

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

Regular Meeting:   Monday:   June 16, 2008:

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, June 16, 2008.

The Commissioners present or absent were as shown following:

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

Absent: None.

Mayor Walaker presiding.

Order of Agenda Approved:

Commissioner Coates moved the Order of the Agenda be approved.

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

Minutes Approved:

Commissioner Coates moved that the Minutes of the Regular Meeting of the Board held on June 2, 2008 be approved as read.

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

Consent Agenda Approved:

Commissioner Coates moved the Consent Agenda be approved as follows:

- a. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 6/2/08:
  - (1) Rezoning Certain Parcels of Land Lying in Whispering Creek First Addition to the City of Fargo.
  - (2) Rezoning Certain Parcels of Land Lying in the Southeast Quarter of Section 1, Township 138 North, Range 49 West, Cass County, North Dakota.
  - (3) Rezoning Certain Parcels of Land Lying in the Southeast Quarter of Section 16, Township 138 North, Range 49 West, Cass County, North Dakota.
  
- b. Receive and file Year to Date – Budget to Actual Report for May 2008.
  
- c. Resolutions and Loan Agreements for bond issues to the North Dakota Public Finance Agency:

- (1) Authorizing the Issuance and Sale of \$63,275,000 City of Fargo Sales Tax Revenue Bonds, Series 2008A (Attachment "A").
  - (2) Authorizing the Issuance and Sale of \$29,240,000 City of Fargo Sales Tax Revenue Bonds, Series 2008B (Attachment "B").
  - (3) Authorizing the Issuance and Sale of \$1,200,000 Sales Tax Revenue Bonds, Series 2008C (Attachment "C").
  - (4) Authorizing the Issuance and Sale of \$2,500,000 Sales Tax Revenue Bonds, Series 2008D (Attachment "D").
- d. Exercise of option to "piggyback" on the Fairfax, VA purchase of transit coaches.
  - e. Receive and file Notice of Appeal From Decision of Local Governing Body in the matter of William Rakowski vs. the City of Fargo.
  - f. Application filed by Patricia Stoderl for a 5-year property tax exemption for improvements made to a building at 1801 15th Avenue South.
  - g. Accept canvass of votes cast at the June 10, 2008 Primary Election, declare officials elected and questions passed or failed.

Total City of Fargo Votes Cast: 18,573

For Municipal Judge  
Four Years

Thomas Davies	14,224 (elected)
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For Members of the Board of City Commissioners  
Four Years

Dave Piepkorn	12,046 (elected)
Michael Williams	8,586 (elected)
Linda Coates	7,456
Eugene Dumont	2,708

For Members of the Board of Park Commissioners  
Four Years

Barbara Johnson	11,521 (elected)
Joel Vettel	11,957 (elected)

Home Rule Charter Amendment - "Shall Article 4(F) of the Home Rule Charter of the City of Fargo be amended to provide that initiated or referred ordinances approved by a vote of the voters may only be repealed or amended by a vote of the voters?"

Yes	11,708 (passed)
No	5,715
Yes Percentage	67%

Question for an Initiated Ordinance - "Shall an initiated ordinance relating to prohibiting smoking in public indoor workplaces in the City of Fargo including all bars, truck stops and certain places of public access rented for private functions be adopted?"

Yes 11,375 (passed)

No 7,198

Yes Percentage 61%

Question for a Referred Ordinance - "Shall ordinance number 4639 relating to prohibiting smoking in public indoor workplaces in the City of Fargo except for an all-enclosed bar area which prohibits entry of customers under the age of 21; in designated areas of truck stops restricted for use of professional drivers and their adult companions only; and in J.T. Cigarro Tobacco Bar be adopted?"

Yes 7,798 (failed)

No 10,610

Yes Percentage 42%

Question for publishing City Commission minutes - "According to state law, once every four years, each city must place on the ballot a question as follows: Shall the minutes of the Fargo City Commission be published in the official newspaper of the city?"

