

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

**Regular Meeting: Monday: October 24, 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., Monday, October 24, 2016.

The Commissioners present or absent were as shown following:

Present: Piepkorn, Strand, Mahoney.

Absent: Gehrig, Grindberg.

Mayor Mahoney presiding.

**Order of Agenda Approved:**

Commissioner Piepkorn moved the Order of the Agenda be approved.

Second by Strand. All the Commissioners present 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 October 10, 2016 be approved as read.

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

Mayor Mahoney read a statement with information about progress on the construction of the Roberts Street parking ramp. He also reported the City of Fargo will partner with Minnkota Recycling to promote the "Cans for Cash" recycling challenge which benefits "Adopt a School" and "Got No Milk" programs at Fargo Public Schools. He commented on the Forestry Department brush chipping program which this year produced more than two million pounds of usable woodchips. He also said on November 1st, the Street Department will begin enforcing the city's seasonal parking restrictions. His statement concluded with information on how technology is playing an ever-increasing role in Transit operations.

**Consent Agenda Approved:**

Commissioner Piepkorn moved the Consent Agenda be approved as follows:

1. 1st reading of an Ordinance Amending Section 8-0804 of Article 8-08 of Chapter 8 of the Fargo Municipal Code Relating to Duty to Give Information and Render Aid.
2. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Hager's First Addition, Fargo, Cass County, North Dakota; 1st reading, 10/10/16.

3. Receive and file Year to Date – Budget to Actual Report for September 2016.
4. Resolution Authorizing the Issuance of Refunding Improvement Bonds, Series 2016C and Financing the Fargodome (Attachment “A”).
5. Resolution scheduling a public hearing relating to a project under the Industrial Development Act (Eventide Senior Living LLC Project); set the hearing for 5:15 pm on 11/21/16 (Attachment “B”).
6. Resolution Calling for a Public hearing on host approval on the Issuance of a Revenue Note, Series 2016 (LSS Housing Projects), by the City of Maddock, ND and authorizing the publication of a notice of the public hearing; set the hearing for 5:15 pm on 11/21/16 (Attachment “C”).
7. Resolution Approving Plat of Brandt Crossing Eleventh Addition (Attachment “D”).
8. Resolution Authorizing Sale of Property at the east twenty-three and a half feet of Lots 1, 2, 3, 4 and 5, Block 11 of Tyler’s Addition (Attachment “E”).
9. Ergo Phase II Grant Program Agreement with Workforce Safety and Insurance.
10. Agreement for the Provision of Professional Services with Essentia Health for occupational medicine and medical director services.
11. Agreement for Services with Megan Myrdal for Cass Clay Food Systems Initiative to Address Chronic Disease.
12. Applications for five-year property tax exemptions for improvements made to buildings:
  - a. Dave and Denise Kolpack, 1322 6th Avenue South.
  - b. Donald S. Goering, 1320 5th Avenue North.
13. Applications for Games of Chance:
  - a. Northern Plains Botanic Garden Society for a calendar raffle from 1/5/17 to 6/20/17.
  - b. United Way Cass-Clay for a raffle on 11/4/16.
  - c. NDSU Men’s Lacrosse Team for a raffle on 3/11/17.
  - d. Benefit for Craig Aldrich for a raffle on 11/19/16; Public Spirited Resolution.
  - e. FM Y Gators Swim Team for a calendar raffle from 11/18/16 to 7/31/17.
  - f. Handi-Wheels Transportation for a raffle on 11/12/16.
  - g. The Village Family Service Center for raffle boards and raffle on 11/18/16.
14. Grant award and budget amendment in the amount of \$2,000.00 from the MIDCO Foundation for promotion of the Heart Safe Fargo Program.

15. Fire Department budget adjustment and grant award from the North Dakota DES-Division of Homeland Security in the amount of \$132,800.00 for purchase of Regional Response Equipment and Training (CFDA #97.067).
16. 45-day time extension for Project No. SW16-01.
17. Contract with the ND Industrial Commission granting an amount not to exceed \$500,000.00 in matching funds towards the construction of Phase II of a compressed natural gas fueling station utilizing converted landfill gas (Project No. SW16-03).
18. Amendment #1 for an increase of \$25,500.00 for AE2S Task Order #60 (Project No. NR-16-A1).
19. Procurement of 120 ultra-filtration membranes in the amount of \$108,000.00 plus delivery (Project No. WW1606).
20. Bills in the amount of \$11,366,788.27.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Permanent Utility Easement at 3212 40th Avenue North Approved (Improvement District No. BN-16-C0):**

