

For Municipal Judge
Four Years

Stephen Dawson 15,625 (elected)

Home Rule Charter Amendment - "Shall Article 3 of the Home Rule Charter of the City of Fargo be amended to authorize collection of a one-half of one percent (1/2%) municipal sales, gross receipts and use tax to commence January 1, 2013 for a period of twenty (20) years to expire on December 31, 2032, and to be utilized by the City of Fargo for such infrastructure improvements including flood protection as the governing body of the city may select."

Yes	13,176 (passed)
No	8,679
Yes Percentage	60.29%

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	17,627 (passed)
No	3,640
Yes Percentage	83%

- (1) Receive and file an Ordinance Enacting Article 3-22 of Chapter 3 of the Fargo Municipal Code Relating to Imposition of a Sales, Use and Gross Receipts Tax (Infrastructure Improvements Including Flood Protection).
- b. 1st reading of an Ordinance Amending Section 20-0305.J.1 of Article 20-03 of Chapter 20 of the Fargo Municipal Code (Land Development Code) Relating to Specific Historic Overlay (H-O) Districts.
- c. Request for an extension of the noise Ordinance until 10:30 p.m. on June 24, 2012 for outdoor music at SideStreet Pub in the Howard Johnson Courtyard.
- d. Contract for Library Associate III (Reference Associate) for 2012/2013.
- e. Appointment of John R. Baird, MD, MPH as the Health Officer for Fargo Cass Public Health.
- f. Applications for Games of Chance:
 - (1) Steve Weidner FM Junior Tour for a calendar raffle from 7/1/12 through 6/30/13.
 - (2) Scottish Rite Holding Company for a raffle on 10/2/12.
 - (3) Fargo Gateway Lions for a raffle on 7/25/12.
 - (4) St. Anthony Church for bingo and a raffle on 9/30/12.
 - (5) Fargo Angels Youth Hockey for a calendar raffle from 12/2/12 to 1/3/13.

- g. Five-year lease with Kinetic Leasing, in the amount of \$16,499.00 per year for a telescopic crane truck.
- h. Purchase Agreement with Dean Lohmeier for temporary and permanent easements (Project No. 5949).
- i. Encroachment Agreement with Kilbourne Group, LLC for window wells at 208, 210 and 212 Broadway.
- j. Reimbursement of expenses in the amount of \$1,840.00 to the property owner at 2308 Centennial Rose Drive (Project No. 5958).
- k. Reimbursement of expenses in the amount of \$40,000.00 to U-Tag (Project No. 6042).
- l. Consultant selection for Projects 6076-01 and 6153 and Improvement District No. 6104.
- m. Bid award to Hoffman & McNamara Nursery & Landscape in the amount of \$53,980.00 for Project No 5949-04.
- n. Bid advertisement for Project Nos. 6043-02 and 6113-02.
- o. Contracts and bonds for the Central Garage fuel station replacement, the Effluent Pump Station and Project Nos. 6108, 6113-01 and 6113-03.
- p. Bills in the amount of \$7,292,483.44.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Bids Received for Street Rehabilitation and Incidentals Improvement District No. 5699-02:

The bids for Street Rehabilitation and Incidentals Improvement District No. 5699-02 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 20, 2012 and the bids were found to be as follows:

Key Contracting Bid:	West Fargo, ND \$131,784.90
Border States Paving, Inc. Bid:	Fargo, ND \$136,348.65
Master Construction Company, Inc. Bid:	Fargo, ND \$137,074.00

Bids Received for Mill and Overlay and Incidentals Improvement District No. 6097:

The bids for Mill and Overlay and Incidentals Improvement District No. 6097 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 20, 2012 and the bids were found to be as follows:

Northern Improvement Company Bid:	Fargo, ND \$456,637.60
Border States Paving, Inc. Bid:	Fargo, ND \$456,941.50
Central Specialties, Inc. Bid:	Alexandria, MN \$477,635.20
Aggregate Industries Bid:	Moorhead, MN \$498,833.40

Contract for Mill and Overlay and Incidentals Improvement District No. 6097 Awarded to Northern Improvement Company in the Amount of \$456,637.60:

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 Mill and Overlay and Incidentals Improvement District No. 6097; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 20, 2012 for Mill and Overlay and Incidentals Improvement District No. 6097 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Mill and Overlay and Incidentals Improvement District No. 6097 shows the bid of Northern Improvement Company of Fargo, North Dakota, in the sum of \$456,637.60 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 \$456,637.60 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Mill and Overlay and Incidentals Improvement District No. 6097 in the City of Fargo, North Dakota, be and the same is hereby awarded to Northern Improvement Company for the sum of \$456,637.60, 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 Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams and Walaker voted aye.

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

No Protests Received for P.C. Concrete Pavement and Incidentals Improvement District No. 6142:

The Statutory Resolution of Necessity for the construction of P.C. Concrete Pavement and Incidentals Improvement District No. 6142 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on June 4 and 11, 2012 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 P.C. Concrete Pavement and Incidentals Improvement District No. 6142.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Bids Received for P.C. Concrete Pavement and Incidentals Improvement District No. 6142:

The bids for P.C. Concrete Pavement and Incidentals Improvement District No. 6142 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 20, 2012 and the bids were found to be as follows:

Northern Improvement Company Bid:	Fargo, ND \$544,137.85
Dakota Underground Company Bid:	Fargo, ND \$589,816.55
Master Construction Company, Inc. Bid:	Fargo, ND \$643,707.10
Opp Construction Company Bid:	Fargo, ND \$686,286.20

Contract for P.C. Concrete Pavement and Incidentals Improvement District No. 6142 Awarded to Northern Improvement Company in the Amount of \$544,137.85:

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 P.C. Concrete Pavement and Incidentals Improvement District No. 6142; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 20, 2012 for P.C. Concrete Pavement and Incidentals Improvement District No. 6142 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for P.C. Concrete Pavement and Incidentals Improvement District No. 6142 shows the bid of Northern Improvement Company of Fargo, North Dakota, in the sum of \$544,137.85 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 \$544,137.85 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for P.C. Concrete Pavement and Incidentals Improvement District No. 6142 in the City of Fargo, North Dakota, be and the same is hereby awarded to Northern Improvement Company for the sum of \$544,137.85, 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 Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams and Walaker voted aye.

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Bids Received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6151:

The bids for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6151 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 20, 2012 and the bids were found to be as follows:

Rising Sun Construction, Inc. Bid:	Fargo, ND \$149,338.48
Dakota Underground Company Bid:	Fargo, ND \$206,483.21
Sellin Brothers, Inc. Bid:	Hawley, MN \$212,679.31
Master Construction Company, Inc. Bid:	Fargo, ND \$216,017.67
United Crane and Excavation, Inc. Bid:	Grand Forks, ND \$222,842.40
Ryan Contracting Bid:	Shakopee, MN \$228,998.16
George E. Haggart, Inc. Bid:	Fargo, ND \$257,277.24

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6151 Awarded to Rising Sun Construction, Inc. in the Amount of \$149,338.48:

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 Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6151; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 20, 2012 for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6151 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6151 shows the bid of Rising Sun Construction, Inc. of Fargo, North Dakota, in the sum of \$149,338.48 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 Rising Sun Construction, Inc. in the sum of \$149,338.48 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6151 in the City of Fargo, North Dakota, be and the same is hereby awarded to Rising Sun Construction, Inc. for the sum of \$149,338.48, 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 Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams and Walaker voted aye.

Absent and not voting: Commissioner Piepkorn.

The Resolution was adopted.

Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalk and Incidentals Improvement District No. 6152 (Amber Valley West 1st Addition and Urban Plains by Brandt 1st Addition):

Commissioner Mahoney moved the following action be taken in connection with Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalk and Incidentals Improvement District No. 6152:

Adopt Resolution Creating Improvement District No. 6152:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6152 in the City of Fargo, North Dakota, be created

55th Street South from Amber Valley Parkway South to 26th Avenue South
26th Avenue South from Veterans Boulevard to 55th Street South

COMPRISING:

Lots 1 through 7, inclusive, Block 1.