Yes 14,583 (passed)

No 2,895

Yes Percentage 83%

- h. Renewal of service agreement with Valley Veterinary Hospital, P.C. until 12/31/11 in the amount of \$125,000 per year.
- i. Application for COPS Secure Our Schools Grant in the amount of \$121,161.23 (CFDA #16.710).
- j. Department of Justice Assistance Grant (JAG) Program/Interlocal Agreement with Cass County (CFDA #17.738).
- k. 2008-2009 Alcoholic Beverage and Live Entertainment License Renewals upon the condition that all of the elements required for renewal are present by June 30, 2008.
- l. Site Authorization for The ARC Upper Valley, Inc. at Fort Nok's.
- m. Applications for Games of Chance:
  - (1) North High Volleyball for a calendar raffle from 8/21/08 through 11/6/08.
  - (2) Steve Weidner FM Junior Tour for a calendar raffle from 7/1/08 through 6/30/09.
  - (3) Fargo Babe Ruth League, Inc. for a raffle on 8/17/08; Public Spirited Resolution.

- n. Purchase Agreement for permanent right-of-way/temporary construction easements and License Agreement with John and Elsiné Leseth in connection with the reconstruction of 52nd Avenue South.
- o. Purchase Agreement for property at 4716 and 4730 South University Drive as part of the flood control project.
- p. Agreement Regarding Special Assessments for 1306 10th Street South.
- q. Additional \$25,265.07 for Starr Fireworks relocation assistance in connection with Improvement District No. 5314.
- r. Cost share of \$133,858 for the Red River Basin Mapping Initiative Project No. 5842.
- s. Bid award for Project No 5807-2 to Fritz Electric in the amount of \$90,301.
- t. Final Balancing Change Order No. 2 for an increase of \$10,461.05 for Project No. 5654.
- u. Bills in the amount of \$4,263,237.12.

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

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

Bids Received for Sanitary Sewer, Water Main and Incidentals Improvement District No. 5774:

The bids for Sanitary Sewer, Water Main and Incidentals Improvement District No. 5774 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 11, 2008 and the bids were found to be as follows:

Kindred Plumbing and Heating, Inc. Bid:	Kindred, ND \$210,085.35
Rising Sun Construction, Inc. Bid:	Fargo, ND \$210,974.25
Earth Developers, Inc. Bid:	Fargo, ND \$223,222.52
Shermans, LLC Bid:	West Fargo, ND \$223,227.56
Master Construction Company, Inc. Bid:	Fargo, ND \$238,392.50

Ernst Trenching, Inc. Bid:	Fargo, ND \$238,656.00
Robert Gibb & Sons, Inc. Bid:	Fargo, ND \$276,276.00
MIC Bid:	Moorhead, MN \$294,677.50
Dakota Underground Bid:	Fargo, ND \$308,374.00
Quam Construction-DBA Kvamsdal Construction Bid:	Willmar, MN \$320,141.25

Contract for Sanitary Sewer, Water Main and Incidentals Improvement District No. 5774 Awarded to Kindred Plumbing and Heating, Inc. in the Amount of \$210,085.35:

Commissioner Coates 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 and Incidentals Improvement District No. 5774; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 11, 2008 for Sanitary Sewer, Water Main and Incidentals Improvement District No. 5774 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Sanitary Sewer, Water Main and Incidentals Improvement District No. 5774 shows the bid of Kindred Plumbing and Heating, Inc. of Kindred, North Dakota, in the sum of \$210,085.35 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 Kindred Plumbing and Heating, Inc. in the sum of \$210,085.35 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main and Incidentals Improvement District No. 5774 in the City of Fargo, North Dakota, be and the same is hereby awarded to Kindred Plumbing and Heating, Inc. for the sum of \$210,085.35, 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 Mahoney. On the vote being taken on the question of the adoption of the Resolution Commissioners Coates, Mahoney, Williams, 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. 5832: Protests Received and Declared Insufficient:

The Statutory Resolution of Necessity for the construction of P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North

Dakota, on May 12 and 19, 2008 and protests representing 20.83 percent of the legal protest area have been received and filed in the office of the City Auditor within the legal protest period.

