

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

Regular Meeting:

Tuesday:

July 5, 2016:

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 5:00 o'clock p.m., Tuesday, July 5, 2016.

The Commissioners present or absent were as shown following:

Present: Gehrig, Grindberg, Piepkorn, Strand, Mahoney.

Absent: None.

Mayor Mahoney presiding.

Mayor Mahoney read a statement thanking Commissioners Mike Williams and Melissa Sobolik for their service and welcoming new commissioners Tony Grindberg and John Strand. He also welcomed Fargo's new Assistant City Administrator Michael Redlinger. He also announced that the Fargo-Moorhead Diversion Project reached a significant milestone as Assistant Secretary of the Army for Civil Works, Jo-Ellen Darcy, the top official for the U.S. Army Corps of Engineers, signed off on the project and she is coming to Fargo on July 11th to celebrate the signing of the Project Partnership Agreement. The Mayor also unveiled the new City of Fargo logo and announced that the City of Fargo was awarded the 2016 Outstanding Achievement and Livability Award by the United States Conference of Mayors for the unique and meaningful work completed by the City of Fargo's Native American Commission.

Judge Steve Dawson administered the Oath of Office to Commissioner Tony Grindberg and Commissioner John Strand.

Order of Agenda Approved:

Commissioner Gehrig moved the Order of the Agenda be approved omitting Item No. "25."

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

Minutes Approved:

Commissioner Strand moved that the Minutes of the Regular Meeting of the Board held on June 20, 2016 be approved as read.

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

Consent Agenda Approved:

Commissioner Strand moved the Consent Agenda be approved as follows:

1. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Erskine's Addition to the City of Fargo, North Dakota; 1st reading, 6/20/16.
2. 2017 tree order from Bailey Nurseries, Inc. for \$43,841.00 plus freight.
3. Encroachment Agreement at 602 Main Avenue.
4. Memorandum of Offer to Landowner for Permanent Easement (Street and Utility) with Michael and Christine McCollum for Project No. PN-14-41.
5. Memorandum of Offer to Landowner for Permanent Easement (Bike Trail) with First United Methodist Church of Fargo for Project No. SN-16-B1.
6. Memorandum of Offer to Landowner for Permanent Easement (Bike Trail) with James S. Hagen and Carey Auren Walker for Project No. SN-16-B1.
7. Addendum to Lease Agreement with Bortnem Family Limited Partnership for temporary City Hall parking.
8. Site Authorization for Sts. Anne and Joachim Catholic Church at Sts. Anne and Joachim Catholic Church.
9. Applications for Games of Chance:
  - (a) Fargo Gateway Lions for a raffle on 7/11/16.
  - (b) St. Anthony's of Padua Church for bingo on 9/25/16.
  - (c) FirstLink for a raffle on 8/25/16.
  - (d) Villa Nazareth d/b/a CHI Friendship for a raffle on 11/4/16.
10. 5-year tax exemption for improvements made to buildings:
  - (a) Steven L. Olson, 1637 7th Avenue South.
  - (b) Sara Sheehy Et Al, 1122 9th Street South.
11. Meter Reader I contract with Elvin Lien.
12. Amendment of the Grants Administrative Policy as recommended by the Finance Committee.
13. Accept results of the Cass County Canvassing Board for the June 14, 2016 Primary Election; declare officials elected.

Total City of Fargo votes cast:

16,857

For Members of the Board of City Commissioners

Four years

Tony Grindberg

5,154 (elected)

John Strand

4,776 (elected)

Joe Burgum

4,411

Mara Brust	4,119
Robin Nelson	3,906
Scott Wagner	3,775
Bridget Ertelt	1,840
Tammy Linn	1,455
Matt Kuebler	1,419
Lance Yohe	911
Nelul Andrew	218

## For Members of the Fargo Park Board

## Four years

Rusty Papachek	7,453 (elected)
Jerry Rostad	5,704 (elected)
Stacey Griggs	5,322
Grant Mehring	4,560
Brandi Malarkey	4,115

## Municipal Judge City of Fargo

## Regular term – vote for 1

Steve Dawson	12,163
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## City of Fargo Publication of Minutes

Yes	13,543
No	3,314

14. Small Claims Court Affidavit filed by Progressive Direct Insurance Company vs. Salim Abuzar Mustafa and City of Fargo.
15. Consulting Agreement between the Fargo Dome Authority and Spectra Venue Management.
16. Corrective Easement Agreement with TMI Hospitality regarding Amber Valley West 3rd Addition (55 Street South) and correspondence from the City Attorney.
17. Master Tax-Exempt Lease/Purchase Agreement with US Bank in the amount of \$1.5 million amortized over 5 years.
18. Change Order No. 2 for an increase of \$66,990.80 for Project No. PN-15-B1.
19. Bid Award for Project No. TP-16-A1.
20. Contracts and Bonds for FargoDome Video Board Upgrades Assessment and New Fargo City Hall.
21. Bills in the amount of \$12,837,618.12.

