

- d. Request of Happy Harry's for an extension of Ordinance 25-1512 until August 31, 2015 to allow time to construct a new building.
- e. Resolution Authorizing the Execution and Delivery of an Intergovernmental Agreement with Cass County Relating to the FM Diversion Project Loan Financing (moved to the Regular Agenda).
- f. Receive and file Year to Date – Budget to Actual Report for June 2014.
- g. Grant Award from the North Dakota Tobacco Prevention and Control Executive Committee for Tobacco Prevention and Control Local Grants Program (Contract #G13-62).
- h. Grant Award Agreement with the North Dakota Department of Health for Water Pollution – EPA Block (CFDA #66.605).
- i. Homeless Grant Program Financial Award from the North Dakota Department of Commerce/DCS for the Gladys Ray Shelter.
- j. Lease with Feder Properties, LLP for the WIC Program.
- k. Application filed by Mary Aaland for a five-year tax exemption for improvements made to a building at 1103 Broadway North.
- l. Lease Agreement with Handi-Wheels Transportation, Inc.
- m. Resolution Approving Plat of Border States Industries First Addition (Attachment “B”).
- n. Applications for Games of Chance:
 - (1) Holy Spirit Catholic Church for bingo and a calendar raffle from 10/1/14 to 10/26/14.
 - (2) Riverview Place for a raffle on 10/12/14.
 - (3) Fargo Moorhead AM Rotary Club for sports pools from 9/1/14 to 2/28/15.
 - (4) Diane Kelly Benefit for a raffle on 8/5/14; Public Spirited Resolution.
- o. Change Order G-1 from Smithco, Inc., for an increase of \$1,990.80 for the Northport Library Expansion.
- p. Water Service Cooperation Agreement with Cass Rural Water Users District, providing a master agreement for all infrastructure extensions.
- q. Professional Services Agreement Amendment #7, in the amount of \$12,208.00, for Project No. 5958.
- r. Acquisition of property needed for right-of-way for the future construction of a roundabout at 12th Avenue and 57th Street North (Project No. 6093).

- s. Agreement with Cass County Electric and payment in the amount of \$8,389.03 for relocation of a power line impacted by Project No. 5958-03.
- t. Agreement with Xcel Energy and payment in the amount of \$4,276.33 for relocation of a transformer and reconnection of power to the Jack Williams scoreboard and a Park District irrigation pump impacted by Project No. 5902-02.
- u. Early Building Permits for footings and foundations at 5100 and 5170 Prosperity Way and 4749 34th Street South in Timber Creek 1st Addition.
- v. Contract time extension for Project No. 5958-03 to 7/25/14.
- w. Bills in the amount of \$7,746,354.07.

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

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

Bids Rejected for Street Reconstruction and Incidentals Improvement District No. PR-14-71: Project to be Rebid:

The Board received a communication from City Engineer April Walker stating bids were opened at 11:30 a.m., July 16, 2014 for Street Reconstruction and Incidentals Improvement District No. PR-14-71. She said the low bid exceeded the Engineer's estimate by 68%, therefore, pursuant to State Statute 40-22-29 bids may not be awarded when the low bid exceeds the Engineer's estimate by 40%. She recommended all bids be rejected, the assessment district be recreated and re-advertised based on the original petition and the results of the original protest period, with construction to be scheduled for the 2015 construction season.

Commissioner Mahoney moved the bids for Street Reconstruction and Incidentals Improvement District No. PR-14-71 be rejected and the project be rebid.

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

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

No Protests Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on June 2 and 9, 2014 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 Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01.

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

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

Bids Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01:

The bids for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., July 16, 2014 and the bids were found to be as follows:

Border States Paving, Inc. Bid:	Fargo, ND \$1,285,896.75
Northern Improvement Company Bid:	Fargo, ND \$1,535,345.40

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01 Awarded to Border States Paving, Inc. in the Amount of \$1,285,896.75:

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 Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received July 16, 2014 for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01 shows the bid of Border States Paving, Inc. of Fargo, North Dakota, in the sum of \$1,285,896.75 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 Border States Paving, Inc. in the sum of \$1,285,896.75 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-01 in the City of Fargo, North Dakota, be and the same is hereby awarded to Border States Paving, Inc. for the sum of \$1,285,896.75, 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 Sobolik. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Sobolik, Piepkorn, Williams and Walaker voted aye.

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

No Protests Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on May 19 and 26, 2014 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 Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11.

