Addition to the City of Fargo, Cass County, North Dakota.
  - c. Rezoning Certain Parcels of Land Lying in Titan Machinery Addition to the City of Fargo, Cass County, North Dakota.
  - d. Rezoning Certain Parcels of Land Lying in Prairie Farms Commercial Addition to the City of Fargo, Cass County, North Dakota.
2. Receive and file the Comprehensive Annual Financial Report for the year ending December 31, 2014.
3. Participation in the 2015 American Indian Health Needs Study, utilizing \$3,500.00 from the Community Development Block Grant planning services budget.
4. Fargo Cass Public Health Remodeling Project:
  - a. Signage contracts with Indigo Signworks and Advanced Engraving, Inc.
  - b. Change Order No. G-11, for an increase of \$11,774.13.
  - c. Change Order No. M-6, for an increase of \$807.00.
5. Contract with the Fargo Public Schools for nursing services for Special Education services for summer school 2015.
6. Contracts with Central Cass School District, Kindred Public School District, Northern Cass School and Mapleton School District for nursing services for the 2015-2016 school year.
7. Grant Awards from the North Dakota Department of Health for Public Health Emergency Preparedness for Regional Staff Support, City Readiness Initiative, All Hazards Allocation and Emergency Response Services (CFDA #'s 93.074, and Contract #15.097).
8. Grant Award from the North Dakota Department of Health for State Aid to Local Public Health Units (Contract #15-138).
9. Contract with the North Dakota Department of Health for the Family Planning Depression Screening Program (Contract #G15.058).
10. Contract with the North Dakota Department of Health for the Women's Way Program (CFDA #93.919).

11. Applications for tax exemptions for improvements made to buildings:
  - a. Mark and Alysia Honzay, 234 Prairiewood Drive South (3-year).
  - b. Shannon and Karna Johnson, 73 28th Avenue NE (5-year).
  - c. Randy Hanson, 209 19th Avenue North (5-year).
12. Consulting contract with Bob Getz to assist in the management of the Civic Auditorium for six months through January 29, 2016.
13. Revised Development Agreements with Northside Properties, LLC at 1122 and 1126 19th Street North, Daxter Properties, LLC at 1022 and 1026 15th Street North and R & T Parkhomes, LLC at 1415, 1417 and 1421 8th Avenue North.
14. Amended Site Authorization for Sts. Anne & Joachim Catholic Church at the Church.
16. Applications for Games of Chance:
  - a. Fargo-Moorhead Cosmopolitan Club for a sports pool from 9/28/15 to 12/31/15.
  - b. Fargo North High School Booster Club for a calendar raffle at The Coliseum from 8/20/15 to 6/30/16.
  - c. Fargo North High School Booster Club for a calendar raffle at Fargo North High School from 8/15/15 to 6/30/16.
  - d. St. Anthony Church for bingo and a raffle on 9/27/15.
  - e. Dakota Medical Foundation for a raffle on 7/23/15.
16. 5-year municipal lease with Kinetic Leasing, in the amount of \$45,187.00 per year, for a compost turner.
17. Resolution approving Plat of Western State Bank Addition (Attachment "A").
18. Engineering Task Order in the amount of \$1,143,615.00 with Apex Engineering Group, Inc. for Project WW1403.
19. Access Agreement – Soil Borings with the Park District for Project No. NN-14-02.
20. Memorandum of Offer to Landowner and Temporary Easements for Project No. BR-15-B1:
  - a. 1026 NP Avenue, LLC.
  - b. Heartland Properties, LLC.
21. Bid award for Project No. TM-15-B1 to NorthStar Safety, Inc. in the amount of \$310,417.00.00.
22. Contract Amendment #2 for an increase of \$3,545.17 for Project No. 6230.
23. Contract time extension for Project No. HD-14-51 to 8/7/15.

24. Bid advertisement for Project No. UR-15-E.
25. Contracts and bonds for Project WW1403.
26. Bills in the amount of \$10,221,157.34.

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

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

Application for an Early Building Permit for Improvement District No. BN-15-H1 Approved (3230 Seter Parkway):

The Board received a Report of Action from the Public Works Projects Evaluation Committee stating the committee reviewed a communication from Division Engineer Brenda Derrig relating to a request for an Early Building Permit for an apartment complex within the project limits for the current City construction project.

Commissioner Sobolik moved the application for an early building permit for Improvement District No. BN-15-H1 at 3230 Seter Parkway be approved.

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

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

Contract Amendment #3 to Task Order #1 for Improvement District No. PN-14-11 Approved:

The Board received a Report of Action from the Public Works Projects Evaluation Committee stating the Committee reviewed correspondence from Division Engineer Brenda Derrig related to a Contract Amendment to Stantec's Task Order #1 in the amount of \$112,788.10, bringing the total contract amount to \$284,098.10. They said this amendment is for work necessary to complete the finalization of the project.