Commissioner Piepkorn moved approval of a Permanent Utility Easement at 3212 40th Avenue North.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Change Order No. 1 and Contract Time Extension for Improvement District No. BN-16-G1 Approved:**

Commissioner Piepkorn moved approval of Change Order No. 1 for an increase of \$41,917.00 and a contract time extension for substantial completion to October 27, 2016 and final completion to November 28, 2016 for Improvement District No. BN-16-G1.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Change Order No. 1 and Contract Time Extension for Improvement District No. BR-16-B1 Approved:**

Commissioner Piepkorn moved approval of Change Order No. 1 for an increase of \$101,015.63 and a contract time extension for substantial completion to

November 23, 2016 and final completion to June 10, 2017 for Improvement District No. BR-16-B1.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Change Order No. 1 and Contract Time Extension for Improvement District No. BR-16-F1 Approved:**

Commissioner Piepkorn moved approval of Change Order No. 1 for an increase of \$79,000.00 and a contract time extension for substantial completion to October 22, 2016 and final completion to November 19, 2016 for Improvement District No. BR-16-F1.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Change Order No. 1 and Contract Time Extension for Improvement District No. PN-14-41 Approved:**

Commissioner Piepkorn moved approval of Change Order No. 1 for an increase of \$17,265.00 and a contract time extension for substantial completion to November 5, 2016 and final completion to November 22, 2016 for Improvement District No. PN-14-41.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Change Order No. 1 and Contract Time Extension for Improvement District No. SR-16-A1 Approved:**

Commissioner Piepkorn moved approval of Change Order No. 1 for an increase of \$37,800.00 and a contract time extension for substantial completion to September 23, 2016 and final completion to October 14, 2016 for Improvement District No. SR-16-A1.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Change Order No. 2 for Improvement District No. BN-15-K1 Approved:**

Commissioner Piepkorn moved approval of Change Order No. 2 for an increase of \$4,545.48 for Improvement District No. BN-15-K1.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

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

Finance Director Kent Costin said the State Water Commission is requesting \$6,062,680.00 for cost reimbursement for the Fargo-Moorhead Area Flood Risk Management Project. He said most of the money spent this time was for in-town levees, including the Second Street levees and floodwall as well as utility relocation.

Commissioner Piepkorn said he is going to vote "no" because of Oxbow; however, he said as for the rest of it, he is very supportive. He also discussed the recent trip to Washington, D.C. with Mayor Mahoney, Moorhead Mayor Del Rae Williams, Microsoft Representative Don Morton, representatives from John Deere and others and said it was a very productive trip. He said the group met with the Corps of Engineers and he learned that for virtually every project the Corps does they get sued, so they are not too alarmed, it is just part of the process. He said Mr. Morton talked about Microsoft and said Fargo is the second largest Microsoft campus where they also do payroll for the entire corporation and it is growing. He said the amount of payroll they pay is impressive and they also pay more than \$4 billion in taxes. It was a great meeting, he said, and he feels very optimistic.

Mayor Mahoney said after the meeting in Washington with Shaun Donovan, Director of the Office of Management and Budget, and with the Army Corps of Engineers, he came away feeling the federal government is very committed to this project.

Commissioner Piepkorn moved the cost reimbursement request for \$6,062,680.00 for the FM Diversion Flood Project be approved.

Second by Strand. On call of the roll Commissioners Strand and Mahoney voted aye.

Commissioner Piepkorn voted nay.

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Discussion on the Refugee Program and Lutheran Social Services North Dakota (LSSND) Audit Update:**

Commissioner Piepkorn said he requested the update because the topic is ongoing. He said he feels the next step from a financial perspective is having an external audit, both of LSSND and the refugee program in Cass County in cooperation with Cass County and West Fargo. He said the Board could do it on their own; however, he wants to have an outside, state auditor involved because some of the money being used is state money. He said all he is doing is asking questions and finding facts and it is critical to find out what is going on. He said when he asks questions, he gets a lot of varied answers and he wants accountants from outside sources to give him actual answers.

Commissioner Strand said he was surprised to see this topic on the agenda because he thought it was going forward with the Human Relations Commission. He said he called LSSND and asked about the audits and was told Eide Bailly does LSSND audits as well as other public entities such as the school systems. Cass County audits are done by the state auditor already, so independent audits already exist, he said, and a phone call would have gotten the information in Commissioner Piepkorn's hands because the audits are public documents.

