

- g. Applications for Games of Chance:
 - (1) Steve Weidner FM Junior Tour for a calendar raffle from 7/1/13 to 6/30/14.
 - (2) Roger Maris Celebrity Golf Tournament for a raffle on 6/21/13.
 - (3) Kringen Club, Inc. for bingo from 7/1/13 to 6/30/14.
 - (4) Red River Valley Asperger-Autism Network for a raffle on 6/23/13; Public Spirited Resolution.
 - (5) United Way of Cass-Clay for a raffle on 6/21/13.
 - (6) Fargo-Moorhead AM Rotary Club for a sports pool from 9/1/13 to 2/1/14.
 - (7) Ronald McDonald House Charities of the Red River Valley for a raffle on 7/10/13.
- h. Six month extension of Applebee's Class "FA" liquor license.
- i. Renaming of the Radisson Parking Ramp to Civic Center Ramp.
- j. Contract with Heyer Engineering for repair and maintenance of the Island Park Ramp.
- k. Memorandum authorizing early termination and vacation of the Charism, Inc. building.
- l. Contract Amendment with the NDDOT for a reduction in State Aid received from 11/1/12 to 6/30/13 (Contract No. 38121936).
- m. Application filed by John and Kristin Osborne for a 5-year property tax exemption for improvements made to a building at 1645 2nd Street North.
- n. Direct City Attorney to draft ordinances for adoption of the 2012 International Codes.
- o. Purchase Agreement – Easements and Fee Acquisition with John N. and Lauralee Oenick for Project No. 5958-03.
- p. Advertise for bids for Project No. 6235-2013 Flood Repairs.
- q. Bid award for Project SW 13-02 to Northern Improvement Company in the amount of \$166,609.75 and for Project No. 6212 to Master Construction Company, Inc. in the amount of \$45,000.45.
- r. Concurrence with the Selection Committee's recommendation and contract award for Capital Program and Project Management Software to Aurigo Software Technologies at a cost of \$252,930.00.
- s. Relocation of Cable One utilities to facilitate the construction of Phase 2 of the Rose Creek Flood Risk Reduction Project (Project No. 5958-03).

- t. Installation of two 10 x 14 box culverts as the preferred slide repair method on Drain 10 (Project No. 6237).
- u. Concurrence with PWPEC's recommendation to approve the Professional Services Agreement Amendment #3 in the amount of \$35,537.00 for Project No. 5681-02 related to the 25th Street Corridor Study from 17th Avenue to 23rd Avenue.
- v. 5-day contract time extension for Project No. 6225-02.
- w. Contract time extension to 6/15/13 for substantial completion of Project No. 6066.
- x. Purchase of a Toro Groundmaster 5910-D, through the National IPA Cooperative Procurement Contract, from MTI Distributing at a cost of \$91,691.84.
- y. Proposal from GE Water and Process Technologies to supply a membrane filtration system as part of the WTP expansion project (Project No. WA1301).
- z. Sixth Amendment to the Lease of Rights to Sewer System with the City of Harwood.
- aa. Capital Improvement budget adjustment to add a compost facility paving project to the 2013 landfill budget.
- bb. Change Order #1, for an increase of \$9,110.00, with PKG Contracting for Project No. WA1204.
- cc. Task Order with AE2S/GHD, in the amount of \$110,400.00, for implementation planning associated with the City's new CMMS System.
- dd. Contracts and bonds for Project Nos. 6206 and 6226-01.
- ee. Bills in the amount of \$6,324,923.28.

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

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

No Protests Received for Shared Use Path and Incidentals Improvement District No. 6157:

The Statutory Resolution of Necessity for the construction of Shared Use Path and Incidentals Improvement District No. 6157 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on April 8 and 15, 2013 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Mahoney moved that the Board declare that no protests have been filed to the construction of Shared Use Path and Incidentals Improvement District No. 6157.