Lot 1, inclusive, Block 3.

All platted in the Amber Valley West 1st Addition.

Lot 1, inclusive, Block 4.

All platted in the Urban Plains by Brandt 1st Addition.

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

NOW, THEREFORE, BE IT RESOLVED, That Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalk and Incidentals Improvement District No. 6152 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. 6152:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6152 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 \$897,600.00)

Order Plans and Specifications for Improvement District No. 6152:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6152 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6152:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6152 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. 6152 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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalk 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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 6152 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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalk 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. 6152:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6152 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 6155 (Deer Creek Addition):

Commissioner Mahoney moved the following action be taken in connection with Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 6155:

Adopt Resolution Creating Improvement District No. 6155:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6155 in the City of Fargo, North Dakota, be created

56th Avenue South from Deer Creek Parkway to 67th Street South.

56th Avenue South from 58th Street to 60th Street South.

55th Avenue South from 58th Street to 59th Street South.

57th Avenue South from 58th Street to 61st Street South.

58th Street South from 55th Avenue to 57th Avenue South.

61st Street South from 65th Avenue to 57th Avenue South.

COMPRISING:

Lots 1 through 2, inclusive, Block 5

Lots 1 through 7, inclusive, Block 7

Lot 1, Block 8

Lots 1 through 23, inclusive, Block 9

Lots 1 through 12, inclusive, Block 10

Lots 33 through 70, inclusive, Block 11

Lots 1 through 17, inclusive, Block 12

Lots 9 through 35, inclusive, Block 15

Lots 1 through 16, inclusive, Block 16

Lots 21 through 27, inclusive, Block 17

All platted in Deer Creek Addition

All un-platted land within the eastern 1322 feet of the Northwest 1/4 of Section 05, Township 138, Range 49.

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

NOW, THEREFORE, BE IT RESOLVED, That Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 6155 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. 6155:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6155 in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$1,283,040.00.)

Order Plans and Specifications for Improvement District No. 6155:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6155 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6155:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6155 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. 6155 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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks 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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals, Improvement District No. 6155 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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks 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. 6155:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6155 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

P.C. Concrete Alley Paving and Incidentals Improvement District No. 6156 (Alley in 1800 Block Between 4th and 5th Streets North):

Commissioner Mahoney moved the following action be taken in connection with P.C. Concrete Alley Paving and Incidentals Improvement District No. 6156:

Adopt Resolution Creating Improvement District No. 6156:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6156 in the City of Fargo, North Dakota, be created

From 18th to 19th Avenues North between 4th Street and 5th Street, North Broadway Addition.

COMPRISING:

Lots 161 through 179 and Lots 221 through 239.

All in North Broadway 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. 6156 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. 6156:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6156 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 \$116,160.00.)

Order Plans and Specifications for Improvement District No. 6156:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6156 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6156:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6156 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. 6156 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. 6156 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. 6156:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6156 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6160 (Brandt Crossing 1st Addition):

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. 6160:

Adopt Resolution Creating Improvement District No. 6160:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6160 in the City of Fargo, North Dakota, be created

34th Avenue South from 49th Street South to 50th Street South
Chelsea Lane South from 49th Street South to 50th Street South
50th Street South from 34th Avenue South to 150 feet north of 35th Avenue South

COMPRISING:

Lots 1 through 7, inclusive, Block 12.
Lots 1 through 12, inclusive, Block 13.
Lot 15 through 27, inclusive, Block 14.
All platted in the Brandt Crossing 1st Addition.

All of the foregoing is located 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. 6160 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. 6160:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6160 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 \$825,000.00.)