Second by Grindberg. On call of roll Commissioners Strand, Grindberg, Gehrig, Piepkorn and Mahoney voted aye and the motion was declared carried.

No Protests Received for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1:

The Statutory Resolution of Necessity for the construction of Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on May 30 and June 6, 2016, and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Strand moved that the Board declare that no protests have been filed to the construction of Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1.

Second by Grindberg. On call of the roll Commissioners Strand, Grindberg, Gehrig, 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, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1:

The bids for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 29, 2016 and the bids were found to be as follows:

Ryan Contracting Bid:	Shakopee, MN \$1,464,382.10
Dakota Underground Company, Inc. Bid:	Fargo, ND \$1,479,290.13
Master Construction Company, Inc. Bid:	Fargo, ND \$1,583,365.55
George E. Haggart, Inc. Bid:	Fargo, ND \$1,590,585.30
R&R Excavating, Inc. Bid:	Hutchinson, MN \$1,763,148.77
Robert Gibb and Sons, Inc. Bid:	Fargo, ND \$1,816,069.40

Contract for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1 Awarded to Ryan Contracting in the Amount of \$1,464,382.10:

Commissioner Strand 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, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 29, 2016 for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lighting and Incidentals Improvements Improvement District No. BN-16-E1 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, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1 shows the bid of Ryan Contracting of Shakopee, Minnesota, in the sum of \$1,464,382.10 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 Ryan Contracting in the sum of \$1,464,382.10 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lighting and Incidentals Improvement District No. BN-16-E1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Ryan Contracting for the sum of \$1,464,382.10, 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 Grindberg. On the vote being taken on the question of the adoption of the Resolution Commissioners Strand, Grindberg, Gehrig, Piepkorn and Mahoney voted aye.

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

No Protests Received for Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1:

The Statutory Resolution of Necessity for the construction of Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on May 30 and June 6, 2016, and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Strand moved that the Board declare that no protests have been filed to the construction of Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1.

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

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

Bids Received for Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1:

The bids for Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 29, 2016 and the bids were found to be as follows:

Robert Gibb and Sons, Inc.	Fargo, ND
Bid:	\$2,188,175.79

Master Construction Company, Inc.	Fargo, ND
Bid:	\$2,354,415.00

Gladen Construction, Inc.	Laporte, MN
Bid:	\$2,571,326.81

Contract for Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1 Awarded to Robert Gibb and Sons, Inc. in the Amount of \$2,188,175.79:

Commissioner Strand offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 29, 2016 for Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvements Improvement District No. BR-16-E1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1 shows the bid of Robert Gibb and Sons, Inc. of Fargo, North Dakota, in the sum of \$2,188,175.79 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 Robert Gibb and Sons, Inc. in the sum of \$2,188,175.79 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Water Main Replacement, Force Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-E1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Robert Gibb and Sons, Inc. for the sum of \$2,188,175.79, 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 Grindberg. On the vote being taken on the question of the adoption of the Resolution Commissioners Strand, Grindberg, Gehrig, Piepkorn and Mahoney voted aye.

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

Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. BN-16-F (41st Street North of 19th Avenue North):

Commissioner Strand moved the following action be taken in connection with Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. BN-16-F:

Adopt Resolution Creating Improvement District No. BN-16-F:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. BN-16-F in the City of Fargo, North Dakota, be created

In the South half of Section 29, Township 140 North, Range 49 West.

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

NOW, THEREFORE, BE IT RESOLVED, That Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. BN-16-F 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-16-F:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BN-16-F 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 \$1,324,277.55.)

Order Plans and Specifications for Improvement District No. BN-16-F:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. BN-16-F in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. BN-16-F:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BN-16-F 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-16-F 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 Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights 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 Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. 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 Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals must be in writing and must be filed with the City Auditor's Office within thirty 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-16-F:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. BN-16-F in the City of Fargo, North Dakota.