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

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

Bids Received for Shared Use Path and Incidentals Improvement District No. 6157:

The bids for Shared Use Path and Incidentals Improvement District No. 6157 in the City of Fargo, North Dakota were opened on May 17, 2013 and the bids were found to be as follows:

Northern Improvement Company Bid:	Fargo, ND \$491,511.00
Adelman Concrete and Excavating, Inc. Bid:	West Fargo, ND \$510,916.22
A J Construction Inc. Bid:	West Fargo, ND \$566,355.50
Paras Contracting, Inc. Bid:	Fargo, ND \$587,866.66
Opp Construction Company Bid:	Fargo, ND \$594,449.50
Interstate Improvement, Inc. Bid:	Faribault, MN \$612,102.50
Strata Corporation Bid:	Grand Forks, ND \$633,735.50
Ti-Zack Concrete, Inc. Bid:	LeCentre, MN \$641,449.00

Contract for Shared Use Path and Incidentals Improvement District No. 6157 Awarded to Northern Improvement Company in the Amount of \$491,511.00:

Commissioner Mahoney offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Shared Use Path and Incidentals Improvement District No. 6157; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 17, 2013 for Shared Use Path and Incidentals Improvement District No. 6157 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Shared Use Path and Incidentals Improvement District No. 6157 shows the bid of Northern Improvement Company of Fargo, North Dakota, in the sum of \$491,511.00 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 Northern Improvement Company in the sum of \$491,511.00 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Shared Use Path and Incidentals Improvement District No. 6157 in the City of Fargo, North Dakota, be and the same is hereby awarded to Northern Improvement Company for the sum of \$491,511.00, 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 Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Williams, Sobolik, Wimmer and Walaker voted aye.

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

Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175: Protests Received and Declared Insufficient:

The Statutory Resolution of Necessity for the construction of Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on April 22 and 29, 2013 and protests representing less than one percent of the legal protest area have been received and filed in the office of the City Auditor within the legal protest period.

Commissioner Mahoney moved the protests be received and filed and declared insufficient.

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

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

Bids Received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175:

The bids for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 5, 2013 and the bids were found to be as follows:

Master Construction Company, Inc. Fargo, ND
Bid: \$1,871,479.90

Dakota Underground Company Fargo, ND
Bid: \$2,186,576.45

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175 Awarded to Master Construction Company, Inc. in the Amount of \$1,871,479.90:

Commissioner Mahoney 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, Street Reconstruction and Incidentals Improvement District No. 6175; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 17, 2013 for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175 shows the bid of Master Construction Company, Inc. of Fargo, North Dakota, in the sum of \$1,871,479.90 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 Master Construction Company, Inc. in the sum of \$1,871,479.90 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6175 in the City of Fargo, North Dakota, be and the same is hereby awarded to Master Construction Company, Inc. for the sum of \$1,871,479.90, 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 Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Williams, Sobolik, Wimmer and Walaker voted aye.

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

P.C. Concrete Alley Paving and Incidentals Improvement District No. 6214 (Block 4, Hector's Addition from 11th to 12th Avenue North between 2nd and 3rd Streets):

Commissioner Mahoney moved the following action be taken in connection with P.C. Concrete Alley Paving and Incidentals Improvement District No. 6214:

Adopt Resolution Creating Improvement District No. 6214:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6214 in the City of Fargo, North Dakota, be created

From 11th to 12th Avenue North between 2nd Street & 3rd Street, Hector's Addition.

COMPRISING:

Lots 1 through 10, the east 46.67 feet of Lots 11 and 12, and Lots 13 through 24, Block 4.

All in Hector's Addition.

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

NOW, THEREFORE, BE IT RESOLVED, That P.C. Concrete Alley Paving and Incidentals Improvement District No. 6214 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. 6214:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6214 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 \$145,200.00.)

Order Plans and Specifications for Improvement District No. 6214:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6214 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6214:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6214 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. 6214 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 P.C. Concrete Alley Paving 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 P.C. Concrete Alley Paving and Incidentals Improvement District No. 6214 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 P.C. Concrete Alley Paving 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. 6214:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6214 in the City of Fargo, North Dakota.

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

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

Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6221 (William Thomas Addition, 51st Avenue South from 38th Street to 42nd Street South):

Commissioner Mahoney moved the following action be taken in connection with Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6221:

Adopt Resolution Creating Improvement District No. 6221:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6221 in the City of Fargo, North Dakota, be created

51st Avenue South from 38th Street South to 42nd Street South.

COMPRISING:

Lots 1 through 3 of Block 1 of William Thomas Addition.

The unplatted land in the SE 1/4 of Section 34, Township 139, Range 49, bounded on the west by 42nd Street South, on the south by the 51st Avenue South, and the east by 38th Street South.