Order Plans and Specifications for Improvement District No. 6160:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6160 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6160:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6160 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. 6160 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. 6160 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. 6160:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6160 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-01 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Shermans, LLC for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-01 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract Bond for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-01 Approved:

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

Western Surety Company, in the amount of \$1,515,791.20, for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-01 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-02 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Dakota Underground Company for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-02 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract Bond for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-02 Approved:

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

United Fire and Casualty Company, in the amount of \$1,548,678.45, for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6101-02 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract for Concrete Pavement Rehabilitation and Incidentals Improvement District No. 6117 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Key Contracting for Concrete Pavement Rehabilitation and Incidentals Improvement District No. 6117 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract Bond for Concrete Pavement Rehabilitation and Incidentals Improvement District No. 6117 Approved:

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

Western Surety Company, in the amount of \$156,228.00, for Concrete Pavement Rehabilitation and Incidentals Improvement District No. 6117 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6139 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Dakota Underground Company for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6139 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Contract Bond for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6139 Approved:

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

United Fire and Casualty Company, in the amount of \$1,341,334.95, for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. 6139 in the City of Fargo, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Second Reading and Final Adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Erskine's Addition to the City of Fargo – Historic Overlay District:

City Attorney Erik Johnson said at the June 11th meeting the Board approved one of four proposals for the Historic Overlay District. He said the amended Ordinance presented incorporates the boundaries approved with language to resolve a slight contradiction in the westerly boundary in order to coincide with existing property lines.

Commissioner Wimmer moved that the proposed Ordinance rezoning certain parcels of land lying in Erskine's Addition to the City of Fargo – Historic Overlay District which was placed on its first reading June 11, 2012 be now placed on its second reading, the requirement that final passage shall not be had for at least one week after second reading be waived, and a vote taken on the question of its final passage and adoption.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

There was unanimous consent to waive reading of the Ordinance in its entirety and no one was present to request that the Ordinance be read.

On the vote being taken on the question of the final passage and adoption of the Ordinance, Commissioners Wimmer, Williams, Mahoney and Walaker voted aye.

Absent and not voting: Commissioner Piepkorn

The motion was declared carried.

City Attorney Directed to Draft an Ambulance Ordinance and an Ambulance Service Agreement with F-M Ambulance:

The Board received a communication from Fire Chief Steve Dirksen stating in the last Legislative session, the Legislature approved a change to the North Dakota Century Code which changed the way ambulance services are regulated. He said through this legislation the State Department of Health, which has the authority to license emergency medical service operations within the State, has now been given the authority to designate ambulance service areas within the State and designate the service area provider. He said the North Dakota Century Code, Chapter 23-12-08 allows municipalities to enter, establish, maintain, contract for, or otherwise provide emergency medical services for such county or municipality. Public safety is a major concern for city government, he said, and the City currently provides for police and fire protection with Ordinances that address those areas. He said ambulance services fall under public safety; however, at this time there is not an Ordinance that addresses how the City will govern or regulate this area. He said an Ordinance governing this area of public safety will allow the City to require reporting of how this service is being provided within the community. He said meetings have been held with F-M Ambulance and Sanford to gather input in the development of an Ordinance and a service agreement, and the next step is to ask the City Attorney to draft an Ordinance.

City Administrator Pat Zavoral said the Ordinance is to suggest there is an agreement and the actual service agreement will outline the details as far as the terms desired. He said F-M Ambulance has excellent technology and facility sites.

Commissioner Williams said this does not change existing agreements for ambulance service; it is more of a proactive approach so that if anything changes, there is local control.

Attorney Sid Spaeth spoke on behalf of F-M Ambulance. He said F-M Ambulance is in agreement with the service agreement; however, an Ordinance is unnecessary. He said the City is protected by the State licensing requirements and contractual relationship with F-M Ambulance and an Ordinance which restates provision in the State regulations adds an unnecessary redundant tier to the regulations.

Executive Director of F-M Ambulance Sherm Syverson said F-M Ambulance provides advanced life support services for the surrounding areas, not only in Fargo. He said his concern is that any arrangement would have to allow continuation of the excellent service and response times provided in all of the designated service areas.

He said he would not want delivery of services or cost effectiveness to suffer. He said regardless of the outcome, F-M Ambulance is very willing to share data.

