

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 8/3/15:
 - a. Amending Section 20-0401 of Article 20-04 of Chapter 20 of the Fargo Municipal Code (Land Development Code) Relating to Use Table.
 - b. Amending Section 25-1506 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages (Brewer Taproom License).
 - c. Rezoning Certain Parcels of Land Lying in Urban Plains Recreational Addition to the City of Fargo, Cass County, North Dakota.
2. Receive and file the following Ordinances:
 - a. Amending Section 10-0304 of Article 10-03, of Chapter 10 of the Fargo Municipal Code Relating to Carrying, Possession, Discharge of Dangerous Weapons.
 - b. Amending Section 10-1202 of Article 10-12, of Chapter 10 of the Fargo Municipal Code Relating to Marijuana and Marijuana Paraphernalia.
 - c. Amending Section 25-1509 of Article 25-15, of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages (Sale Times of Liquor).
3. City Commission 2016 Meeting Schedule.
4. Receive and file Year to Date – Budget to Actual Report for July 2015.
5. Contract with Image Group Architecture & Interiors for the Fire Station 1 Remodel project.
6. Mutual Aid Hold Harmless Agreement with the North Dakota Air National Guard.
7. Fire Department budget adjustment, in the amount of \$10,000.00, and contract with the North Dakota Community Foundation.
8. Amendment to the Joint Powers Agreement for Transit Support and Agreement for Transit Services for 2015-2016 with NDSU.
9. Contract with West Fargo Public School District for nursing consultant services for the 2015-2016 school year.
10. Contracts with the North Dakota Department of Commerce in the amount of \$25,700.00 and \$56,000.00 to support operational expenses at the Gladys Ray Shelter (CFDA #14.231 and DCS Instrument # 3846-NDHG15).
11. 2015 State Energy Program Grant allocation in the amount of \$25,224.00 for energy efficiency building improvements related to Fargo's Georgetown University Energy Prize proposal (CFDA #81.041).

12. Ergo Phase II Grant Program Agreement with Workforce Safety and Insurance in the amount of \$26,091.00.
13. Business Associate Agreement with Family Healthcare Pharmacy, NDSU.
14. PEC recommendations for classification, reclassification, department restructure and market adjustments.
15. Extension of unpaid leave for Tony Fennell through 10/15/15.
16. Set 5:30 p.m. on August 31, 2015 for a hearing on a dangerous building at 1411 First Avenue North (moved to the Regular Agenda prior to public hearings).
17. Parking Management Services Contract Amendment No. 1 and Bill of Sale for parking pay stations.
18. Contracts in connection with The Fargo Project:
 - a. Three contracts with NDSU for \$203,911.00 for research to be performed between 2015 and 2018.
 - b. Contract for Prairie Restorations, Inc. for up to \$25,000.00.
 - c. Project Management Services and Communication Services Contract with Advanced Engineering and Environmental Services, Inc. in the amount of \$75,000 and Reach Partners for up to \$75,000.00.
19. Applications for 5-year tax exemptions for improvements made to buildings:
 - a. Matthew Rubis, 373 7th Avenue South.
 - b. Mark and Rebecca Bello, 1617 9th Street South.
20. Site Authorization for Team Makers Club, Inc. at Scheels Arena.
21. Applications for Games of chance:
 - a. YWCA Cass Clay for a raffle on 9/10/15.
 - b. North Dakota 4-H Foundation for a raffle on 9/18/15.
22. Purchase of property at 3209 39th Avenue South through the flood buyout program.
23. Purchase of property at 3405 39th Avenue South through the flood buyout program.
24. Application, inspection form and Resolution prescribing 2015 licensing rates for mobile home communities.
25. 2016 tree order from Bailey Nurseries, Inc. for \$40,849.75 plus freight.
26. Engineering Task Order with AE2S, in the amount of \$431,800.00 for engineering services associated with the interconnection of the Fargo and West Fargo water distribution systems.

27. Engineering Task Order from AE2S, in the amount of \$358,700.00, for engineering services associated with the Sheyenne River Pump Station Improvements project.
28. Addition of Mayor Tim Mahoney to the Public Works Projects Evaluation Committee.
29. Repair of the defective sanitary sewer at Autumn Drive, south of Maple Valley Drive by Master Construction for \$37,797.50.
30. Suspension of potential FEMA grant preparation activities for 402, 414, 420, 421, 430 and 431 Harwood Drive South and 1102 32nd Avenue South and 1213 El Cano Drive South (Project No. MS-15-M0).
31. Bid award for Project No. UR-15-E1 to Shermans, LLC in the amount of \$164,778.00
32. Change Order No. 1 for an increase of \$43,647.00 for Project No. FM-15-F1.
33. Contract time extension for Project No. FM-14-61 to 9/28/15.
34. Contract and bond for Project No. TR-15-C1.
35. Bills in the amount of \$13,950,858.95.