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

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

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

Bids Received for P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832:

The bids for P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 11, 2008 and the bids were found to be as follows:

Paras Contracting, Inc. Bid:	Fargo, ND \$79,435.13
Key Contracting Bid:	Fargo, ND \$89,707.75
Contemporary Builders Bid:	Fargo, ND \$92,516.63
Specialized Contracting Bid:	Fargo, ND \$94,589.03
Opp Construction Company Bid:	Fargo, ND \$96,884.00
Dakota Underground Bid:	Fargo, ND \$101,593.75
Northern Improvement Company Bid:	Fargo, ND \$102,946.75
Strata Corporation Bid:	Grand Forks, ND \$110,459.38

Contract for P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832 Awarded to Paras Contracting in the Amount of \$79,435.13:

Commissioner Coates offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 11, 2008 for P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832 shows the bid of Paras Contracting of Fargo, North Dakota, in the sum of \$79,435.13 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 Paras Contracting in the sum of \$79,435.13 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for P.C. Concrete Alley Paving and Incidentals Improvement District No. 5832 in the City of Fargo, North Dakota, be and the same is hereby awarded to Paras Contracting for the sum of \$79,435.13, 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 Mahoney. On the vote being taken on the question of the adoption of the Resolution Commissioners Coates, Mahoney, Williams, Wimmer and Walaker voted aye.

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

Change Order for Improvement District No. 5421-2 Approved:

Commissioner Coates moved approval of Change Order for an increase of \$100,889.20 for Improvement District No. 5421-2.

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

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

P.C. Concrete Pavement and Incidentals Improvement District No. 5777 (32nd Avenue South from 45th to 51st Streets):

Commissioner Coates moved the following action be taken in connection with P.C. Concrete Pavement and Incidentals Improvement District No. 5777:

Adopt Resolution Creating Improvement District No. 5777:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 5777, in the City of Fargo, North Dakota, be created

On 32<sup>nd</sup> Avenue South from 45<sup>th</sup> Street to 51<sup>st</sup> Street South.

COMPRISING

Lot 1, Block 2.

Lot 1, Block 3.

All in Agassiz Crossing 1<sup>st</sup> Addition.

Lots 1 and 2, Block 1.

All in Agassiz Crossing 2<sup>nd</sup> Addition.

Lots 1 through 3, inclusive, Block 1.  
Lot 1, Block 2.

All in Agassiz Crossing 3<sup>rd</sup> Addition.

Lots 1 and 2, Block 1.  
All in Hom 1<sup>st</sup> Addition.

Lots 1 through 3, inclusive, Block 1.  
All in Westpointe 1<sup>st</sup> Addition.

Lot 3, Block 1.  
All in Midwest Behavioral Healthcare 1<sup>st</sup> Addition.

Lots 1 through 3, inclusive, Block 1.  
All in Pracs Addition.

Lot 1, Block 1.  
All in Pracs 2<sup>nd</sup> Addition.

Lots 1 through 3, inclusive, Block 1.  
Lots 2 through 4, inclusive, Block 2.  
All in Amber Valley 1<sup>st</sup> Addition.

Lots 1 and 2, Block 1.  
All in Amber Valley 2<sup>nd</sup> Addition.

Lots 1 through 8, inclusive, Block 1.  
All in Amber Valley 3<sup>rd</sup> Addition.

Lot 1, Block 1.  
All in Amber Valley 4<sup>th</sup> Addition.

Lot 1, Block 1.  
All in Amber Valley 5<sup>th</sup> Addition.

Lots 1 through 3, inclusive, Block 1.  
Lots 1 through 21, inclusive, Block 2.  
Lots 1 through 12, inclusive, Block 3.  
Lot 1, Block 4.  
Lot 1, Block 5.  
All in Amber Valley 6<sup>th</sup> Addition.