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

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

Bids Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11:

The bids for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., July 16, 2014 and the bids were found to be as follows:

Northern Improvement Company Bid:	Fargo, ND \$5,863,304.68
Border States Paving, Inc. Bid:	Fargo, ND \$6,051,714.38

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11 Awarded to Northern Improvement Company in the Amount of \$5,863,304.68:

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 Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received July 16, 2014 for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11 shows the bid of Northern Improvement Company of Fargo, North Dakota, in the sum of \$5,863,304.68 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 \$5,863,304.68 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-11 in the City of Fargo, North Dakota, be and the same is hereby awarded to Northern Improvement Company for the sum of \$5,863,304.68, 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 Sobolik. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Sobolik, Piepkorn, Williams and Walaker voted aye.

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

No Protests Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on June 2 and June 9, 2014 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 Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31.

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

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

Bids Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31:

The bids for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., July 16, 2014 and the bids were found to be as follows:

Border States Paving, Inc.	Fargo, ND
Bid:	\$1,549,028.85
Northern Improvement Company	Fargo, ND
Bid:	\$1,669,077.75

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31 Awarded to Border States Paving, Inc. in the Amount of \$1,549,028.85:

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 Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received July 16, 2014 for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31 shows the bid of Border States Paving, Inc. of Fargo, North Dakota, in the sum of \$1,549,028.85 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 Border States Paving, Inc. in the sum of \$1,549,028.85 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-31 in the City of Fargo, North Dakota, be and the same is hereby awarded to Border States Paving, Inc. for the sum of \$1,549,028.85, 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 Sobolik. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Sobolik, Piepkorn, Williams and Walaker voted aye.

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

Contract Time Extension for Improvement District No. 6204 Approved:

Commissioner Mahoney moved approval of a contract time extension to September 30, 2014 for Improvement District No. 6204.

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

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

Contract Time Extension for Improvement District No. 6211 Approved:

Commissioner Mahoney moved approval of a contract time extension to August 14, 2014 for Improvement District No. 6211.

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

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

Contract Time Extension for Improvement District No. 6219 Approved:

Commissioner Mahoney moved approval of a contract time extension to August 24, 2014 for Improvement District No. 6219.

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

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

Contract Time Extensions for Improvement District No. 6236 Approved:

Commissioner Mahoney moved approval of the contract time extensions to June 28, 2014 for Phase 1; July 16, 2014 for Phase 2; and August 11, 2014 for Phase 3 for Improvement District No. 6236.

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

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

Contract Time Extension for Improvement District No. PN-14-A1 Approved:

Commissioner Mahoney moved approval of a contract time extension to August 8, 2014 for Improvement District No. PN-14-A1.

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

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

Contract Time Extension for Improvement District No. PR-14-41 Approved:

Commissioner Mahoney moved approval of a contract time extension to August 1, 2014 for Improvement District No. PR-14-41.

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

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

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-61 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Northern Improvement Company for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-61 in the City of Fargo, North Dakota.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Piepkorn, Williams 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 Paving, Street Lights and Incidentals Improvement District No. PN-14-61 Approved:

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

Western Surety Company, in the amount of \$1,621,561.50, for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-61 in the City of Fargo, North Dakota.

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

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

Contract for Asphalt Wear Course and Incidentals Improvement District No. PN-14-B1
Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Northern Improvement Company for Asphalt Wear Course and Incidentals Improvement District No. PN-14-B1 in the City of Fargo, North Dakota.

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

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

Contract Bond for Asphalt Wear Course and Incidentals Improvement District
No. PN-14-B1 Approved:

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

Western Surety Company, in the amount of \$1,162,093.60, for Asphalt Wear Course and Incidentals Improvement District No. PN-14-B1 in the City of Fargo, North Dakota.

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

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

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals
Improvement District No. PN-14-E1 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Border States Paving, Inc. for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-E1 in the City of Fargo, North Dakota.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Piepkorn, Williams 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 Paving, Street Lights and
Incidentals Improvement District No. PN-14-E1 Approved:

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

Liberty Mutual Insurance Company, in the amount of \$795,530.15, for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-E1 in the City of Fargo, North Dakota.

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

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

Contract for Shared Use Path and Incidentals Improvement District No. SN-14-21Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Opp Construction, LLC for Shared Use Path and Incidentals Improvement District No. SN-14-21 in the City of Fargo, North Dakota.

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

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

Contract Bond for Shared Use Path and Incidentals Improvement District No. SN-14-21 Approved:

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

Travelers Casualty and Surety Company of America, in the amount of \$277,698.00, for Shared Use Path and Incidentals Improvement District No. SN-14-21 in the City of Fargo, North Dakota.