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.

Final Balancing Change Order No. 1 for Improvement District No. BN-14-01 Approved:

Commissioner Sobolik moved approval of Final Balancing Change Order No. 1 for an increase of \$45,186.66 for Improvement District No. BN-14-01.

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.

Change Order No. 2 for Improvement District No. BN-14-31 Approved:

Commissioner Sobolik moved approval of Change Order No. 2 for an increase of \$16,944.98 for Improvement District No. BN-14-31.

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.

Contract Amendment No. 1 for Improvement District No. NN-15-A3 Approved:

The Board received a Report of Action from the Public Works Projects Evaluation Committee stating the Committee received a communication from Project

Engineer Jody Bertrand relating to a contract amendment submitted by Apex Engineering in the amount of \$1,316.00. They said the additional costs covered in this request are related to the redesign of electrical wiring/components and the increase of the pump control panels to support two 75 HP motors.

Commissioner Sobolik moved Contract Amendment No. 1 in the amount of \$1,316.00 for Improvement District No. NN-15-A3 be approved.

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.

Contract Time Extension for Improvement District No. BN-14-51 Approved:

Commissioner Sobolik moved approval of a contract time extension to September 27, 2015 for Improvement District No. BN-14-51.

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.

Contract for Storm Sewer Lift Station and Incidentals Improvement District No. NN-15-A1 Approved:

Commissioner Sobolik moved approval of the Contract between the City of Fargo and Key Contracting, Inc. for Storm Sewer Lift Station and Incidentals Improvement District No. NN-15-A1 in the City of Fargo, North Dakota.

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.

Contract Bond for Storm Sewer Lift Station and Incidentals Improvement District No. NN-15-A1 Approved:

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

Western Surety Company, in the amount of \$1,205,450.00, for Storm Sewer Lift Station and Incidentals Improvement District No. NN-15-A1 in the City of Fargo, North Dakota.

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.

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-K1 Approved:

Commissioner Sobolik moved approval of the Contract between the City of Fargo and Aggregate Industries – MWR, Inc. for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-K1 in the City of Fargo, North Dakota.

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.

Contract Bond for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-K1 Approved:

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

Western Surety Company, in the amount of \$1,395,648.90, for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-K1 in the City of Fargo, North Dakota.

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.

Contract for Water Main Replacement, Storm Sewer Installation and Incidentals Improvement District No. UR-15-C1 Approved:

Commissioner Sobolik moved approval of the Contract between the City of Fargo and Fox Underground, Inc. for Water Main Replacement, Storm Sewer Installation and Incidentals Improvement District No. UR-15-C1 in the City of Fargo, North Dakota.

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.

Contract Bond for Water Main Replacement, Storm Sewer Installation and Incidentals Improvement District No. UR-15-C1 Approved:

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

Westchester Fire Insurance Company, in the amount of \$225,336.25, for Water Main Replacement, Storm Sewer Installation and Incidentals Improvement District No. UR-15-C1 in the City of Fargo, North Dakota.

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.

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 \$2,833,772.00 and are eligible for the State of North Dakota funding.

Commissioner Williams moved the cost reimbursement request to the State Water Commission for FM Diversion Flood Project costs in the amount of \$2,833,772.00 be approved.

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

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

Appointments to the Human Relations Commission Approved:

The Board received a communication from Mayor Mahoney stating the terms of Laetitia Mizero, Aaron Hill and Keith Bjornson on the Human Relations Commission expired on July 1, 2015. Mr. Bjornson is willing to continue his service on the Board, he said; however, Ms. Mizero no longer resides in Fargo and is not eligible for reappointment and Mr. Hill does not wish to be reappointed. In addition, Malia Czirina has indicated she is no longer able to serve on the Board. He said his recommendation is to reappoint Keith Bjornson. To replace Ms. Mizero and Mr. Hill, he said he is recommending the appointment of Hassan Lamba and Timothy Stone, with all three terms expiring on July 1, 2018. He said he is also recommending the appointment of Joe Burgum to fill the vacancy created by the resignation of Ms. Czirina for a term ending July 1, 2016.