Commissioner Williams moved the City Attorney be directed to draft an Ambulance Ordinance and an Ambulance Service Agreement with F-M Ambulance.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Application Filed by QSL-Fargo, LLC d/b/a Quaker Steak & Lube for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by QSL-Fargo, LLC d/b/a Quaker Steak & Lube for a Class "FA" Alcoholic Beverage License at 1776 45th Street 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 Williams moved the application be approved.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Application to Transfer the Alcoholic Beverage License from Dos Mangos Inc. d/b/a Mango's Mexican and American Grill to Dos Mangos Inc. d/b/a Mango's Denied:

A Hearing had been set for this day and hour on an application to transfer the Class "F" Alcoholic Beverage License from Dos Mangos Inc. d/b/a/ Mango's Mexican and American Grill at 2901 Main Avenue to Dos Mangos Inc. d/b/a Mango's, notice of which had been duly published in the official newspaper for the City of Fargo.

City Auditor Steve Sprague said he received a communication from Chief of Police Keith Ternes recommending denial of the transfer of the alcoholic beverage license based on outstanding debt and deficient credit history associated with one of the applicants, Mr. Jose Ramon Gutierrez, and the criminal history associated with the other applicant, Mr. Jose Miguel Gutierrez.

Chief Ternes said the background investigation conducted by the Police Department discovered a long list of outstanding debts for Jose Ramon Gutierrez and many remain unsatisfied. He said the outstanding debt and credit issues cause him to question the application and he is recommending denying the application. He stated the criminal history of the other applicant, Jose Miguel Gutierrez, also causes him to recommend denial of the license transfer application. He said as recently as February 2012, Jose Miguel Gutierrez was convicted of providing alcohol to a minor subsequent to a failed alcohol compliance check at Mango's restaurant and he was also arrested in January of this year for driving under the influence of alcohol. Chief Ternes said, in his opinion, the two incidents occurring recently and subsequent to one another demonstrates a lack of personal responsibility.

Commissioner Williams moved the application be denied.

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

Absent and not voting: Commissioner Piepkorn

The motion was declared carried.

Application Filed by SCM Investments for a Five-Year Payment in Lieu of Tax Exemption (PILOT) Approved:

A Hearing had been set for this day and hour on an application filed by SCM Investments for payment in lieu of property tax exemption for a 37 unit apartment project to be built near NDSU at 12th Avenue North and Dakota Drive (2055 Dakota Drive) in the University Mixed Zoning District.

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.

The Board received a Communication from Planning Director Jim Gilmour stating the applicant is requesting \$350,000 of PILOT assistance. The Finance Committee reviewed the application and financial advisor's report, he said, and are recommending approval of a maximum of \$250,000 of PILOT assistance for a maximum of five years. He said City policy calls for a five percent administrative fee, which increases the amount to \$262,500.00.

In answer to a question from Commissioner Williams about how much the units will rent for, City Administrator Pat Zavoral said a report from the developers shows the project will have five, 1-bedroom units at \$600/month; eight, 2-bedroom/2-bath units at \$730/month and twenty-four, 3-bedroom units at \$1,000/month.

Commissioner Wimmer moved that the application filed by SCM Investments for a five-year payment in lieu of tax exemption in the amount of \$262,500.00 pursuant to Chapter 40-57.1, NDCC be approved.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Amendment to the Fargo Renaissance Zone Development Plan Approved:

A Hearing had been set for this day and hour to consider the approval of a Renaissance Zone Development Plan amendment.

The Board determined that there have been no written or verbal protests and no one is present to protest thereto.

The Board received a communication from Senior Planner Robert Stein stating at the June 11th meeting a recommendation from the Renaissance Zone Authority was received and filed and staff was authorized to schedule a public hearing to consider the approval of a Renaissance Zone Development Plan Amendment. The amendment, he said, consists of policy changes relating to Renaissance Zone lease projects. There was concern, he said, that current state law and local policy could allow a lease applicant to receive Renaissance Zone lease project benefits that would not be commensurate with the level of investment or commitment by the applicant. He said such a project could comply with all existing state and local laws and policies, but would still not meet the intent of the program. It was felt a cap on lease benefits

would remedy this potential problem, he said, therefore, the Renaissance Zone Authority is recommending the following amendments to the Fargo Renaissance Zone Development Plan:

- (1) The aggregate lease benefits for each lease project parcel may not exceed a level that is 40% of the investment in project construction or rehabilitation made by the property owner.
- (2) Aggregate lease benefits for this policy would be calculated using the total estimated state income tax exemption over five years that is provided to each lease project applicant.
- (3) Investment for this policy would be calculated using the current assessed value of the building plus the total investment in project construction or rehabilitation made by the property owner.
- (4) Other factors to be evaluated if an exemption were to be requested could include: jobs created, a major civic component included in the project, positive economic impact to the community such as primary sector business and overall community benefit that exceeds the value of the benefit.

