

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

**Regular Meeting: Monday: September 20, 2010:**

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, September 20, 2010.

The Commissioners present or absent were as shown following:

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

Absent: None.

Mayor Walaker presiding.

**Order of Agenda Approved:**

Commissioner Mahoney moved the Order of the Agenda be approved moving Item "o" to the end of the Regular Agenda.

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

**Minutes Approved:**

Commissioner Mahoney moved that the Minutes of the Regular Meeting of the Board held on September 7, 2010 be approved as read.

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

**Consent Agenda Approved:**

Commissioner Mahoney moved the Consent Agenda be approved as follows:

- a. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 9/7/10:
  - (1) Amending an Ordinance Rezoning Certain Parcels of Land Lying in Kirkham's 2nd Addition to the City of Fargo.
  - (2) Amending Section 8-1003.D of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to Parking Regulations.
- b. Settlement Agreement in the Rupperecht v. Hjelden case.
- c. Sale of NSP purchase rehab property at 222 21st Avenue North for \$136,000.00.
- d. Accept Neighborhood Stabilization Program allocation of \$135,855.00 from HUD via the State of ND Department of Commerce.

- e. Grant award from the NDDOT in the amount of \$141,000.00 in Job Access and Reverse Commute (JARC) funds (CFDA #20.516).
- f. Custody Agreement with US Bank NA and name US Bank NA as a designated depository.
- g. Receive and file Year to Date – Budget to Actual Report for August 2010.
- h. Downtown Community Partnership request to hang banners in the skyway from September 21 to October 11, 2010 to promote Oktoberfest Fargo.
- i. Applications for Games of Chance:
  - (1) NDSU Athletic Department for a raffle on 11/8/10.
  - (2) Fargo-Moorhead Womens' Bowling Association for raffles from 3/26/11 to 4/17/11; Public Spirited Resolution.
  - (3) Centennial School PTA for bingo from 10/15/10 to 5/11.
- j. Amended Site Authorizations for Northern Prairie Performing Arts at the Windbreak Lounge and the Doublewood Inn and Team Makers Club, Inc. at the Holiday Inn.
- k. Purchase of 33 sewer connections to the Oxbow Sewer Extension at a total cost of \$99,000.00.
- l. Sole source procurement of Eagle Point training for Civil 3D in the Engineering Department.
- m. Easement acquisition for storm sewer and bike trail purposes along the Old Milwaukee Railroad between 64th and 70th Avenues South (Improvement District No. 5945-01).
- n. Purchase Agreement with A Storage Place, LLC for permanent right-of-way (Improvement District No. 5178).
- o. Format and provisions for Special Assessment Deferral Agreements and authorize staff to work with eligible property owners for implementation (Improvement District Nos. 5966 and 5969) (moved to the end of the Regular Agenda).
- p. RFP's for Project Nos. 5949-01 and 5949-02.
- q. Bid award for Project Nos. 5968 to H & S Contracting in the amount of \$173,810.25 and 5909-2 to Midwest Testing Laboratory in the amount of \$48,000.00.
- r. Bid advertisement for Project No. 5928.
- s. Contract time extension for Project No. 5860.

- t. Contracts and bonds for Project Nos. 5747-26, 5967, 5970, 5915.
- u. Bills in the amount of \$8,996,987.81

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

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

**Change Order No. 1 for Improvement District No. 5827 Approved:**

Commissioner Mahoney moved approval of Change Order No. 1 for an increase of \$19,900 for Improvement District No. 5827.

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

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

**Bids Received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5966-2:**

The bids for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5966-2 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., September 15, 2010 and the bids were found to be as follows:

Dakota Underground Bid:	Fargo, ND \$845,912.50
Master Construction Company, Inc. Bid:	Fargo, ND \$926,417.90
Sellin Brothers, Inc. Bid:	Hawley, MN \$1,042,270.00
Duininck Brothers, Inc. Bid:	Prinsburg, MN \$1,125,473.70
Park Construction Company Bid:	Hampton, MN \$1,416,104.95

**Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5966-2 Awarded to Dakota Underground in the Amount of \$845,912.50:**

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. 5966-2; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received September 15, 2010 for Sanitary Sewer, Water Main,

Storm Sewer and Incidentals Improvement District No. 5966-2 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. 5966-2 shows the bid of Dakota Underground of Fargo, North Dakota, in the sum of \$845,912.50 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 Dakota Underground in the sum of \$845,912.50 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. 5966-2 in the City of Fargo, North Dakota, be and the same is hereby awarded to Dakota Underground for the sum of \$845,912.50, 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 the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Wimmer, Williams, Piepkorn and Walaker voted aye.