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

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

Contract for Sanitary Sewer, Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. PN-14-41 Approved:

Commissioner Strand moved approval of the Contract between the City of Fargo and Dakota Underground Company, Inc. for Sanitary Sewer, Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. PN-14-41 in the City of Fargo, North Dakota.

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

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

Contract Bond for Sanitary Sewer, Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. PN-14-41 Approved:

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



United Fire and Casualty Company, in the amount of \$2,870,441.77, for Sanitary Sewer, Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights and Incidentals Improvement District No. PN-14-41 in the City of Fargo, North Dakota.

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

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

Contract for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-B1 Approved:

Commissioner Strand moved approval of the Contract between the City of Fargo and Moorhead Electric for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-B1 in the City of Fargo, North Dakota.

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

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

Contract Bond for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-B1 Approved:

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

Western Surety Company, in the amount of \$315,900.85, for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-B1 in the City of Fargo, North Dakota.

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

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

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-J1 Approved:

Commissioner Strand moved approval of the Contract between the City of Fargo and Sellin Brothers, Inc. for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-J1 in the City of Fargo, North Dakota.

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

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

Contract Bond for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-J1 Approved:

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

Great American Insurance Company, in the amount of \$1,387,626.15, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-15-J1 in the City of Fargo, North Dakota.

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

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

Item No. 25 Omitted:

Item No. 25 (State Water Commission Request for Cost Reimbursement for FM Diversion Flood Project Costs) was omitted.

Commissioner Piepkorn Appointed Deputy Mayor:

The Board received a communication from Mayor Mahoney recommending that Commissioner Piepkorn be appointed Deputy Mayor.

Commissioner Grindberg moved Commissioner Piepkorn be appointed Deputy Mayor.

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

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

Liaison Commissioner Assignments Approved:

Mayor Mahoney said typically he visits with the Commissioners for input on how each would like to be involved and then he works to obtain a balance. He said he does put a lot of work on the Commissioners and the liaison assignments are important for each to manage. He submitted the following recommendations for Liaison Commissioner Assignments:

Gehrig

Departments: Enterprise/Utilities, Fire

Committees: Metro COG, Metro Area Transit Coordinating Board, Liquor Control, Diversion Authority (alternate), Utility Committee

Board Liaison: Airport Authority, Civil Service, Housing Authority, Red River Basin Board

Grindberg

Departments: Planning

Committees: Metro COG, Renaissance Zone, Diversion Authority, Metro Area Transit Coordinating Board

Board Liaison: Board of Appeals, Board of Adjustment

Mahoney

Departments: Police, Operations, City Commission, Finance, Human Resources

Committees: GFMEDC, Position Evaluation, Vector Control, Ambulance Committee, Community Development, Tax Exempt Review, Lake Agassiz Water Authority, Diversion Authority, Cass County Planning, Finance Committee, Public Works Projects Evaluation Committee, Utility Committee, Renewable Energy

Piepkorn

Departments: Engineering

Committees: Metro COG, GFMEDC, Liquor Control, Position Evaluation, Renaissance Zone, Tax Exempt Review, Fargodome Finance, Diversion Authority, Lake Agassiz Water Authority (alternate), Finance Committee, Traffic Tech Advisory

Board Liaison: Fargo Dome Authority, Special Assessment, Auditorium, Red River Basin Board, Downtown Community Partnership

Strand

Departments: Health, Information Services

Committees: Metro COG, Community Development, Diversion Authority (alternate)

Board Liaison: Board of Health, Library, Historic Preservation, Human Relations, Native American, Fargo Youth Initiative, Arts and Culture

Commissioner Piepkorn moved the recommendations submitted by Mayor Mahoney be approved as outlined above.

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

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

Resolution Adopting Rules and Regulations Relative to the Operation of the Agenda and Conduct of City Commission Meetings:

Executive Assistant Kember Anderson said this same Resolution has been in effect since at least 1985 and at times the Board is asked to look it over to see if the desire is to continue operating under the same rules.

Commissioner Piepkorn offered the following Resolution and moved its adoption:

WHEREAS, It is desirable that the transaction of City business be done in an orderly fashion; and

WHEREAS, The Board of City Commissioners of the City of Fargo deems it desirable and necessary to promulgate rules and regulations for the guidance of commissioners and citizens.