Commissioner Sobolik moved the reappointment of Keith Bjornson and the appointments of Hassan Lamba and Timothy Stone to the Human Relations Commission for terms ending July 1, 2018 and the appointment of Joe Burgum to the Human Relations Commission for a term ending July 1, 2016 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.

Request for an Encroachment Agreement at 750 34th Street North Denied:

The Board received a Report of Action from the Public Works Projects Evaluation Committee (PWPEC) regarding an undocumented encroachment into the public right of way on a property that has recently been developed. They said the site plan and building permit did not include the encroachment in the right of way, and the property owner and tenant are requesting that the encroachment be allowed to remain. They stated Planning Director Jim Gilmour indicated that this is a new site that pulled a building permit in 2013 and they have not constructed a parking buffer, sidewalk and are maneuvering for access on the site in the public right of way. They said Mr. Gilmour indicated to the Committee that the site plan stated compliance with the LDC; however, it was not constructed in accordance with the site plan or the LDC, therefore, he is recommending denial of the request.

Commissioner Williams moved the request for an Encroachment Agreement at 750 34th Street North be denied.

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

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

Hearing on a Dangerous Building Located at 1411 First Avenue North Set for August 31, 2015:

The Board received a communication from Inspections Administrator Ron Strand stating he has been in contact with the property owner of 1411 1st Avenue North who has failed to comply with the City's order to remove the heavily damaged structure at that location within the time allowed for the removal. He said he has been

advised that the owner has entered into a purchase agreement for the purchase of the property; however, he is recommending that the City proceed with the procedure set forth in FMC 21-04 by scheduling a hearing and providing the required notices for such hearing.

Commissioner Sobolik said she asked to have this item pulled off of the Consent Agenda due to the fact that she knows that there are neighbors along the 1st Avenue North corridor that have some concerns about this house.

Planning Director Jim Gilmour said Building Official Ron Strand has ordered this building to be removed due to it being a dangerous building. He said at this time the building owner has not complied with the order.

Commissioner Sobolik moved the Hearing on a dangerous building located at 1411 First Avenue North be set for August 31, 2015 at 5:30 o'clock p.m.

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.

Resolution Adopted Declaring No Protests on Resolution Annexing 80.43 Acres of Land in Part of the Northwest Quarter of Section 27, Township 140 North, Range 49 West, Being More Fully Described as the West Half of the Northwest Quarter of Section 27, Township 140 North, Range 49 West:

Roger Krum, resident of Reiles Acres, said he would like clarification on what is going to happen to 45th Street. He said he lives right alongside that road and if it becomes a five lane road it will be very close to his bedroom. He said an old plan said that the road would cut to the east, cross the drain, go north and then cut back near County Road 20; however, he has not seen that in the plans that were presented.

Ms. Crutchfield said Mr. Krum is correct that there are a lot of unknowns in this area. She said the Planning Department has reached out to a consultant to study the area and various components such as flood management items and roadway coordination items in addition to working with NDSU on their long range plan. She said unfortunately Planning does not have any answers today; however, annexing this portion of land allows the City to proceed with that growth area study.

Joe Moch, resident of Reiles Acres, said he served on the Planning and Zoning Commission for a number of years and there were a lot of assurances and promises that 45th Street would never be widened to four lanes coming through Reiles Acres.

Ms. Crutchfield said until the study is completed there are a lot of unknowns for this area.

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, A Resolution of Annexation was published, as required by law, in the official newspaper for the City of Fargo on July 6 and 13, 2015, annexing approximately 80.43 acres of land located in part of the northwest quarter of Section 27, Township 140 North, Range 49 West, being more fully described as the West Half of the Northwest Quarter of Section 27, Township 140 North, Range 49 West; and

WHEREAS, The Board of City Commissioners finds and declares that no protests have been filed with the City Auditor's Office after publication of the Annexation Resolution adopted by the Board of City Commissioners on June 22, 2015.

NOW, THEREFORE, BE IT RESOLVED, That the tract of land described in said Resolution of Annexation be and the same is hereby annexed to, made part of and included within the corporate limits of the City of Fargo, Cass County, North Dakota, and that the City Auditor's Office be and is hereby directed to record said annexation plat in the Cass County Recorder's Office in Fargo, North Dakota.