Lots 1 through 4, inclusive, Block 1.  
All in Amber Valley 7<sup>th</sup> Addition.

Lots 1 through 5, inclusive, Block 1.



All in Amber Valley Business Center 1<sup>st</sup> Addition.

Lots 1 through 10, inclusive, Block 2.

Lots 1 through 3, inclusive, Block 3.

Lots 1 and 2, Block 4.

Lots 1 through 4, inclusive, Block 5.

Lots 1 through 7, inclusive, Block 8.

All in Urban Plains by Brandt 1<sup>st</sup> Addition.

Lots 1 through 6, inclusive, Block 1.

All in Urban Plains Medical Park Addition.

Lots 1 through 6, inclusive, Block 1.

All in Urban Plains Rec Facility Addition.

Lots 1 through 12, inclusive, Block 1.

All in Urban Plains Retail Addition.

Lots 1 through 5, inclusive, Block 1.

All in Urban Plains Northeast Retail Addition.

Lots 1 and 2, Block 2.

Lots 1 through 6, inclusive, Block 3.

Lot 1, Block 4.

Lot 1, Block 5.

All in Urban Plains Center Addition.

Lots 1 through 3, inclusive, Block 1.

All in Brandt Park Addition.

All of the unplatted land in Section 21, Township 149 North, Range 49 West.

All of the unplatted land in the north half of Section 28, Township 149 North, Range 49 West.

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

NOW, THEREFORE, BE IT RESOLVED, That P.C. Concrete Pavement and Incidentals Improvement District No. 5777, 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. 5777:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 5777, 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 \$3,828,000.)

Order Plans and Specifications for Improvement District No. 5777:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 5777, in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 5777:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 5777, 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. 5777, 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 Pavement 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 Pavement & Incidentals, Improvement District No. 5777 in the City of Fargo, North Dakota, according to 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.

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 Pavement & 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. 5777:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 5777, in the City of Fargo, North Dakota.

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

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

Contract for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5385 Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and Border States Paving, Inc. for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5385 in the City of Fargo, North Dakota.

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

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

Contract Bond for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5385 Approved:

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

Liberty Mutual Insurance Company, in the amount of \$608,229.15, for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5385 in the City of Fargo, North Dakota.

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

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

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5713 Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and Master Construction Company, Inc. for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5713 in the City of Fargo, North Dakota.

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

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

Contract Bond for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5713 Approved:

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

United Fire and Casualty Company, in the amount of \$1,303,248.65, for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5713 in the City of Fargo, North Dakota.

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

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

Contract for Storm Sewer, Paving, Street Lights, Traffic Signal Improvements and Incidentals Improvement District No. 5746 Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and Northern Improvement Company for Storm Sewer, Paving, Street Lights, Traffic Signal Improvements and Incidentals Improvement District No. 5746 in the City of Fargo, North Dakota.

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

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

Contract Bond for Storm Sewer, Paving, Street Lights, Traffic Signal Improvements and Incidentals Improvement District No. 5746 Approved:

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

Western Surety Company, in the amount of \$726,063.70, for Storm Sewer, Paving, Street Lights, Traffic Signal Improvements and Incidentals Improvement District No. 5746 in the City of Fargo, North Dakota.

Second by Mahoney. On call of the roll Commissioners Coates, Mahoney, Williams, 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 and Incidentals Improvement District No. 5775 Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and United Crane and Excavation, Inc. for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5775 in the City of Fargo, North Dakota.

Second by Mahoney. On call of the roll Commissioners Coates, Mahoney, Williams, 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 and Incidentals Improvement District No. 5775 Approved:

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

Merchants Bonding Company, in the amount of \$587,585.03, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5775 in the City of Fargo, North Dakota.

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

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

Contract for Water Main Replacement and Incidentals Improvement District No. 5781Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and Shermans, LLC for Water Main Replacement and Incidentals Improvement District No. 5781 in the City of Fargo, North Dakota.