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

**Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5964 (Seter Pkwy. S. between Veterans Blvd. and 31st Ave. S.; 30th Ave. S. between 51st St. S. and 28th Ave. S.; 31st Ave. S. between 51st St. S. and Seter Pkwy. S.):**

Commissioner Mahoney moved the following action be taken in connection with Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5964:

**Adopt Resolution Creating Improvement District No. 5964:**

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 5964 in the City of Fargo, North Dakota, be created

Seter Parkway South between Veterans Boulevard and 31st Avenue South.  
30th Avenue South between 51st Street South and 28th Avenue South.  
31st Avenue South between 51st Street South and Seter Parkway South.

**COMPRISING:**

Lot 2, Block 2

Lot 6, Block 3

Lot 1, Block 4

All platted in the Urban Plains Center Addition

Lots 1, 2, & 3; Block 1

All platted in the Urban Plains Recreational Addition

Lots 1, 2, 3, & 4, Block 5

Lot 2, 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 Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5964 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. 5964:**

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 5964 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 \$531,960.00.)

**Order Plans and Specifications for Improvement District No. 5964:**

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 5964 in the City of Fargo, North Dakota.

**Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 5964:**

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 5964 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. 5964 in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

**Direct City Auditor's Office to Call for Bids for Improvement District No. 5964:**

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 5964 in the City of Fargo, North Dakota.

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

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

**Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5821 (62nd Ave. S. cul-de-sac east of Maple Valley Dr. S.):**

Commissioner Mahoney moved the following action be taken in connection with Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5821:

**Adopt Resolution Creating Improvement District No. 5821:**

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 5821 in the City of Fargo, North Dakota, be created

On 62nd Avenue South cul-de-sac east of Maple Valley Drive South.

**COMPRISING:**

The north 100 feet of Lot 1, Block 8.  
Lots 2 through 31, inclusive, Block 8.  
All in Maple Valley Addition.

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

NOW, THEREFORE, BE IT RESOLVED, That Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5821 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. 5821:**

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 5821 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 \$99,264.00.)

**Order Plans and Specifications for Improvement District No. 5821:**

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 5821 in the City of Fargo, North Dakota.

**Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 5821:**

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 5821 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. 5821 in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

**Direct City Auditor's Office to Call for Bids for Improvement District No. 5821:**

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 5821 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5822 Approved:**

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Dakota Underground Company for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5822 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5822 Approved:**

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

United Fire and Casualty Company, in the amount of \$1,161,136.00, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5822 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5823 Approved:**

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Northern Improvement Company for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5823 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5823 Approved:**

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

Western Surety Company, in the amount of \$1,569,867.52, for Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals Improvement District No. 5823 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5955-1 Approved:**

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Duininck Brothers, Inc. for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5955-1 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5955-1 Approved:**

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

National Fire Insurance Company of Hartford, in the amount of \$1,405,563.75, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5955-1 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5966-1 Approved:**

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Master Construction Company, Inc. for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5966-1 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn 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. 5966-1 Approved:**

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

United Fire and Casualty Company, in the amount of \$2,622,108.80, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 5966-1 in the City of Fargo, North Dakota.

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

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

**Presentation of Secure Cities Plaque by Farmers Insurance Group Representatives:**

The Board received a communication from Dwight Easton, Government Affairs Representative for Farmers Insurance, stating the City of Fargo has been named the Most Secure U.S. community among mid-size cities (population of 150,000-500,000 residents) in a national survey. He said Farmers Insurance partnered with the research firm, Sperling's Best Places, to conduct a survey of small, medium and large metro areas across the country. Utilizing several criteria, he said, including employment data, life expectance, crime statistics and risk of natural disasters, the Fargo area came out on top as a desirable place to live.

Elizabeth Stella, State Executive Director for North Dakota Farmers Insurance Group, presented Mayor Walaker with a plaque.

**Appropriate Staff and Planning Commission Directed to Review the Current Watercourse Setback, Vegetative Buffer Zone and Tree Preservation Policies: Submitting Recommendations to the Commission by January 1, 2011:**

The Board received a communication from Commissioner Mike Williams stating since the City has been developing in areas close to the Sheyenne River, he feels this would be a good opportunity to direct staff and the Planning Commission to review the City's current watercourse setback, vegetative buffer zone and tree preservation policies. He said reviewing the current policies is important to best protect the City and grow in a safe, sustainable manner.