In response to a question from Commissioner Strand about why he had not called LSSND for a copy of the documents, Commissioner Piepkorn said he has no confidence nor any certainty LSSND is telling the truth and comments he has heard off the record are startling and alarming. He said in the best interest of the taxpayers of Fargo, the Board needs to get to the bottom of this. He said several comments LSSND has made are unsubstantiated. He said he has received many phone calls from citizens thanking him for bringing this issue up but they will not give him their names because they are in fear of losing their job. He said there is bullying going on and it scares him, so it is a good thing to have help from an outside group. He said he thinks there are some very bad things going on.

Commissioner Strand said he wants to stay on the high road and at the last Commission meeting disparaging remarks were made against the LSSND Director and a City of Fargo employee. He said he respects the concerns of the citizens and knows there are answers they are looking for, yet Commissioner Piepkorn is putting this in the context of budgets. He said Commissioner Piepkorn had more time than he did helping influence and prepare the budgets, as well as two previous budgets, and he never once raised this question. He said this topic is putting Fargo in a light he is not proud of. He said he read on Breitbart.com he is the one with an agenda; however, they are quoting Commissioner Piepkorn and he was startled. He said there is other national media, including the Daily Signal, reporting on this topic and the way our community is presented to the world is important. The amount of respect we have for each other defines us, he said, and there can be a diversity of opinion, which he upholds to the highest degree, and he is willing to join the effort to heighten understandings of the issues relative to immigrants and refugees. He said he thinks the news will be good in the end and will contribute to Fargo being perceived again as a friendly, welcoming, inclusive, diverse, forward-moving and a loving community.

Mayor Mahoney said Cass County is willing to work with the Board and LSSND CEO Jessica Thomassen is willing to talk to the Board, as is Eide Bailly. He said they are all willing to share this information with the Board and at no cost to the taxpayer. He said if Commissioner Piepkorn comes away from all of this and is still not convinced he can pursue something else.

In response to a question from Mayor Mahoney about auditing the numbers provided by an outside company not owned by the City of Fargo, City Attorney Erik Johnson said the Board can audit if the company volunteers to provide information and the data can be used for analysis.

Commissioner Piepkorn said this is why a state auditor is needed because it is state funds going to LSSND. He said he thinks this is next step; however, if the Board opposes an audit, then Board members are going to be on record opposing it. He said he will wait until he has a majority vote but he would prefer the Board be supportive of having an audit and finding out facts. He said there are state funds going to LSSND which are supposed to go the city and he wants to see what is happening.

Commissioner Strand said he welcomes having this process; however, it is uncomfortable. Imagine how uncomfortable it is for someone from Bhutan, Burundi or Darfur. It is his agenda, he said, to show respect for everybody.

Commissioner Piepkorn said the Board works for the taxpayers of Fargo and they need to know where their money is going so an audit would be very critical.

**Application Filed by Dakota Specialty Milling, Inc. for Payment in Lieu of Tax Exemption (PILOT) Approved:**

A Hearing had been set for this day and hour on an application filed by Dakota Specialty Milling, Inc. for payment in lieu of property tax exemption (PILOT) for expansion of their operation to include 1430 41st Street North and 1446 41st Street North which the applicant will use in the operation of food ingredient processing and warehousing.

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.

City Assessor Ben Huschka said Dakota Specialty Milling was before the Board in May 2016 for one of the first phases of their expansion and a PILOT was approved at that time and this is the second of many phases. Dakota Specialty Milling is acquiring the Cross Country Courier property which they will renovate and expand as part of their operation. Mr. Huschka said the application meets the requirements for a PILOT and the Tax Review Committee recommends approval.

In response to a question from Commissioner Strand about how much is warehouse and how much is expansion, John Schaaf of Dakota Specialty Milling, Inc. said the Cross Country Courier warehouse is currently about 22,000 square feet and not food-grade capable; however, upon completion the renovation will add another 50,000 square feet of warehouse which will take the facility to 70,000 square feet of food-grade warehouse space. Mr. Schaaf said the space is needed because brand new processing equipment worth \$12 million to \$13 million is being installed in the 15th Avenue plant and the warehouse space is necessary for the output of the new equipment. Mr. Schaaf said almost all of the products processed in Fargo are North Dakota products and this food goes all over the world. He said he is quite proud when he goes to trade fairs all over the world and sees Dakota Specialty Milling products that were grown in North Dakota and processed in Fargo.