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

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

Contract Bond for Water Main Replacement and Incidentals Improvement District No. 5781 Approved:

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

Western Surety Company, in the amount of \$353,747.99, for Water Main Replacement and Incidentals Improvement District No. 5781 in the City of Fargo, North Dakota.

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

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

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5782 Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and Master Construction Company, Inc. for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5782 in the City of Fargo, North Dakota.

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

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

Contract Bond for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5782 Approved:

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

United Fire and Casualty Company, in the amount of \$1,466,140.30, for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5782 in the City of Fargo, North Dakota.

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

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

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5783 Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and Border States Paving, Inc. for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5783 in the City of Fargo, North Dakota.

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

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

Contract Bond for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5783 Approved:

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

Liberty Mutual Insurance Company, in the amount of \$1,419,533.15, for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 5783 in the City of Fargo, North Dakota.

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

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

Contract for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5797 Approved:

Commissioner Coates moved approval of the Contract between the City of Fargo and Border States Paving Inc. for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5797 in the City of Fargo, North Dakota.

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

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

Contract Bond for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5797 Approved:

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

Liberty Mutual Insurance Company, in the amount of \$1,578,976.02, for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5797 in the City of Fargo, North Dakota.

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

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

Request for an Extension of the Noise Ordinance for a Starlite Movie Night Approved:

The Board received a communication from Tracy Walvatne, Social Chair, Horace Mann Area Neighborhood Association, requesting an extension of the City's Noise Ordinance from 10:00 p.m. on August 14, 2008 to 12:30 a.m. on August 15, 2008 for a Starlite Movie Night at Roosevelt Park on 12th Avenue North.

Commissioner Wimmer moved the request be approved

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

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

Request for an Extension of the Noise Ordinance for a Motorcycle Rally, Pig Roast and Band Approved:

The Board received a communication from Heather Hanson, Event Coordinator for U Motors, Fargo, requesting an extension of the City's Noise Ordinance on July 19, 2008 from 10:00 p.m. to 11:00 p.m. for the 1st Annual Backyard BBQ and Bike Bash at 3525 38th Street Southwest.

Commissioner Wimmer moved the request be approved.

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

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

Request for an Extension of the Noise Ordinance for Community Concerts Approved:

The Board received a communication from Mona Arnold, Manager of the Fargo American Legion, requesting an extension of the City's Noise Ordinance on June 19, July 17 and August 21, 2008 from 10:00 p.m. to 11:00 p.m. for the outdoor 3rd Thursday community concerts at 505 3rd Avenue North.

Commissioner Mahoney moved the request be approved.

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

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

Recommendation from Mayor Walaker for Appointments to various Boards and Commissions Approved:

The Board received a communication from Mayor Walaker recommending the following appointments to several Boards and Commissions of the City for the terms listed:

Boards and Commissions

Board of Appeals  
Harold Thompson

Term Expires  
June 30, 2013

Civil Service Commission  
Paul Grindeland  
Bonne Guttormson

June 30, 2011  
June 30, 2011

Fargo Access Channel Board

Bryan Duncan June 30, 2011  
Dean Sime June 30, 2011

Native American Commission

Jaclynn Davis Walette June 30, 2011  
Sandra Berlin June 30, 2011

Planning Commission

Peggy Palmes June 30, 2011  
Jan Ulferts Stewart June 30, 2011

Special Assessment Commission

Steve Bladholm (previously an alternate) June 30, 2011

Commissioner Wimmer moved the appointments be approved as outlined above.

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

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

Presentation of Appreciation Plaque to Commissioner Coates:

Mayor Walaker presented a plaque to Commissioner Coates in appreciation of her dedicated service to the City of Fargo.

Commissioner Coates moved that the Board adjourn to 5:00 o'clock p.m., Monday, June 30, 2008.

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

The time at adjournment was 5:09 o'clock p.m.