Keith Berndt, Cass County Engineer, stated in 2006 Cass County adopted a new subdivision ordinance. In preparing the ordinance, he said, the County did quite a bit of review on the watercourse set-backs some of the rural subdivisions have had over the years due to slumping issues. He said the ordinance basically states a 450 foot setback measured from the center of the stream, using an 8 to 1 slope would be used; however, the County would consider allowing a proposed developer to build closer to the water based on the results of a geotechnical analysis.

Commissioner Williams moved appropriate staff and the Planning Commission to review the current watercourse setback, vegetative buffer zone and tree preservation policies and submit recommendations to the Commission by January 1, 2011.

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

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

**Application Filed by Northern Pipe Products, Inc. for a Five Year Property Tax Exemption Approved:**

A Hearing had been set for this day and hour on an application filed by Northern Pipe Products, Inc. for a five year property tax exemption for an expansion to their operation at 1229 40th Street North where the applicant will manufacture PVC pipe.

No written protests have been filed for the attention of the Board.

Lyle Ganyo, Chief Financial Officer for Northern Pipe Products, Inc., stated this request is to build a new building adjacent to an existing facility. He said the desire is to relocate two extrusion devices from a plant in Iowa to a new facility in Fargo or an existing facility in Phoenix, Arizona. If this project were to be located in Fargo, he said, it would increase the company's manufacturing capacity by approximately 33 percent. He said the products made and sold are primarily for out of state use so all the revenue would come back to Fargo, along with the fact that there will be additional jobs created with the expansion.

The Board determined that no person is present at this Hearing to protest or offer objection thereto.

Commissioner Wimmer moved that the application filed by Northern Pipe Products, Inc. for a five year 100% property tax exemption pursuant to Chapter 40-57.1, NDCC be approved.

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

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

**Plat of Deer Creek Addition and Petition Requesting the Rezoning of Parcels of Land in Deer Creek Addition Denied (6050 and 6242 County Rd. 17; 5870 and 5654 63rd St. S.; and 5637, 5883 and 6257 Veterans Blvd. S.):**

At a Hearing held on June 9, 2010 the Fargo Planning Commission recommended approval of a Plat of Deer Creek Addition and a change in zoning from AG, Agricultural to SR-2 Single Dwelling on Blocks 1 through 9 (except Lot 24, Block 4; Lot 53, Block 1; Lot 8, Block 8 and Lot 13, Block 9); to SR-4, Single-Dwelling on Blocks 10 through 23 (except Lots 14, 43, 60, 85, 86 and 103, Block 10); and to P/I, Public Institutional on Lot 24, Block 4; Lot 53, Block 1; Lot 8, Block 8; Lot 13, Block 9; Lots 14, 43, 60, 85, 86 and 103, Block 10; all of the proposed Deer Creek Addition.

The City Auditor's Office published a Notice of Hearing stating September 7, 2010 was the time and date set for said Hearing at which time all interested persons could appear and would be heard.

At the September 7, 2010 meeting the Hearing was continued to this day and hour.

Senior Planner Jim Hinderaker said staff has been working with the petitioner to come up with an agreeable solution to the situation. He said two options have been proposed: Option A, would keep the local street configuration the same as the plat that was approved by the Planning Commission on June 10, 2010; however with this option two 60 foot lots will be dedicated to the Fargo Park District. He said this option

will also provide an 8 foot wide path in front of the yard of Lots 54-62. Option B, he said, will again keep the same configuration; however this option pulls all residential lots away from and out of the trees along the Sheyenne River. He said with this option 14 lots would be lost as a proposed retail value of \$1.8 million. With this option, he said, the petitioner would then be asking the City of Fargo to incur that cost.

Commissioner Williams stated there is a perceived value contingent on a zoning change and right now this property is not zoned residential. He said it is jumping the gun to say this property is worth a certain dollar amount right now.

Commissioner Piepkorn said he would like Option B approved, as this area should be left as a wooded area.

City Engineer Mark Bittner stated the City has an agreement that goes back to the previous owner of this tract of land and that agreement states that the City is to buy approximately 24 acres in this area for parks and retention. He said there is money already committed towards purchasing park land, so maybe something could be worked out to have the park in a different location. In response to a question from Mayor Walaker regarding a time line for the contractor to get utilities in this fall, Mr. Bittner stated the City can hold bids for 30-days and that the 30-days is fast approaching but, if the contractor agrees, that could be extended. He said it is coming to the end of the season to be putting in utilities this year and the Engineering Department has already given up on the possibility of paving.

Brent Olson, Developer, stated Option B would give the City an opportunity over the next 90-days to come up with a solution to save trees along the river. He said it would also allow his company to move forward with the improvements that have already been awarded.