NOW, THEREFORE, BE IT RESOLVED, By the Board of City Commissioners of the City of Fargo that the following rules and regulations relative to the operation of the agenda and the conduct of City Commission meetings is hereby adopted, superseding any and all former rules and regulations which have been adopted:

I. AGENDA

A. There shall be one agenda prepared for each meeting.

B. Any City Commissioner, City employee or citizen of the City may place an Item or issue on the agenda.

- C. All agenda items or issues to be qualified for regular consideration must be submitted in clear, articulate and definite terms and must be communicated to the City Commission office prior to 12:00 noon on the Thursday preceding the meeting.
- D. Agenda items must be accompanied by a written explanation of the item. A "suggested" motion must be typed at the end of the communication which states the action being requested of the Board. If the communication is for information purposes only, there should be a statement to that effect at the beginning of the letter.
- E. Any correspondence or other supporting material for any item on the agenda which is intended to become a part of the public records of the City must be received in the City Commission office no later than 12:00 noon on the Thursday preceding the meeting. In the event such material is not submitted to the City Commission office as stated above, such material and the related agenda item shall be stricken and placed on the agenda for the next regular meeting.
- F. Any item or issue placed on the agenda may be removed or withdrawn only by the person who placed it there, or by his or her duly and properly authorized agent.
- G. Any items or issues which have not qualified for the regular agenda under the rules as stated above, or any new and timely issues which arise after preparation of the regular agenda may, with the consent of a majority of the City Commissioners who are present and voting, be considered as an extra item.
- H. Ordinances shall be sponsored by a member of the Board of City Commissioners or the City Commission as a whole. Any citizen or City employee desiring any ordinance change shall submit such request to a member of the Board of City Commissioners or to the Commission as a whole. No ordinances shall be drafted by the City Attorney, except upon request of a member of the Board of City Commissioners or by the City Commission as a whole.
- I. The order of the agenda shall be as determined by the Executive Assistant to the Board of City Commissioners utilizing general guidelines as follows:
  - 1. Consent agenda at the beginning of the agenda. The consent agenda shall be non-controversial routine items as may be determined by the Executive Assistant.
  - 2. Non-consent agenda at the end of the agenda. Non-consent items shall be as determined by the Executive Assistant.

- J. The calling and conduct of special meetings shall be in accordance with ordinances of the City of Fargo and laws of the State of North Dakota.

## II. RULES GOVERNING CONDUCT OF CITY COMMISSION MEETINGS

- A. Meetings shall be conducted in accordance with Roberts Rules of Order, except that the principle of majority rule shall always prevail, and any such rule may be changed or suspended by a majority vote of the Board of City Commissioners.
- B. At each regular meeting, the first item of business shall be the consideration and approval of the agenda, including the deletion of any item which the Commission deems to be frivolous or repetitious and the addition of requested extra items.
- C. The Mayor or other presiding Commissioner will announce the item on the agenda. It is suggested the person who requested placement of the item on the agenda will then be given up to three (3) minutes to present any additional information not included in the letter. There will be opportunity for input after a motion is made and seconded. Proponents will be recognized first, then opponents. It is suggested persons wishing to speak will be allowed no more than three minutes each. Time for each side will be designated by the Chair. Additional time will be allowed only if Commissioners have questions or if there has been a majority vote to allow additional discussion. The item will be voted upon and no further discussion will be allowed.
- D. Each member of the Board of City Commissioners shall vote on every issue unless absent from the meeting or excused from voting. Any member wishing to be excused from voting, or who does not feel qualified to vote because of a conflict of interest, shall ask to be excused from voting and state the reasons therefore. The remaining Commissioners shall, by majority vote, either grant or deny such request to be excused. If the Commissioner making such request is excused, he or she shall be deemed to be disqualified and the abstention shall not be counted as an aye or nay. If the request is denied and the Commissioner refuses to vote, his or her vote shall be deemed to be the same as the majority of those voting.
- E. The Chairman of the meeting shall not refuse to recognize any member who wishes to make a motion or to be heard on a particular item.
- F. A member of the Board of City Commissioners voting with the minority on any issue may not move to reconsider that issue or place the matter on the agenda again until a minimum of 28 days has elapsed since the issue was last considered.

- G. In the event that any member of the Board of City Commissioners moves to reconsider an issue previously decided after formal hearing pursuant to published notice, the Board shall vote on the motion to reconsider, subject to the restrictions contained in rule F above. In the event the motion for reconsideration passes, the matter shall not be reconsidered until all persons appearing at the original hearing on the matter have been advised and offered an opportunity to appear and be heard again, or until notice of rehearing on the matter has been published in the official newspaper of the City.
- H. Any on duty police officer may be considered as a sergeant at arms for Commission meetings and may be summoned to maintain order by any member of the Board of City Commissioners at any time.