The unplatted land lying east of 42nd Street South in the SW 1/4 of Section 34, Township 139, Range 49.

All of the foregoing land lying in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6221 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. 6221:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6221 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 \$567,613.00.)

Order Plans and Specifications for Improvement District No. 6221:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6221 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6221:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6221 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. 6221 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 Sanitary Sewer, Water Main, Storm Sewer, 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 Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6221 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 Sanitary Sewer, Water Main, Storm Sewer, 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. 6221:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6221 in the City of Fargo, North Dakota.

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

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

Contract for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Master Construction Company, Inc. for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 in the City of Fargo, North Dakota.

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

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

Contract Bond for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 Approved:

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

Western National Mutual Insurance Company, in the amount of \$670,813.00, for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 in the City of Fargo, North Dakota.

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

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

Request from Highland Park Properties, LLC for a Setback Waiver Denied:

The Board received a communication from City Engineer April Walker stating on April 1, 2013 the Board heard a request from Rob Manly, attorney for Highland Park Properties, LLC, regarding a river setback waiver. She said the request pertained to 1505, 1509 and 1513 Highland Avenue and was forwarded to Engineering for evaluation. She said Mr. Manly was informed that a geotechnical analysis that reflects the full build out condition was required. Submitted with the setback waiver request, she said, was a geotechnical report that had been previously prepared with respect to the raising of the property as a part of a potential pre-development Letter of Map Revision to remove the property from the flood plain. The document which was prepared in 2006, she said, does not reflect the addition of houses to the previously filled property, nor does it reflect the addition of a flood protection line between the proposed houses and the river. Due to the lack of a geotechnical report that accurately reflects the full build out of the lots requested in the waiver application, she said, staff is recommending denial of the waiver request. She said should Mr. Manly's client complete the required geotechnical evaluation that supports the full build out, he would be eligible to appear before the Commission in the future for further consideration.

Commissioner Williams moved the setback waiver request from Highland Park Properties, LLC be denied.

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

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

Item No. 2 Delayed Until June 24, 2013:

Item No. 2 (Request from Edward Ferguson for Revisions to the River Setback Ordinance) was delayed until June 24, 2013.

Extension of the Offer Period for Pending Offers in the Voluntary Acquisition Program Approved:

The Board received a communication from Assistant City Attorney Nancy Morris stating several requests have been received to extend pending offers to purchase pursuant to the Voluntary Acquisition Program. She said in most cases the request is made either because a homeowner has not yet received the reassessment value or had sufficient time to consider the revised offer. Rather than ask at each Commission meeting for authority to extend the offers, she said, she would like the authority to extend the offer period as provided by the Voluntary Acquisition Program for a period of 10 days from the homeowner's receipt of the reassessment valuation.

In response to a question from Commissioner Wimmer about the process if the property owner does not take an offer, Ms. Morris stated under the Voluntary Acquisition Program, the offer automatically expires. She said her request is for 10 days from the time the homeowner receives their reassessment valuation.

City Administrator Pat Zavoral said an issue with extending the offers beyond the 45 days is that many acquisitions have already been made based on that time limit and those people may come back and want to open up negotiations again based on it being unfair that some got more time. He said the ten days being requested is due to the amount of reassessment work needed to be done by the City.

Commissioner Mahoney moved the extension of the offer period for pending offers in the Voluntary Acquisition Program for an additional ten days, which will not expire on a weekend or holiday, from the time the homeowner receives their reassessment valuation be approved

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

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

Hearing on an Amendment to the Growth Plan, Zoning Change, Plat and Vacation Plat of the Proposed The Pines at the District Addition Continued to June 24, 2013 (4152, 4220, 4242, 4264, 4286 52nd Avenues South; 5498 and 5776 45th Street South; 5461 38th Street South; and 3856 56th Avenue South):

This was the time and date set for a Hearing on a petition to amend the Growth Plan, Zoning Change, Plat and Vacation Plat of the proposed The Pines at the District Addition; however, Planning staff has requested that the hearing be continued June 24, 2013. They said plat revisions during the Planning Commission process caused some additional coordination need for the zoning ordinance preparation. Since the project requires a vacation plat advertisement lead of 4 weeks, they said, staff advertised in hopes that the public hearing items could align in

advance of the June 10th City Commission agenda. Unfortunately this is not the case, they said, and staff desires two more weeks to coordinate with the developer and the City Attorney.