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

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

Renaissance Zone Project for 404 Place, LLC Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for 404 Place, LLC at 404 4th Avenue North.

No written protest or objection to the Project has been received or filed in the City Auditor's Office.

The Board determined that no person is present to protest or offer objection to the Project.

The Board received a communication from Planner Joe Nigg stating the Renaissance Zone Project application presented by 404 Place, LLC meets all of the minimum criteria set forth in the Renaissance Zone Plan and is consistent with the established goals and objectives. Mr. Nigg recommended that the project be approved as it will be a great addition to the Downtown community.

Commissioner Piepkorn moved the Renaissance Zone application filed by 404 Place, LLC for a project located at 404 4th Avenue North be approved and the income tax and property tax exemptions be granted as recommended by the Renaissance Zone Authority.

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

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

Renaissance Zone Project for DFI Woodrow Wilson LLC Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for DFI Woodrow Wilson LLC at 315 University Drive.

No written protest or objection to the Project has been received or filed in the City Auditor's Office.

The Board determined that no person is present to protest or offer objection to the Project.

The Board received a communication from Planner Joe Nigg stating the Renaissance Zone Project application presented by DFI Woodrow Wilson LLC meets all of the minimum criteria set forth in the Renaissance Zone Plan and is consistent with the established goals and objectives. Mr. Nigg recommended that the project be approved.

Commissioner Piepkorn moved the Renaissance Zone application filed by DFI Woodrow Wilson LLC for a project located at 315 University Drive be approved and the income tax and property tax exemptions be granted as recommended by the Renaissance Zone Authority.

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

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

Application Filed by DFI Woodrow Wilson, LLC for Payment in Lieu of Tax Exemption Approved:

A Hearing had been set for this day and hour on an application filed by DFI Woodrow Wilson, LLC for payment in lieu of property tax exemption for a project which the applicant will use in the operation of leasing residential property located at 315 University Drive North.

No written protests have been filed for the attention of the Board.

The Board determined that no person is present at this Hearing to protest or offer objection thereto.

Planning Director Jim Gilmour said this is a project that will be very good for the downtown area but is very difficult to do without additional incentives. He said the City does provide for up to a ten year PILOT for new housing in the downtown area at 100% for five years and 75% for the remaining five years. He said the Cityscapes and Union Storage projects needed more incentives than the City generally offers therefore those projects were extended out to fifteen years. He said this application is for up to twenty years, but has been adjusted down from the original amount requested based on results from the City's financial advisors who felt that the applicant could start to pay some of the property taxes sooner. He said the Finance Committee felt that this would be a great project for the downtown, but as Commissioner Williams noted at the Committee meeting, the City needs to put together a list of standards when the City feels that it is appropriate to go beyond some of the standard incentives.

Mike Allmendinger, General Manager of the Kilbourne Group, said he is excited to be presenting this project to the Commission. He said they feel that this is a great project for this neighborhood with a great mix of a historic renovation of the existing Woodrow Wilson Building and also the ability to add some new apartments.

Commissioner Piepkorn said this is a very symbolic project considering this is the second oldest school in the city and the potential impact for the surrounding blocks in this area is very exciting.

Commissioner Gehrig said he thinks it is an exciting project; however, the City is really taking a risk by allowing this rate to be decreased for such a long period of time.

Mr. Gilmour said he does not think it will take thirty years to break even with this project, it will likely be between the fifteen and twenty year mark. He said when a project like this is developed a lot of the values of the surrounding properties start to go up right away and the City will likely see more development in the vicinity of this project as well.

Commissioner Sobolik moved the PILOT exemptions be approved as recommended by the Finance Committee and as presented.

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

Commissioner Gehrig voted nay.

The motion was declared carried.

Application Filed by DFI Woodrow Wilson, LLC for Payment in Lieu of Tax Exemption Approved:

A Hearing had been set for this day and hour on an application filed by DFI Woodrow Wilson, LLC for payment in lieu of property tax exemption for a project which the applicant will use in the operation of leasing residential and commercial property located at 315 University Drive North.

No written protests have been filed for the attention of the Board.

The Board determined that no person is present at this Hearing to protest or offer objection thereto.

Commissioner Sobolik moved the PILOT exemptions be approved as recommended by the Finance Committee and as presented.

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

Commissioner Gehrig voted nay.

The motion was declared carried.

At 6:05 p.m. the Board took a five-minute recess.

After recess: All Commissioners present. Mayor Mahoney presiding.