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

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

Recommendation to Form a Subcommittee to Look at the Election Process Approved:

Commissioner Grindberg said he feels City Commissioners should have a majority vote from the citizens of Fargo and he had said if he were elected he would advance a discussion on that topic. He said he would like to get the views of the Commission and collect ideas to make a plan or perhaps assemble a committee of community members, former City Commissioners and elected officials to look at it and bring a recommendation for consideration and allowing the public to weigh in. At this point in time, he said, and considering the city's growth, now may be a good time to dig in and see what the future might look like.

Commissioner Gehrig said he welcomes the discussion, and while the current system is good, he would encourage opening up a discussion to include a number of commissioners, an at-large system or ward system, whether the mayor position should be a full-time position and term limits.

Commissioner Strand said while this is not the most pressing issue facing the Commission, he welcomes Commissioner Grindberg bringing it forward. He said it would be best to do due diligence and homework, study benchmarks and learn what other communities do well and explore what works and does not work. He said he would also encourage a look at wards or districts, number of commissioners, term limits and models of ranked voting, as well as considering working with the School District and Cass County to vote in the schools again. A task force could look at those topics, he said, along with those not thought of yet, and see where it all goes.

Commissioner Piepkorn said he would suggest including City Auditor Steve Sprague who was active under the previous system and could offer good input. It may not be best to do this immediately after an election due to emotions that may be involved, he said, however, he agreed it could be studied.

Mayor Mahoney suggested Commissioners Grindberg and Gehrig be part of a subcommittee of 7-10 people with commissioners volunteering suggestions for

participants. He said Steve Sprague could be included with City Administrator Bruce Grubb offering support and a report could be brought back after 30 days.

Commissioner Gehrig moved the formation of a subcommittee to look into the election process be approved.

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

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

Parcels of Land in Keeney and Devitts Second Addition Rezoned, Planned Unit Development Master Land Use Plan and Final Plan Approved (515 and 519 Oak Street North, and 14 and 22 6th Avenue North):

At a Hearing held on June 7, 2016 the Fargo Planning Commission recommended approval of a change in zoning from MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay on Lots 8-11, Block 28, Keeney and Devitts 2nd Addition.

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.

Planning Administrator Nicole Crutchfield said the application has evolved over several months, and the applicant has worked diligently on revisions, meetings with the neighborhood and the Planning Commission which has resulted in the proposal for 14 dwelling units with three groups of attached housing units. She said the applicant has requested a Planned Unit Development to allow for increased dimensional flexibility and higher quality of design than would otherwise be in the base multi-family zoning district. She said a protest is on record that requires a super majority vote.

Mary Jo Cayley, 702 Elm Street, said she is concerned about the extra cars and extra traffic and the neighbors already feel squeezed in.

Ernestine Davidson, 509 Oak Street, said she does not favor the Planned Unit Development Overlay and would recommend not having the 16 units.

Ms. Crutchfield said it is .6 acres with 20 units per acre allowed in an MR-2 Multi-Dwelling making it about 12 units allowed and while the applicant proposed 16 at one point, the proposal is now 14.

TJ Haugrud, THJ Development, said 42 apartments unit were originally proposed; however, as the project evolved, the number of apartment units was reduced to 16 units and now the project has 14 nice family-sized units. He said the sidewalk will be moved closer to the street for front yard space and there is some green space behind the homes and some parking outside the garages for visitors.

Joe Burgum, 514 10th Avenue South, said he attended high school at Oak Grove and has been interested in this project since its inception. He said he commends Mr. Haugrud for developing the project into something more acceptable to the neighborhood than the original. He said there is a need in the Land Development Code and in the City to address the missing middle housing and a need for places in neighborhoods with smaller footprints for smaller households. He said there is a need for places to live that is not necessarily a single-family home yet not an apartment building.

In response to a question from Commissioner Strand about whether these are rental units or ownership properties, Mr. Haugrud said the intent is that they be owner-occupied.

Commissioner Strand said he is uncomfortable with the implementation of the waiver ahead of the first reading of the Ordinance and he feels there needs to be adequate time for public input. He said there are two additional items like this on the agenda; however, neither of those have a petition involved. If nothing else, he would ask for the division of the question to allow a vote on that as a separate issue.