Commissioner Sobolik moved Contract Amendment #3 to Task Order #1 for Improvement District No. PN-14-11 be approved.

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

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

Contract Amendment #4 to Task Order #1 for Improvement District No. UN-14-11 Approved:

The Board received a Report of Action from the Public Works Projects Evaluation Committee stating the Committee reviewed correspondence from Division Engineer Brenda Derrig related to a Contract Amendment to Stantec's Task Order #1 in the amount of \$14,324.45, bringing the total contract amount to \$428,549.00. They said this amendment is for work necessary to complete the finalization of the project.

Commissioner Sobolik moved Contract Amendment #4 to Task Order #1 for Improvement District No. UN-14-11 be approved.

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

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

No Protests Received for P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1:

The Statutory Resolution of Necessity for the construction of P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on May 18 and 25, 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 P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1.

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

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

Bids Received for P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1:

The bids for P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., July 1, 2015 and the bids were found to be as follows:

Master Construction Company, Inc. Bid:	Fargo, ND \$1,813,780.50
Paras Contracting, Inc. Bid:	Fargo, ND \$2,021,513.80
Border States Paving, Inc. Bid:	Fargo, ND \$2,024,170.35
Northern Improvement Company Bid:	Fargo, ND \$2,105,275.50

Contract for P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1 Awarded to Master Construction Company, Inc. in the Amount of \$1,813,780.50:

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 P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received July 1, 2015 for P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1 shows the bid of Master Construction Company, Inc. of Fargo, North Dakota, in the sum of \$1,813,780.50 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 Master Construction Company, Inc. in the sum of \$1,813,780.50 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for P.C. Concrete Paving, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. PN-15-L1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Master Construction Company, Inc. for the sum of \$1,813,780.50, 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 Gehrig. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Gehrig, Williams, Piepkorn and Mahoney voted aye.

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

No Protests Received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1:

The Statutory Resolution of Necessity for the construction of Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on July 13, 20 and 27, 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 Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1.

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

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

Bids Received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1:

The bids for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., July 1, 2015 and the bids were found to be as follows:

H & S Contracting, Inc.  
Bid:

Moorhead, MN  
\$1,062,333.00

Ryan Contracting, Inc.	Shakopee, MN
Bid:	\$1,244,970.00
Master Construction Company, Inc.	Fargo, ND
Bid:	\$1,294,922.00
R & R Excavating, Inc.	Hutchinson, MN
Bid:	\$1,307,213.78
Sellin Brothers, Inc.	Hawley, MN
Bid:	\$1,462,813.00
J.R. Ferche, Inc.	Rice, MN
Bid:	\$1,587,334.00

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1 Awarded to H & S Contracting, Inc. in the Amount of \$1,062,333.00:

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 Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received July 1, 2015 for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1 shows the bid of H & S Contracting, Inc. of Moorhead, Minnesota, in the sum of \$1,062,333.00 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 H & S Contracting, Inc. in the sum of \$1,062,333.00 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-K1 in the City of Fargo, North Dakota, be and the same is hereby awarded to H & S Contracting, Inc. for the sum of \$1,062,333.00, 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 Gehrig. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Gehrig, Williams, Piepkorn and Mahoney voted aye.

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

Contract Time Extension for Improvement District No. BR-15-B1 Approved:

Commissioner Sobolik moved approval of a contract time extension to June 15, 2016 for Improvement District No. BR-15-B1.

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

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

Contract Time Extension for Improvement District No. PN-14-01 Approved:

Commissioner Sobolik moved approval of a contract time extension to August 13, 2015 for Improvement District No. PN-14-01.

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

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

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-E1 Approved:

Commissioner Sobolik moved approval of the Contract between the City of Fargo and Griffin Construction Company, Inc. for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-E1 in the City of Fargo, North Dakota.

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

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

Contract Bond for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-E1 Approved:

Commissioner Sobolik moved approval of the following described Contract Bond as to sufficiency:

United Fire and Casualty Company, Inc., in the amount of \$3,848,495.63, for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-E1 in the City of Fargo, North Dakota.

Second by Gehrig. On call of the roll Commissioners Sobolik, Gehrig, Williams, Piepkorn 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 Tabled for Two Weeks:

Finance Director Kent Costin said the expenditures listed in the reimbursement request are for \$4,501,221.00 and are eligible for the State of North Dakota funding. He said the expenditures are related to the buyout of the Park East Apartments.

Commissioner Piepkorn said he would like to know the assessed and appraised values of the Park East property and who will own the land after the purchase. He said he is concerned that these apartments represented reasonable cost housing and he would like to know how many apartments were lost, and what happened to the displaced renters. In the future he would like to see more detailed information on expenditure, he said.