Application Filed by Fritz Holding LLC d/b/a Office Sign Company for a Five-Year Property Tax Exemption Approved:

A Hearing had been set for this day and hour on an application filed by Fritz Holding LLC d/b/a Office Sign Company for a five-year property tax exemption for an expansion to their operation at 1416 41st Street North where the applicant will fabricate and assemble sign products.

No written protests have been filed for the attention of the Board.

The Board determined that no person is present at this Hearing to protest or offer objection thereto.

Commissioner Piepkorn moved that the application filed by Fritz Holding LLC d/b/a Office Sign Company for a five year, 100% property tax exemption pursuant to Chapter 40-57.1, NDCC be approved.

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

Commissioner Gehrig voted nay.

The motion was declared carried.

Amendment to the Growth Plan Approved (2102, 2106 and 2867 45th Street North, 4101 and 4301 19th Avenue North and 4200 32nd Avenue North):

A Hearing had been set for this day and hour to consider approval of an amendment to the Growth Plan to increase the amount of industrial acreage and adjust the location of park/open space acreage while also eliminating the low-medium density residential, medium-high density residential, commercial and a portion of the park/open space.

The Fargo Planning Commission recommended approval of the amendment to the Growth Plan at their July 7, 2015 meeting.

No written protest or objection to the amendment to the Plan has been received or filed in the Planning and Development Department.

The Board determined that no person is present to protest or offer objection to the Growth Plan amendment.

Ed Dreckter, resident of Reiles Acres, said one of his biggest concerns as times goes on is the access to the corridor to the north. He said with 20th Avenue the City is going to want there to be a corridor to the north and his concern is about how that access will impact Reiles Acres as well as NDSU.

Commissioner Sobolik moved the amendment to the Growth Plan be approved.

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.

Appeal of the Board of Adjustment's Denial of a Request for a Variance at 1005 35th Street North: Variance Granted:

A Hearing had been set for this day and hour on the appeal of a July 16, 2015 ruling of the Board of Adjustment denying the request from North Town Crossings, LLC for a variance to exceed the maximum allowable accessory building height of 15 feet, for a proposed detached garage, by 4 feet 6 inches at 1005 35th Street North.

No written protest or objection to the granting of the variance has been received or filed in the office of the City Auditor.

The Board determined that no person is present at this Hearing to protest or offer objection thereto.

Austin Morris, Enclave Development, LLC, said this property is mostly comprised of student housing and that became the challenge. He said they manage other facilities in the state and this has never been an issue before. He said they usually plan their developments ahead of time with sufficient maintenance structures; however, what they have found with the maintenance intensity of student housing is the need for more space for maintenance related activities such as carpet, vinyl, cabinets, etc. He said they looked at four other locations to construct the garage, but there were either utilities there or it was too close to the apartment complex.

Commissioner Piepkorn moved the variance be granted.

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

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

Hearing on the Special Assessment List for the Island Park Ramp Approved:

A Hearing had been set for this day and hour on the special assessment list for the Island Park Ramp in the City of Fargo, North Dakota.

No appeals have been filed in writing against any item appearing on such special assessment list and no person is present at this Hearing to appeal or offer any objection thereto.

Commissioner Williams moved that the special assessment list for the Island Park Ramp be and the same is hereby approved and confirmed and ordered filed in the office of the City Auditor and that the City Auditor's Office be instructed to proceed to collect the assessments in the manner provided by law.

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

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

Hearing on Special Assessments for Sewer Repairs on Certain Properties in the City of Fargo:

A Hearing had been set for this day and hour on the special assessments for sewer repairs on the list of properties on file in the City Auditor's Office.

No appeals have been filed in writing against any item appearing on such special assessment list and no person is present at this Hearing to appeal or offer any objection thereto.

Commissioner Sobolik moved the sewer repair special assessment list 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.

Hearing on Special Assessments for Abatement of Nuisances on Certain Properties in the City of Fargo Continued to August 31, 2015:

This was the time and date set for a Hearing on special assessments for abatement of nuisances on the list of properties on file in the City Auditor's Office; however, there was a problem with the publication of the meeting; therefore, the meeting needs to be continued for two weeks.

Commissioner Sobolik moved the Hearing be continued to 5:15 o'clock p.m. Monday, August 31, 2015.

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

Commissioner Williams moved that the Board adjourn to 5:00 o'clock p.m., Monday, August 31, 2015.

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

The time at adjournment was 6:43 o'clock p.m.