Commissioner Wimmer moved the amendment to the Fargo Renaissance Zone Development Plan be approved as recommended by the Renaissance Zone Authority.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Parcels of Land in AMPC Second Subdivision Rezoned (South of 46th Avenue North and East of 37th Street North):

At a Hearing held on May 1, 2012 the Fargo Planning Commission recommended approval of a change in zoning from AG, Agricultural to GI, General Industrial on Lots 1-3, Block 1 of the proposed AMPC Second Subdivision on part of the Southwest Quarter of Section 14, Township 140 North, Range 49 West of the 5th Principal Meridian.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

Commissioner Wimmer offered the following Resolution and moved its adoption:

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

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

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

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

Absent and not voting: Commissioner Piepkorn.
The Resolution was adopted.

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in AMPC Second Subdivision, Cass County, North Dakota :

Commissioner Wimmer moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the Ordinance rezoning certain parcels of land lying in AMPC Second Subdivision, Cass County, North Dakota be placed on first reading.

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

Absent and not voting: Commissioner Piepkorn.
The motion was declared carried.

Resolution Adopted Approving AMPC Second Addition:

Commissioner Wimmer offered the following Resolution and moved its adoption:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, A Plat has been filed in the office of the City Auditor entitled "AMPC Second Addition" containing 4 Lots, 1 Block, and 68.98 acres of land more or less, located South of 46th Avenue North and East of 37th Street North; and

WHEREAS, A Hearing was held May 1, 2012 by the Fargo Planning Commission, and notice of such Hearing had been published, as required by law, and said Plat had been approved by the Fargo Planning Commission and by the City Engineer; and

WHEREAS, The City Auditor's Office published a Notice of Hearing on said Plat in the official newspaper for the City of Fargo on June 18 and 25, 2012 that a Hearing would be held in the City Commission Room, City Hall, Fargo, North Dakota at 5:15 p.m., June 25, 2012 at which time said Plat would be considered and all interested persons would be heard.

NOW, THEREFORE, BE IT RESOLVED, That the findings and recommendations of staff and the Planning Commission be accepted and the Plat entitled "AMPC Second Addition" be and the same is hereby in all things affirmed and approved on the basis that it complies with the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, and that the Mayor of the City of Fargo and the appropriate City Officials are hereby directed to endorse their approval on the Plat and then direct Petitioner to file same for record in the office of the Register of Deeds of Cass County, North Dakota.

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

Absent and not voting: Commissioner Piepkorn.
The Resolution was adopted.

Hearing on Text Amendment relating to the House Moving Board and House Moving Permits Continued to July 9, 2012: City Attorney Directed to Develop Language to Include Performance Bond Requirements:

A Hearing had been held by the Fargo Planning Commission on June 5, 2012 for the purpose of considering a request for a text amendment to repeal Article 25-20 of Chapter 25 of the Fargo Municipal Code; to amend Section 20-0801, 20-0803 and 20-0901 of Article 20-08 and 20-09 of Chapter 20 of the Fargo Municipal Code (Land Development Code); and to establish Section 20-0805 House Moving Board of Article 20-08 and Section 20-0917 House Moving Permits of Article 20-09, both of Chapter 20 of the Fargo Municipal Code (Land Development Code) and the Fargo Planning Commission at such Hearing recommended to the Board of City Commissioners that the request be approved.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

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

City Attorney Erik Johnson said the text amendment updates the code which does not clearly define the process and procedure to move a house within the City of Fargo. He said it outlines and clarifies the processes, notification and review procedures, licensure requirements, and appeal process and it establishes a House Moving Committee to deal with the technical aspects of the move. He said an additional update addresses the distinction in the process between houses moved within or brought into the City compared to houses that are being moved out of town.