City Engineer April Walker said the apartment building acquisition was done by the Cass County Joint Water Resource District Board as the lead group assigned with the task of acquiring property for the FM Diversion Flood Project. She said their team includes relocation specialists that worked with the residents to help find replacement housing. Moving expenses were reimbursed, she said, and depending on eligibility, rental assistance may have also been provided for a period and she can look into having more information provided to the Board about the relocation benefits.

In response to a question about tabling the request, Mr. Costin said in light of the magnitude of the reimbursement, he would prefer that it not be delayed; however that decision is up to the Board. He said the State Water Commission has a standard turnaround time and recently asked that requests be accelerated due to the timing of the close of their fiscal year.

In response to a question from Commissioner Gehrig about whether there would be an increased cost to wait two weeks until more information can be compiled, Mr. Costin said there would not.

Commissioner Gehrig moved the cost reimbursement request to the State Water Commission for FM Diversion Flood Project costs in the amount of \$4,501,221.00 be tabled for two weeks.

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

Mayor Mahoney voted nay.

The motion was declared carried.

#### NDPERS Health Insurance Premium Structure From July 1, 2015 through June 30, 2017 Approved:

Finance Director Kent Costin said the City participates in the North Dakota Public Employees Health Insurance Plan and all plan administrative activities, including plan design and related plan rate increases, are controlled by the State and its agencies. He said the cost of health coverage will be increasing by 15% effective July 1, 2015 and this rate will continue to be in effect for the two year period from July 1, 2015 through June 30, 2017. The Finance Committee recommends that the employee share of the premium increase be set at 7.5% for the period of July 1, 2015 through June 30, 2016, he said, and another 7.5% increase for the period of July 1, 2016 through June 30, 2017. He said the employee cost share has typically gone up the same as the employer; however, in light of the 1.25% COLA granted recently and subsequent analysis of the impact on employees, particularly those at the low end of the pay scale, the Finance Committee recommends the City fund an additional 7.5% in the first year of the two year period. He said the increase overall is about \$1.1 million, and the additional charge for the employee's share is about \$170,000.00.

Commissioner Gehrig said he proposed the COLA at 1.25% rather than 1% due to the health insurance premium increase. He said that while he does like this plan, had the COLA and this premium structure proposal been presented in the same discussion, he would have presented a 1% COLA and this structure together. He said he feels any vote on this plan needs to include a COLA discussion as well.

Commissioner Sobolik moved the allocation of the 2015-2017 NDPERS health insurance rate structure by increasing employee contributions by 7.5% for each year

of the biennium, with the City of Fargo paying the balance of the required plan premiums, be approved.

Second by Williams.

Commissioner Gehrig moved the motion be amended to include the adjustment of the COLA back to 1%.

Second by Piepkorn.

Mr. Costin said historically the budget team has kept a very close eye on the actual Consumer Price Index (CPI) when making COLA recommendations. Market studies are done to see that wages are competitive, he said, and employees move through a pay scale structure. He said there are no bonuses or income available for managers to reward good employees.

Mayor Mahoney said the Finance Committee did not have a full look at the health care premium increase affect on all the employees when it originally looked at the COLA. He said after the premium structure was referred back to the Finance Committee by the Board, they did not look at the COLA again but chose to handle the premium increase by adjusting the cost share.

Commissioner Williams said maintaining the 1.25% COLA is important for retention and it is important to be cognitive that workforce markets change and there are many open jobs in the Fargo area right now.

Commissioner Sobolik said the City has a great pool of employees and the City needs to retain and recruit quality staff. She said she wants the employees to know the Board values their work.

On call of the roll on the motion as amended, Commissioners Gehrig and Piepkorn voted aye.

Commissioners Williams, Sobolik and Mahoney voted nay.

The motion died for a lack of a majority.

On call of the roll on the original motion, Commissioners Sobolik, Williams and Mahoney voted aye.

Commissioners Gehrig and Piepkorn voted nay.

The motion was declared carried.

#### Appointments to the Land Management Committee and Diversion Finance Committee Approved:

The Board received a communication from Mayor Mahoney recommending that Commissioner Piepkorn be appointed to the Diversion Authority Land Management Committee. He said this will provide Commissioner Piepkorn a first line look at all the Diversion land purchases and offer him the opportunity to weigh in when purchases are being considered. He said he is also recommending that Commissioner Williams be appointed to the Diversion Finance Committee.

Commissioner Gehrig moved Commissioner Dave Piepkorn be appointed to the Diversion Authority Land Management Committee and Commissioner Mike Williams be appointed to the Diversion Finance Committee.