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

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

Appointments to the Board of Adjustment:

The Board received a communication from Mayor Walaker recommending that Ken Lepper and Russell Ford-Dunker be reappointed to the Board of Adjustment.

Commissioner Mahoney moved Ken Lepper be reappointed as a Member and Russell Ford-Dunker be reappointed as an Alternate Member to the Board of Adjustment for three-year terms ending June 30, 2017.

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

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

Appointments to the Red River Basin Board and the Downtown Community Partnership Board Approved:

The Board received a communication from Mayor Walaker stating, after the City Commission approved the recommendations for Commission liaison assignments, it came to his attention that two more Boards should be added to the Liaison portion. He said he is recommending that Commissioner Williams be the City Commission liaison to the Red River Basin Board and Commissioner Sobolik be the City Commission liaison to the Downtown Community Partnership Board.

Commissioner Mahoney moved the appointments of Commissioner Williams as the City Commission Liaison to the Red River Basin Board and Commissioner Sobolik as the City Commission Liaison to the Downtown Community Partnership Board be approved.

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

Commissioners Williams and Sobolik abstained from voting.
The motion was declared carried.

Resolution Adopted Authorizing the Execution and Delivery of an Intergovernmental Agreement with Cass County, North Dakota and Related Documents and Authorizing Action Related Thereto (Attachment "B"):

The Board received a communication from Director of Finance Kent Costin stating US Bank was selected by Cass County to provide loan financing for the FM Diversion Project. He said pursuant to these agreements Cass County will borrow \$50 million in FY 2014 to fund capital improvement plans for the FM Diversion project and payments will be made by the FM Diversion Authority. He said this has been designed as a short-term construction financing and will ultimately be refinanced with long-term debt and repaid with sales tax resources dedicated to flood control projects.

Commissioner Piepkorn said he supports the building of levees around Oxbow/Hickson/Bakke; however, he wants to make sure that there is a priority given to building protection around Fargo.

Commissioner Williams moved the Resolution entitled "Resolution Authorizing the Execution and Delivery of an Intergovernmental Agreement with Cass County, North Dakota and Related Documents and Authorizing Action Related Thereto" and referred to as Attachment "B", be adopted and attached hereto.

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

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

Hearing on an Application Filed by Service Oil, Inc. d/b/a Stamart Liquor for an Alcoholic Beverage License Continued to August 4, 2014:

A Hearing had been set for June 23, 2014 on an application filed by Service Oil, Inc. d/b/a Stamart Liquor for a Class "B-Limited" Alcoholic Beverage License at 3220 12th Avenue North, notice of which had been duly published in the official newspaper for the City of Fargo.

At the June 23, 2014 meeting, the Hearing was continued to this day and hour; however, the Liquor Control Committee is requesting the Hearing be continued to August 4, 2014.

Commissioner Piepkorn moved the Hearing be continued to 5:15 p.m. on Monday, August 4, 2014.

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

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

Application Filed by Drekker Brewing Company, LLC d/b/a Drekker Brewing Co. for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by Drekker Brewing Company, LLC d/b/a Drekker Brewing Co. for a Class "Y" Alcoholic Beverage License at 630 1st Avenue North, Suite 6, 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 Piepkorn moved the application be approved.

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

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

Application to Transfer the Alcoholic Beverage License from Peter Tilok d/b/a Sammy's Pizza to Sammy's Pizza LLC d/b/a Sammy's Pizza Approved:

A Hearing had been set for this day and hour on an application to transfer the Class "GH" Alcoholic Beverage License from Peter Tilok d/b/a Sammy's Pizza at 301 Broadway to Sammy's Pizza LLC d/b/a Sammy's Pizza, 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 Piepkorn moved the application be approved.

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

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

Application Filed by Sagvold, Inc. d/b/a Classic Rock Coffee Fargo for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by Sagvold, Inc. d/b/a Classic Rock Coffee Fargo for a Class "I" Alcoholic Beverage License at 1650 45th Street South, Suite 123, 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 Piepkorn moved the application be approved.

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

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

Application Filed by Lucy's North China Cuisine, LLC d/b/a Lucy's North China Cuisine for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by Lucy's North China Cuisine, LLC d/b/a Lucy's North China Cuisine for a Class "F" Alcoholic Beverage License at 4323 45th Street South, Suite 105, 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 Piepkorn moved the application be approved.