Commissioner Wimmer moved the Hearing be continued to June 24, 2013.

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

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

Hearing on a Petition for a Zoning Change and Plat in Golden Valley Addition Continued to June 24, 2013 (6737 and 7067 25th Street South):

A Hearing had been set for May 13, 2013 on a petition for a zoning change from AG, Agricultural to SR-2, Single-Dwelling and PI, Public Institutional of the proposed Golden Valley Addition.

At the May 13, 2013 meeting, the Hearing was continued to May 28, 2013.

At the May 28, 2013, the Hearing was continued to this day and hour; however, Planning Administrator Nicole Crutchfield is requesting the Hearing be continued to June 24, 2013.

Commissioner Wimmer moved the Hearing be continued to June 24, 2013.

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

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

Resolution Adopted Declaring No Protests on a Resolution Annexing 32.80 Acres in a Part of the Northeast Quarter of Section 12, Township 138 North, Range 49 West:

The Board received a communication from Planning Director Jim Gilmour and Planning Administrator Nicole Crutchfield stating on April 29, 2013 the Board adopted a Resolution of Annexation to annex approximately 32.80 acres of land located in Section 12, Township 138 North, Range 49 West of Stanley Township, Cass County, North Dakota. They said notice of the Resolution/Hearing was published in the newspaper and copies were sent to all owners of property in the annexation area. The last day to file a written protest was June 5, 2013, they said, and to date there are no protests on record. They said the owner of the property is the City of Fargo, and the tract of land is also within joint jurisdictional control. On June 4, 2013, they said, the City Commission of Briarwood approved the annexation of this parcel by the City of Fargo.

Commissioner Mahoney 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 May 6 and 13, 2013, annexing approximately 32.80 acres of land located in Part of the Northeast Quarter of Section 12, Township 138 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota.

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 April 29, 2013.

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 Wimmer. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

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

Resolution Adopted Declaring No Protests on a Resolution Annexing 84.18 Acres in a Part of the Northwest 1/4 of Section 12, Township 138 North, Range 49 West:

The Board received a communication from Planning Director Jim Gilmour and Planning Administrator Nicole Crutchfield stating on April 1, 2013 the Board adopted a Resolution of Annexation to annex 84.18 acres of land located in Section 12, Township 138 North, Range 49 West of Stanley Township, Cass County, North Dakota. At the date of the resolution the property was owned by Fred M Hector, Jr., who filed a protest; however, on June 5, 2013, Mr. Hector withdrew his protest. They said the property is now owned by a different owner and is within joint jurisdictional control. On June 4, 2013, they said, the City Commission of Briarwood approved the annexation of this parcel by the City of Fargo.

Commissioner Mahoney 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 April 22 and 29, 2013, annexing approximately 84.18 acres of land located in a Part of the Northwest 1/4 of Section 12, Township 138 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, 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 April 1, 2013.

NOW, THEREFORE, BE IT RESOLVED, That the protests be declared insufficient and 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 Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Williams, Sobolik, Wimmer and Walaker voted aye.

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

Extension of Purchase Offer for Property Located at 4027 Copperfield Court South Until June 30, 2013 Approved:

The Board received a communication from Assistant City Attorney Nancy Morris stating she received a letter from Edward Laubach, Jr., attorney for Michele

Brandt, requesting an extension of the 45 day offer period provided in the Voluntary Acquisition Program. She said the property was reassessed under the policy in February 2013 and the offer to purchase was sent by certified mail on April 3, 2013; however, the document was not retrieved. She said she then mailed the offer again on May 1, 2013. Ms. Brandt's offer period expires on June 15, 2013, she said. In a phone conversation with Mr. Laubach, on June 6, 2013, he requested that the purchase offer for the property be extended until July 15, 2013 to allow additional time to consider the purchase offer. Ms. Morris said this request is not due to any delay on the part of the City.

Commissioner Wimmer said thirty days seems too long, considering that earlier in the meeting only ten days was granted for cases of reassessments.

Commissioner Mahoney moved an extension of the purchase offer for property located 4027 Copperfield Court South until June 30, 2013 be approved.

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

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

Commissioner Wimmer moved that the Board adjourn to 5:00 o'clock p.m., Monday, June 24, 2013.

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

The time at adjournment was 5:30 o'clock p.m.