Commissioner Strand said this is the epitome of use of primary sector incentives, and commended Mr. Schaaf and Mr. Hendricks for their forward-thinking activities such as gluten-free processing, which put North Dakota and Fargo ahead of curve in the world of agriculture. He also acknowledged Dakota Specialty Milling for being a key player in marketing ag products here and sending them out to the world.

Commissioner Piepkorn moved that the application filed by Dakota Specialty Milling, Inc. for a ten-year payment in lieu of tax for the expansion at 1430 41st Street North and 1446 41st Street North pursuant to Chapter 40-57.1, NDCC be approved.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Resolution Adopted Authorizing the Issuance of Revenue Bonds by the South Dakota Health and Educational Facilities Authority for Sanford and Authorizing the Execution of Certain Documents in Connection Therewith (5225 23rd Avenue Southwest):**

The Board received a communication from Director of Finance Kent Costin stating the South Dakota Health and Educational Facilities on behalf of Sanford is requesting the issuance of revenue bonds, not to exceed \$60,000,000.00, a portion of

which will be used on a project located at 5225 23rd Avenue Southwest. Mr. Costin said Sanford is in the process of issuing long-term debt and this is a required hearing under the IRS code to put people on notice there is a bond issue with proceeds being expended in Fargo. He said it is a compliance requirement and the \$55,000,000.00 to be spent in Fargo is for continued development of the healthcare center such as grading, landscaping and infrastructure development.

Commissioner Strand moved the Resolution entitled "Resolution Adopted Authorizing the Issuance of Revenue Bonds by the South Dakota Health and Educational Facilities Authority for Sanford and Authorizing the Execution of Certain Documents in Connection Therewith and referred to as Attachment "D," be adopted and attached hereto.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The Resolution was adopted.

**Application to Transfer the Alcoholic Beverage License from Gordone's Inc. d/b/a VIP Room and Catering to Bachman Catering LLC d/b/a VIP Room and Catering Approved:**

A Hearing had been set for this day and hour on an application to transfer the Class "GH" Alcoholic Beverage License from Gordone's Inc. d/b/a VIP Room and Catering to Bachman Catering LLC d/b/a VIP Room and Catering at 624 Main Avenue notice of which had been duly published in the official newspaper for the City of Fargo.

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

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

City Auditor Steve Sprague said this class of beer and wine license does require food sales exceed alcohol sales and there can be no bar structure. Mr. Sprague said Gordon Richardson, owner of the VIP Room and Catering, is retiring and has found a willing buyer in Mr. Bachman.

Commissioner Piepkorn moved the application be approved.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Application Filed by Bridge Hospitality, LLC d/b/a Hawthorn Suites by Wyndham for an Alcoholic Beverage License Approved:**

A Hearing had been set for this day and hour on the application filed by Bridge Hospitality, LLC d/b/a Hawthorn Suites by Wyndham for a Class "ABH-Limited" Alcoholic Beverage License at 4014 17th Avenue South, notice of which had been duly published in the official newspaper for the City of Fargo.

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



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

Commissioner Strand moved the application be approved.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Resolution Adopted Approving a Vacation of Public Utility Easement Located on Lot 7 and 8, Block 1, Calico Prairie Addition (2840 and 2900 Calico Drive South):**

The Board received a communication from Planning Administrator Nicole Crutchfield stating the Reciprocal Release and Relinquishment of Easement is intended to extinguish a portion of a public utility easement established by Plat (Calico Prairie Addition) on January 1, 2003. She said the easement does not contain any utilities and is unlikely to be needed in the future.

City Engineer April Walker said it is a common practice to issue these easements during the platting process. She said as the property developed it became apparent there was no need for this easement. The general area of the easement is between 23rd Avenue South and 32nd Avenue South and 42nd Street and 45th Street.