Commissioner Wimmer moved to accept the findings of staff and hereby deny the Deer Creek Addition plat and request for rezoning as the proposal does not comply with the Comprehensive Plan, Standards of Article 20-06 and Section 20-0906.F (1-4) of the Land Development Code.

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

Commissioners Mahoney and Walaker voted nay.

The motion was declared carried.

At 6:12 p.m. the Board took a five-minute recess.

After recess: All Commissioners present. Mayor Walaker presiding.

### **Tax Levies for the Budget Year Beginning January 1, 2011 and Ending December 31, 2011 Approved:**

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for a Hearing on the 2011 Budget at which time all interested persons could appear and would be heard.

Finance Director Kent Costin stated there is no COLA planned at this time; however, the Finance Department can analyze the budget mid-year 2011 to determine if a COLA would be allowable at that time.

Commissioner Piepkorn moved the 12-month budget beginning January 1, 2011 and ending December 31, 2011 be approved as follows:

General Fund	\$69,800,000
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## Special Revenue Funds:

City Share of Special Assessments	\$910,000
Noxious Weeds	50,000
Emergency 911	1,717,000
Outdoor Warning	60,000
Convention Bureau	1,786,660
Regional Law Enforcement Training Center	102,960
Transit Capital Escrow	10,000
Court Forfeits	115,000
Broadway Mall Maintenance	49,000
Skyway Maintenance	90,321
Winter Lights Maintenance	21,000
Neighborhood Revitalization Initiatives (NRI)	123,374
Community Development Block Grants	774,681
HOME Program	30,000
Neighborhood Stabilization Grant	1,074,432
HOME Projects	594,771
Parking Authority Operations	1,222,793
Parking Repair and Replacement	75,000
Revenue Stabilization	900,000
City Building Repair Escrow	85,000
City Vehicle Reserve	1,490,000
Computer Replacement	50,008
Civic Memorial Auditorium Capital	45,000
Newman Outdoor Stadium	185,000
Total Special Revenue Fund Expenditures	\$11,562,000

Debt Service Fund Expenditures \$67,608,814

## Enterprise Funds:

Water	\$18,815,924
Water Revenue Bond	3,972,693
Wastewater	10,950,536
Southeast Cass Sewer	48,550
Storm Sewer	1,418,608
Vector Control	629,240
Street Lighting	1,386,111
Solid Waste	12,259,071
Forestry	1,582,283
Total Enterprise Fund Expenses	\$51,063,016

## Internal Service Funds:

Health Self Insurance Fund	\$6,217,000
Total Internal Service Fund Expenses	\$6,217,000

## Airport Authority:

Operations & Maintenance	\$3,485,170
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Airport Construction	3,824,410
Passenger Facility Surcharge (PFC)	1,375,000
PFC Bond Fund	1,422,369
Total Airport Authority Expenses	\$10,106,949

FargoDome:	
Operations	\$4,710,030
Sales Tax Surplus	50,000
Restricted Capital	610,500
Total FargoDome	\$5,370,530

Convention Bureau:	
Operations	\$1,338,486
Restricted Capital	537,100
Total Convention Bureau	\$1,875,586

Grand Total - All Funds	\$223,603,895
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Preliminary Tax Levies Are:	
General Fund	53.32
City Share of Special Improvements	2.83
Noxious Weeds	.10
Airport Construction	2.00
Total Proposed Mills to be Levied for 2011 Budget	58.25

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

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

**Format and Provisions for Special Assessment Deferral Agreements Approved: Appropriate Staff Directed to Work With Eligible Property Owners for Implementation:**

The Board received a communication from City Engineer Mark Bittner stating the Public Works Projects Evaluation Committee reviewed the draft document for special assessment deferral agreements for eligible properties to be special assessed for street and utility improvements on 25th Street South and 64th Avenue South. He said the draft agreement is similar to single lot deferral agreements in place for seven properties along 25th Street South between 58th and 64th Avenues South and along 58th Avenue South west of 25th Street. He stated the current draft agreement applies to lots that have front footage widths greater than 135 feet, lot depths (front to back) greater than 150 feet and lot areas greater than 20,250 square feet.

Commissioner Piepkorn moved the format and provisions for Special Assessment Deferral Agreements be approved and appropriate staff directed to work with eligible property owners for implementation.

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

Commissioner Williams voted nay.

The motion was declared carried.

Commissioner Wimmer moved that the Board adjourn to 5:00 o'clock p.m., Monday, October 4, 2010.

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

The time at adjournment was 6:24 o'clock p.m.