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

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

Text Amendment to Amend Section 20-0401, Use Table, of Article 20-04, Chapter 20 of the Fargo Municipal Code (Land Development Code) Approved:

A Hearing had been held by the Fargo Planning Commission on June 2, 2015 for the purpose of considering a request for a text amendment to Amend 20-0401, Use Table, of Article 20-04, Chapter 20 of the Fargo Municipal Code (Land Development Code), relating to Industrial Land Uses within GC, General Commercial zoning districts and other miscellaneous corrections and edits and the Fargo Planning Commission at such Hearing recommended to the Board of City Commissioners that the request be approved.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

There have been no written or verbal protests to the request and no one is present to protest thereto.

Planning Administrator Nicole Crutchfield said the purpose of the amendment is to help administer the Land Development Code with more clarity so there are less distinguishing characteristics between industrial land uses.

Commissioner Sobolik moved the request be approved on the basis the proposed Text Amendment complies with Section 20-0904.E (1-3) of the Land Development Code.

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

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

On-Street Time Zone Changes Approved:

Planner Joe Nigg stated the Parking Commission has been working over the past two years to develop an on-street time zone concept for the downtown core that would simplify the system and make better use of the underutilized on-street capacity in "fringe" blocks. In October of 2014 the City Commission approved the implementation of Phase I as a trial, he stated, since limited public input and outreach had been completed prior. Phase I was completed in December of 2014, he said, which by all accounts appears to be working as anticipated and the overall feedback has been positive. The Parking Commission recommended approval of the concept at their June 26, 2015 meeting, he said. He said converting parking to four hour zones will utilize on-street parking outside the core area currently being underused. He said the downtown core around Broadway and Roberts Street will still have 90-minute zones; however, that will be looked at more closely. He shared written comments from public meetings, maps of the existing time zones and the proposed downtown concept. Part of the effort includes cleaning up existing signage and opening up existing capacity in the core, he said. The re-parking Ordinance continues to generate negative feedback, he said, and there are misunderstandings about the overnight restrictions. He said on-street signage that is more intuitive is being developed.

Commissioner Williams moved the on-street time zone changes, as depicted in the map submitted by Mr. Nigg, be approved.

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

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

Michael Love Reappointed to the Board of Adjustment:

The Board received a communication from Mayor Mahoney recommending that Michael Love be reappointed to the Board of Adjustment.

Commissioner Sobolik moved Michael Love be reappointed to the Board of Adjustment for a three-year term ending June 30, 2018.

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

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

Appointments to the Library Board Approved:

The Board received a communication from Mayor Mahoney recommending that Howard Barlow and Helen Levitt be reappointed to the Library Board.

Commissioner Williams moved Howard Barlow and Helen Levitt be reappointed to the Library Board for three-year terms ending June 30, 2018.

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

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

Presentation by the Kilbourne Group Regarding the Woodrow Wilson Project: Request for Tax Increment Financing for a Project at 315 North University Drive Referred to Appropriate Staff for Review:

Kilbourne Group General Manager Mike Allmendinger said the former Woodrow Wilson School building at 315 North University Drive was first designed as an elementary school in 1917. He said the building, which is on the National Register of Historic Places, was purchased from Aldevron, LLC in January of 2015. This proposal, he said, is to renovate the property into 35 apartment units with 9,000 square feet of commercial space on the south side, with 7,000 square feet of that in a one story addition. He said a new building is proposed in the existing parking lot that will have 65 residential units. The building has more than 150 windows, he said, all of which will be replaced. Forty-four parking spaces are being proposed across the street to the north, he said, in addition to 55 parking spaces underground in the new building, parking dedicated for the commercial space, plus a few parking spaces on the north side to include handicap accessibility. He said there would be a courtyard space included between the two buildings. The total project cost is about \$14 million, he said.

In response to a question from Commissioner Sobolik about the rent costs for the apartments, Mr. Allmendinger said the range will likely be from \$675.00 for an efficiency to \$1,500.00 for a three bedroom unit.

Planning Director Jim Gilmour said the Kilbourne Group is seeking a Payment in Lieu of Tax incentive greater than the standard policy, which for Downtown is a ten year incentive; five years at 100% and an additional five years at 75%. He said the developer feels additional tax incentives are needed to make the project feasible. He said with the approval of the Board, staff will submit the proposal to the financial

advisors. He said half of the proposed parking lot to the north is a City-owned parcel, so discussions would include working with the developer on the sale of that property.

Commissioner Williams said he likes the site plan on the block and the transitional use on the north side which is now an empty parking lot. He said for the public portion perhaps a land swap could be worked out with the developer.

Commissioner Sobolik said this is a great anchor to stretch Downtown to University Drive.

Commissioner Sobolik moved appropriate staff be directed to submit the proposal to the City's financial advisors for review, to prepare a renewal plan and to draft a development agreement for the redevelopment of property at 315 North University Drive.

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

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

Commissioner Sobolik moved that the Board adjourn to 5:00 o'clock p.m., Monday, July 20, 2015.

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

The time at adjournment was 5:52 o'clock p.m.