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

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

Application Requesting a Sidewalk Waiver Along the North Side of 31st Avenue North Between 9th Street North and 10th Street North Directly Abutting Lots 7-11, Block 3, Sunwood Addition, as well as Part of Lot 7 and All of Lot 8, Block 8, Knollbrook Addition Approved:

A Hearing had been held by the Fargo Planning Commission on June 3, 2014 for the purpose of considering a petition to grant a Sidewalk Waiver along the north side of 31st Avenue North between 9th Street North and 10th Street North directly abutting Lots 7-11, Block 3, Sunwood Addition, as well as part of Lot 7 and all of Lot 8, Block 8, Knollbrook Addition. No action was taken by the Fargo Planning Commission on the petition.

The City Auditor's Office published a Notice of Hearing stating July 7, 2014 was the time and date set for said Hearing at which time all interested persons could appear and would be heard.

At the July 7, 2014 meeting, the Hearing was continued to this day and hour.

Randy Grondahl, 3102 9th Street North, said his belief is that when this development went in, all the rules and regulations were taken care of at that time. He said for the time he has lived at his home, he has based all his landscaping on what is currently there and will likely have some trees that will be in trouble if he needs to put in a sidewalk.

Mayor Walaker said he does not feel that it is necessary for the Street Department to do more snow removal than they already do.

Director of Operations Ben Dow said this is not a new issue for the Street Department. He said there are approximately 1,150 parcels in the City that have double fronting lots and the Street Department maintains a good majority of the snow collector roads. He said it is not the fact that another 500 feet would need to be maintained, it is that there needs to be equality to the taxpayers in Fargo who are not receiving the same services. He said if the City is doing it for one they should be doing it for all.

Commissioner Mahoney moved the application requesting a Sidewalk Waiver along the north side of 31st Avenue North between 9th Street North and 10th Street

North directly abutting Lots 7-11, Block 3, Sunwood Addition, as well as part of Lot 7 and all of Lot 8, Block 8, Knollbrook Addition be approved.

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

Commissioners Williams and Sobolik voted nay.

The motion was declared carried.

Hearing on a Petition for a Zoning Change in Valley View Addition Continued to August 4, 2014 (3900 51st Street South and 3900 54th Street South):

This was the time and date set for a Hearing on a petition for a zoning change from MR-1, Multi-Dwelling to SR-4, Single-Dwelling on Lot 1, Block 7 and Lot 1, Block 8, Valley View Addition; however, Planning staff has requested that the Hearing be continued to August 4, 2014.

Commissioner Mahoney moved the Hearing be continued to 5:15 o'clock p.m. Monday, August 4, 2014.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Williams, Piepkorn 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 of Asleson Farms Second Addition Continued to August 4, 2014 (4100 34th Avenue South and 3475 39th Street South):

This was the time and date set for a Hearing on a petition for a zoning change from AG, Agricultural to MR-2, Multi-Dwelling and Plat of Asleson Farms Second Addition; however, Planning staff has requested that the Hearing be continued to August 4, 2014.

Commissioner Mahoney moved the Hearing be continued to 5:15 o'clock p.m. Monday, August 4, 2014.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Williams, Piepkorn 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 of Timber Creek Third Addition Continued to August 4, 2014 (East of 36th Street South, West of 32nd Street South and South of 46th Avenue South):

This was the time and date set for a Hearing on a petition for a zoning change from AG, Agricultural, SR-4, Single-Dwelling, and SR-2, Single-Dwelling to SR-2, Single-Dwelling and P/I, Public Institutional and Plat of Timber Creek Third Addition; however, Planning staff has requested that the Hearing be continued to August 4, 2014.

Commissioner Mahoney moved the Hearing be continued to 5:15 o'clock p.m. Monday, August 4, 2014.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Williams, Piepkorn 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 of Edgewood Estates Addition Continued to August 4, 2014 (100 35th Avenue North and 3467 Peterson Parkway North):

This was the time and date set for a Hearing on a petition for a zoning change from AG, Agricultural to SR-2, Single-Dwelling and P/I, Public and Institutional, and Plat of Edgewood Estates Addition; however, Planning staff asked that the Hearing be continued to August 4, 2014.

Commissioner Mahoney moved the Hearing be continued to 5:15 o'clock p.m. Monday, August 4, 2014.

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

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

Commissioner Piepkorn moved that the Board adjourn to 5:00 o'clock p.m., Monday, August 4, 2014.

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

The time at adjournment was 5:45 o'clock p.m.