In response to a question from City Administrator Pat Zavoral about whether this may be the time to also address performance bonds that would allow recourse when a mover causes damage to private or public property, Mr. Johnson said the Ordinance can be modified if a performance bond requirement is desired.

Commissioner Williams said complying with river setback policies, whether within the City or in the extraterritorial area, is also a concern.

Commissioner Wimmer moved the Hearing be continued to 5:15 o'clock p.m. Monday, July 9, 2012 and that the City Attorney be directed to develop language to include performance bond requirements.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

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:

<u>Human Relations Commission</u>	<u>Term Expires</u>
Laetitia Mizero (reappointment)	July 1, 2015
Andrea Nordick (reappointment)	July 1, 2015
Keith Bjornson (appointment)	July 1, 2015

Native American Commission

Guy Fox (reappointment)	June 30, 2015
Scott Satermo (reappointment)	June 30, 2015
Sharon White Bear (reappointment)	June 30, 2015

Parking Commission

Mike Williams (reappointment)	June 30, 2015
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Planning Commission

John Paulsen (reappointment)	June 30, 2015
Kelly Steffes (reappointment)	June 30, 2015
Shara Fischer (appointment)	June 30, 2015

Library Board

Helen Levitt (reappointment)	June 30, 2015
Howard Barlow (appointment)	June 30, 2015

In response to a question from Commissioner Williams as to why some appointments have term limits and others do not, City Attorney Erik Johnson said most are guided by internal bylaws.

Library Director Tim Dirks said term limits for the Library Board are governed by State law.

Mayor Walaker said it is beneficial to keep good talent once appointed.

Commissioner Mahoney suggested that, in the interest of consistency, a report on current term limits for appointments be compiled.

Commissioner Wimmer moved the appointments be approved as outlined above.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Library Trends Update:

Library Director Tim Dirks said circulation of items has been trending upwards since the opening of the new main library in 2009. He said comparing today with a year ago, library visits are up 6% and the main library has seen the most increases. The overall collection size is over 265,000 items, he said, with adult fiction and DVD's being the most highly circulated. He stated program attendance has been going up with an average of 23 attendees per program and each program takes 5-10 hours of preparation time. Internet usage is trending down, he said, likely due to the explosion of internet-ready devices and decreasing cost of technology and beginning in July stats will be kept on wireless internet usage. He said satisfaction surveys indicate the majority of patrons are very satisfied overall. Library cards are free and the library participates in interlibrary loan programs, he said, and the focus is to increase marketing and continue to ensure excellent service and programming. He said e-content books have presented challenges with publishers not always allowing access, charging high prices or requiring repurchasing after a set number of checkouts.

2012-2013 Alcoholic and Live Entertainment License Renewals Approved:

City Auditor Steve Sprague said this is the time of the year that liquor and live entertainment licenses are up for renewal and he submitted a list of 159 applications. He said five from the list are out of business, not renewing or being transferred, and one, Mango's, was denied earlier tonight. He said discussions continue in the Liquor Control Board meetings about the entertainment aspect in "FA" licenses and what is or is not allowed, or whether to make it more clear by Ordinance.

Commissioner Wimmer moved the 2012-2013 Alcoholic Beverage and Live Entertainment License renewals be approved contingent upon the condition that all of the essential requirements for renewal are present by June 30, 2012.

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

Absent and not voting: Commissioner Piepkorn.

The motion was declared carried.

Commissioner Mahoney said, although he is not present, the Commission would like to extend thanks and appreciation to Commissioner Piepkorn for his hard work on the Liquor Control Board, the Renaissance Zone Authority and the Community Development Committee and all the good work he did during his term as Commissioner.

Commissioner Mahoney moved that the Board adjourn to 5:00 o'clock p.m., Monday, July 9, 2012.

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

The time at adjournment was 6:12 o'clock p.m.