Commissioner Piepkorn offered the following Resolution and moved its adoption:

WHEREAS, A public utility easement was established as a result of the Plat of Calico Prairie Addition recorded in the Office of the Recorder for Cass County, North Dakota on the 27th day of January, 2003, as document number 1042890, said easement being a strip 10-feet-wide appurtenant to the following described real property:

Lots Seven (7) and Eight (8), Block One (1), Calico Prairie Addition to the City of Fargo, Cass County, North Dakota; The description of said easement being:

A 10.00 FOOT WIDE UTILITY EASEMENT BEING 5.00 FEET EITHER SIDE OF THE LOT LINE COMMON TO LOTS 7 AND 8 BLOCK 1 OF CALICO PRAIRIE ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA, DOCUMENT NUMBER 1042890, BOOK T1, PAGE 31 MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT N89°28'29"E -10.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 7 ALONG THE PROPERTY LINE BETWEEN LOT 7 AND LOT 8, BLOCK 1 OF SAID CALICO PRAIRIE ADDITION; THENCE N0° 31 '31 "W - 5.00 FEET; THENCE N89°28'29"E - 284.28 FEET; THENCE S00°29'24"E -10.00 FEET; THENCE S89°28'29"W - 284.28 FEET; THENCE N00° 31 '31 "W - 5.00 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED 10-FOOT WIDE STRIP CONTAINS 2842.8 SQUARE FEET MORE OR LESS, [hereinafter the "Easement"] A certificate of survey describing and depicting the Easement is attached hereto as Exhibit "A"; and

WHEREAS, Roers Development, Inc., a North Dakota corporation is the owner of said Lots Seven (7) and Eight (8), Block One (1), Calico Prairie Addition to the City of Fargo, Cass County, North Dakota; and

WHEREAS, Said owner desires that the Easement be released and relinquished; and

WHEREAS, The City of Fargo has determined that there are no public utilities currently located or likely to be located within the Easement.

NOW, THEREFORE:

1. The City of Fargo, together with Roers Development, Inc. a North Dakota corporation, do hereby mutually and reciprocally release, terminate and relinquish the Easement; and,
2. The subject of this instrument is that certain real property described as follows:  
Lots Seven (7) and Eight (8), Block One (1), Calico Prairie Addition to the City of Fargo, Cass County, North Dakota.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The Resolution was adopted.

**Hearing on Plat of Bentley Square Second Addition Continued to November 7, 2016 (4609 33rd Avenue South):**

Director of Planning and Development Jim Gilmour has asked that this hearing be continued to November 7, 2016.

Commissioner Piepkorn moved the Hearing on a Plat of Bentley Square Second Addition be continued to 5:15 o'clock p.m. on Monday, November 7, 2016.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Appeal of a Board of Adjustment Decision on a Variance Request Continued to November 7, 2016 (3101 Peterson Parkway):**

Director of Planning and Development Jim Gilmour has asked that this hearing be continued to November 7, 2016.

Commissioner Strand moved the Hearing be continued to 5:15 o'clock p.m., Monday, November 7, 2016.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Introduction of the FargoStreets Rebrand and Enhanced FargoStreets.com:**

Traffic Engineer Jeremy Gorden, along with Melissa Reichert and Kiersten Cooley from the Flint Group, gave a presentation on FargoStreets.com and the enhanced online resource for Fargo residents and visitors. Mr. Gordon said the goals of the relaunch were to demonstrate an accurate, timely and reliable source for road-related projects and impacts; speak to drivers, motorists, business owners, residents and pedestrians; position FargoStreets as the best source for information; and share the latest on road projects and cone zones from a mobile device or desktop.

Ms. Reichert and Ms. Cooley said the public now has a resource to view interactive construction or road closure maps; review the latest project and progress reports on key projects; see behind-the-scene photos and videos of project progress; and gain an at-a-glance view of the exact areas impacted with road closures.

Mr. Gordon said on FargoStreets.com, residents will see a rebranded logo and the new tagline “FargoStreets, Moving Forward” and see the traffic cone friend Wally who is there to greet visitors and remind them it is important to keep their eyes on the road when they see cones.

**Request from Master Construction Company to Conduct Work on Sundays for Improvement District No. BN-16-F1 Approved:**

Commissioner Piepkorn moved the request from Master Construction Company to conduct work on Sundays until work is completed for Improvement District No. BN-16-F1 be approved.

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

Absent and not voting: Commissioners Gehrig and Grindberg.

The motion was declared carried.

**Construction Project Update:**

City Engineer April Walker said there were no fatalities or serious injuries to report. She also shared an update of current construction projects, progress, closures and a new drone video of the Second Street reconstruction and floodwall project.

Commissioner Piepkorn moved that the Board adjourn to 5:00 o'clock p.m., Monday, November 7, 2016.

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

The time at adjournment was 6:03 o'clock p.m.