City Attorney Erik Johnson said the city generally rezones by Ordinance and it has been a typical Ordinance process to waive the requirement relating to receipt of the Ordinance one week prior, due to the timing. He said the waiver process is in the Ordinance as well, making it part of protocol.

Ms. Crutchfield said it has been pretty standard to put the one-week waiver in rezoning Ordinances. The timeline between the Planning Commission and the City Commission meetings is tight, she said, and most applicants want to move the process along. To allow time for the Ordinance to be written between the Planning Commission decision and the Hearing at the City Commission meeting, and to allow time to get a 14-day notification requirement out to the public, she said, those standards stack up, puts it right at 30 days between the Planning Commission and the City Commission hearing. She said to change the procedure, planning staff would need to consult with the City Attorney's office and re-evaluate the process to see what that delay between the Planning Commission and City Commission hearings would do.

Commissioner Piepkorn said this is a technicality, waiving receipt is not a way of avoiding public input, there has been public input for many months.

Commissioner Strand said he would defer to the public to give them every opportunity given the readings, especially when 37% have objected. He said that is his only concern.

Commissioner Piepkorn offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

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

NOW, THEREFORE, BE IT RESOLVED, That the findings of staff be accepted and the rezoning, the PUD, Planned Unit Development Overlay and Planned Unit Development Master Land Use Plan and Final Plan be approved on the basis that the proposal satisfactorily complies with the Comprehensive Plan, Standards of Article 20-06 and Section 20-0906.F (1-4) and all other applicable requirements of the LDC.

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

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



Ordinance Rezoning Certain Parcels of Land Lying in Keeney and Devitts 2nd Addition to the City of Fargo, Cass County, North Dakota to be Placed on First Reading at the Next Regular Meeting of the Board:

Commissioner Piepkorn moved the requirement relating to receipt waiving the receipt by the Commission one week prior to first reading be denied and that the Ordinance Rezoning Certain Parcels of Land Lying in Keeney and Devitts 2nd Addition to the City of Fargo, Cass County, North Dakota be received and filed and placed on first reading at the next Regular Meeting of the Board.

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

Commissioner Gehrig voted nay.

The motion was declared carried.

Parcels of Land in Veterans Square Addition Rezoned (5600 38th Avenue South):

At a Hearing held on June 7, 2016 the Fargo Planning Commission recommended approval of a change in zoning from LC, Limited Commercial with a C-O, Conditional Overlay to GC, General Commercial with a C-O, Conditional Overlay on Lot 5, Block 1 Veterans Square Addition.

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.

Planning Administrator Nicole Crutchfield said because it is GC, General Commercial, the purpose of the C-O, Conditional Overlay is to limit the land uses making it compatible with the residential neighborhood the project sits within.

Commissioner Strand said he does not object to waiving receipt of the Ordinance prior to 1st Reading in this case when there is no public outcry or protests.

Commissioner Piepkorn offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

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

NOW, THEREFORE, BE IT RESOLVED, That the findings of staff and the Planning Commission be accepted and the rezoning be approved with the Conditional Overlay requirements listed in the Ordinance on the basis that it satisfactorily complies with the Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC.

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

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

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in Veterans Square Addition, Fargo, Cass County, North Dakota:

Commissioner Piepkorn moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the

Ordinance Rezoning Certain Parcels of Land Lying in Veterans Square Addition, Fargo, Cass County, North Dakota be placed on first reading.

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

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

Planned Unit Development Master Land Use Plan and Final Plan on Rocking Horse East 2nd Addition Approved (5555, 5575 and 5601 51st Avenue South):

A Hearing had been held by the Fargo Planning Commission on June 7, 2016, to consider a petition requesting a Planned Unit Development to allow business expansion on Rocking Horse East 2nd Addition, and the Fargo Planning Commission at such Hearing recommended to the Board of City Commissioners as its final report that the Planned Unit Development 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.

No written protest or objection to the Planned Unit Development Master Land Use Plan and Final Plan has been received or filed in the office of the City Auditor.

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

Planning Administrator Nicole Crutchfield said the applicant, Terry Becker, is seeking a Planned Unit Development to allow future expansion of the existing facility. She said the change is necessary due to there being residential housing within 300 feet of a manufacturing facility which came after his cabinet shop was established.

