

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

Special Meeting:

Monday:

March 21, 2016:

Agreeable with a call for a Special Meeting issued by Mayor Mahoney, the Board of City Commissioners of the City of Fargo, North Dakota convened in a Special Meeting in the City Commission Room at City Hall at 1:00 o'clock p.m., Monday, March 21, 2016.

The Commissioners present or absent were as shown following:

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

Absent: None.

Mayor Mahoney presiding.

City Attorney Erik Johnson provided an explanation and a suggested motion for a contract negotiation matter pertaining to the Mid-America Steel property, and said that there is potential litigation related to the same matter which requires a City Commission discussion in Executive Session, pursuant to N.D. Century Code Section 44-04-19.1 subsections 2 and 9. Mr. Johnson explained that the City Commission will need to discuss negotiation strategy and give the City's attorney or other negotiator instructions for such negotiations. He also explained that such discussions would have an adverse fiscal impact on the City were they to occur in a public setting; therefore, the executive session is necessary.

Commissioner Williams moved for the Commissioners to meet in Executive Session as authorized by N.D.C.C. Section 44 04-19.1, subsections 2 and 9, to discuss negotiating strategy and/or to provide negotiating instructions to its attorney or other negotiator regarding a potential contract or contracts relating to the acquisition of the Mid-America Steel property, such executive session being necessary to avoid disclosure to Mid-America Steel and others of the city's bargaining position and, therefore, necessary to avoid an adverse fiscal impact upon the city and which discussion may also include attorney consultation regarding reasonably predictable civil litigation surrounding the possible acquisition of the Mid-America Steel property by eminent domain.

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

At 1:03 o'clock p.m. the Board moved into the River Room for the Executive Session.

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

The Executive Session closed at 1:29 o'clock p.m.

The Board of City Commissioners reconvened in public session at 1:30 o'clock p.m.

Commissioner Sobolik moved that the Board adjourn.

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

The time at adjournment was 1:31 o'clock p.m.