BOARD OF CITY COMMISSIONERS Fargo, North Dakota

<u>Special Meeting:</u> <u>Thursday:</u> <u>September 6, 2012:</u>

Agreeable with a call for a Special Meeting issued by Mayor Walaker, 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 1:30 o'clock p.m., Thursday, September, 6, 2012.

The Commissioners present or absent were as shown following:

Present: Mahoney, Wimmer, Sobolik, Williams, Walaker.

Mayor Walaker presiding.

City Attorney Erik Johnson announced that there is a pending litigation matter to be discussed in Executive Session, specifically the Highland Park Properties, LLC, a North Dakota limited liability company v. City of Fargo.

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

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

At 1:35 p.m. the Board moved to the River Room to discuss the litigation matters in Executive Session.

The Executive Session closed at 2:25 o'clock p.m.

The Board of City Commissioners reconvened in the City Commission Room at 2:30 o'clock p.m.

River Lot Moratorium Removed: Staff Directed to Look into Other Possible Solutions to Deter Development in Vulnerable Areas of the City:

City Attorney Erik Johnson said there is currently a building permit moratorium on river lots and the consensus is to release the moratorium. He said the river setback ordinance will remain in place as a guide for development along the river. He said he would like staff to look into other possible solutions to deter development in vulnerable areas of the City until the new FEMA flood plain maps are adopted next year.

Commissioner Mahoney moved the moratorium on river lots be removed and appropriate staff directed to continue looking into other possible solutions to deter development in vulnerable areas of the City until the new FEMA flood plain maps are adopted.

Second by Williams. On call of the roll Commissioners Mahoney, Williams, Wimmer, Sobolik and Walaker voted ave.

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

Commissioner Mahoney moved that the Board adjourn.

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

The time at adjournment was 2:34 o'clock p.m.