Commissioner Piepkorn offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for a Planned Unit Development have been complied with; and

WHEREAS, The Fargo Planning Commission approved the request on June 7, 2016 with the above-listed conditions; and

WHEREAS, There have been no written or verbal protests to the petition for a Planned Unit Development and no one is present to protest thereto.

NOW, THEREFORE, BE IT RESOLVED, That the petition be approved with the aforementioned conditions.

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

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

First Reading of an Ordinance Repealing and Removing the Conditional Use Permit and Establishing a Planned Unit Development Master Land Use Plan and Final Plan on Certain Parcels of Land Lying in Rocking Horse East 2nd Addition to the City of Fargo:

Commissioner Piepkorn moved first reading of an Ordinance Repealing and Removing the Conditional Use Permit and Establishing a Planned Unit Development Master Land Use Plan and Final Plan on Certain Parcels of Land Lying in Rocking

Horse East 2nd Addition to the City of Fargo.

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

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

Text Amendment to Amend Section 20-0212.D.4 Parking, of Article 20-02, Chapter 20 of the Fargo Municipal Code (Land Development Code) Relating to Parking Lot Buffer Standards Approved:

A Hearing had been held by the Fargo Planning Commission on June 7, 2016 for the purpose of considering a request for a text amendment to Section 20-0212.D.4 of the Fargo Municipal Code (Land Development Code) all relating to parking lot buffer standards 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 applicant, the Kilbourne Group, seeks to have language clarified regarding screening the view from adjacent property, including sidewalks and public rights-of-way. She said this requirement can result in a barrier for pedestrian access.

In response to a question from Commissioner Strand about how this amendment may affect existing property, Ms. Crutchfield said this would apply to new applications only.

Commissioner Grindberg 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 Gehrig. On call of the roll Commissioners Grindberg, Gehrig, Strand, Piepkorn and Mahoney voted aye.

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

First Reading of an Ordinance Amending Section 20-0212.D4 of Article 20-02 of Chapter 20 of the Fargo Municipal Code (Land Development Code) Relating to Parking Lot Buffer Standards:

Commissioner Grindberg moved first reading of an Ordinance Amending Section 20-0212.D4 of Article 20-02 of Chapter 20 of the Fargo Municipal Code (Land Development Code) Relating to Parking Lot Buffer Standards.

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

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

Discussion Regarding a Code of Conduct Plan for the City Commission:

Mayor Mahoney said he is presenting the draft Fargo City Commission Code of Conduct as a suggestion of how the Commission as a body interacts and goes

through discussions. An important point is that if a Commissioner is a liaison for a department, he said, it is that Commissioner who is responsible for that department and if another Commissioner seeks to interact in that department, it would be best to seek permission. He said having two or three Commissioners going directly to Engineering, for example, with multiple requests can make it difficult to prioritize. For the most part, he said, Commissioners should work directly with the head of their assigned department.

Commissioner Piepkorn said there are no penalties; however, it is good to have it spelled out in black and white and have rules to go by.

After discussion on suggested revisions by the Commissioners, Mayor Mahoney asked that the Commissioners submit their suggestions to him and he will rewrite the Code of Conduct and bring it back to the Board.

Michael J. Haugen Appointed to the Airport Authority:

The Board received a communication from Mayor Mahoney recommending that Michael J. Haugen be appointed to the Airport Authority.

Commissioner Piepkorn moved Michael J. Haugen be appointed to the Airport Authority for a five-year term ending April 8, 2021.

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

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

David Bertolini, Michael J. Olsen and Deb Williams Reappointed to the Arts and Culture Commission:

The Board received a communication from Mayor Mahoney recommending that David Bertolini, Michael J. Olsen and Deb Williams be reappointed to the Arts and Culture Commission.

Commissioner Piepkorn moved David Bertolini, Michael J. Olsen and Deb Williams be reappointed to the Arts and Culture Commission for a three-year term ending on June 1, 2019.

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

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

Appointments to the Board of Adjustment:

The Board received a communication from Mayor Mahoney recommending that Mark Lundberg be reappointed and Matthew Boreen be appointed to the Board of Adjustment.

Commissioner Piepkorn moved Mark Lundberg be reappointed and Matthew Boreen appointed to the Board of Adjustment for a three-year terms ending June 30, 2019.

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

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

Appointments to the Library Board:

The Board received a communication from Mayor Mahoney recommending that Mary Dickson be reappointed and Rachael Steenholdt be appointed to the Library Board.

Commissioner Piepkorn moved Mary Dickson be reappointed and Rachael Steenholdt be appointed to the Library Board for a three-year terms ending June 30, 2019.

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

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

Appointments to the Native American Commission:

The Board received a communication from Mayor Mahoney recommending that Clinton Alexander and Tanya RedRoad, be reappointed as ex-officio members and Lenore King be appointed to the Native American Commission.

Commissioner Piepkorn moved Clinton Alexander and Tanya RedRoad as ex-officio members, be reappointed, and Lenore King be appointed to the Native American Commission for three-year terms ending June 30, 2019.

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

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

Appointments to the Planning Commission:

The Board received a communication from Mayor Mahoney recommending that John Gunkelman and Scott Stofferahn be reappointed and Melissa Sobolik be appointed to the Planning Commission.

Commissioner Piepkorn moved John Gunkelman and Scott Stofferahn be reappointed and Melissa Sobolik be appointed to the Planning Commission for three-year terms ending June 30, 2019.

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

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

Margie Bailly and Brian Hayer Reappointed to the Parking Commission:

The Board received a communication from Mayor Mahoney recommending that Margie Bailly and Brian Hayer be reappointed to the Parking Commission.

Commissioner Piepkorn moved Margie Bailly and Brian Hayer be reappointed to the Parking Commission for three-year terms ending June 30, 2019.

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

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

Joe Burgum Appointed to the Special Assessment Commission:

The Board received a communication from Mayor Mahoney recommending that Joe Burgum be appointed to the Special Assessment Commission.

Commissioner Piepkorn moved Joe Burgum be appointed to the Special Assessment Commission for a three-year term ending July 1, 2019.

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

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

Construction Projects Updates:

Transportation Division Engineer Jeremy Gorden provided a Power Point presentation outlining current construction projects, progress and closures.

In response to a question from Commissioner Strand regarding the City's requirements for safety standards for construction projects awarded to contractors and how a contractor's negligence may affect their future bids for projects, City Engineer April Walker said the responsibility for safety standards largely falls on the contractors, she said, and OSHA oversees them. The contractor takes over control and occupancy of the street, she said, thus, they have operational responsibility. She said city workers are trained on what to look for and told if they see something unsafe to report it so it can be addressed with the contractor. The bidding process incorporates the terminology "lowest responsible bidder," she said, so if the lowest bidder is determined to be non-responsible, the second lowest bidder could be selected. Safety would be a category to be looked at in determining responsibility, she said.

Bike Information Update:

Transportation Division Engineer Jeremy Gorden shared information on bike counts, Great Rides Fargo, Complete Streets and bike infrastructure, data on bike crashes, the FM Bikeway Map, and the national and local trends in bike facility design.

Commissioner Piepkorn said MetroCOG could put out counters to gather data in areas such as along the river trail. He said this is a good start to find out what the numbers are and where the most use is and from there it can be determined the best places to invest in.

Commissioner Strand said perhaps there could be collaboration with the Park District to expand lighting along the bike trails and in Island Park which would allow more use of trails at night.

In response to a question from Commissioner Grindberg about whether he sees bike riding being used as a hobby or mode of transportation, Mr. Gorden said the river trail seems to be largely for recreation; however, between NDSU and in downtown, the use seems to be more for transportation. He said the further away from downtown, the less bikes are used for transportation and the more they are for recreation. He said his focus has been on avenues that get bicyclists east to west to get to the river trail system and making improvements in and around the downtown area.

City Engineer April Walker said recognizing this information as a starting point, work will be done to gather specific and pointed data and information associated with

the important corridors to bring back to the Board in the future. She said not every street deserves a bike lane; however, one coming forward for consideration is NP Avenue. Staff pays attention to documents adopted by the Board, such as GO2030 and the Bikeway Map, she said, so when staff puts together a street reconstruction, attention is paid to those documents and efforts are made to include them in the design.

Commissioner Strand suggested cost effectiveness and cost efficiencies also be looked at. He said some think that this is something with no return on value or that it is just a cost; however, national and global data indicate a cost effectiveness that is pretty compelling and that information would be helpful in the plans and goals.

Commissioner Gehrig said it is only cost effective if people use it and he agrees that more counters need to be placed. He said having that data is important.

Commissioner Gehrig moved that the Board adjourn to 5:00 o'clock p.m., Monday, July 18, 2016.

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

The time at adjournment was 6:47 o'clock p.m.