FARGO CITY COMMISSION AGENDA
Monday, July 31, 2017 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at FargoND.gov/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m.; and are also included in our video archive at FargoND.gov/citycommission.

A. Pledge of Allegiance.

B. Roll Call.

C. Approve Order of Agenda.

D. Minutes (Regular Meeting, July 17, 2017).

CONSENT AGENDA – APPROVE THE FOLLOWING:

1. 2nd reading, waive reading and final adoption of the following Ordinances:
   a. Rezoning Certain Parcels of Land Lying in Pantzke Addition.
   b. Amending Section 20-1005 of Article 20-10 of Chapter 20 of the Fargo Municipal Code (Land Development Code) relating to Nonconformities.

2. Applications for property tax exemptions for improvements made to buildings:
   a. Leslie and Oleg Rusakov, 3010 20th Street South (3 year)
   b. Kathleen M. Beeson, 1229 3rd Street North (5 year).
   c.. Gary L. and Diane M. Roeder, 410 22nd Avenue North (5 year).
   d. Kim M. and Beverly A. Colwell, 3520 Longfellow Road North (5 year).

3. Site Authorization for Sts. Anne & Joachim Catholic Church at Sts. Anne & Joachim Catholic Church.

4. Applications for Games of Chance:
   a. Fargo North High School for a calendar raffle from 8/22/17 to 5/22/18.
   b. Fargo North High School for a calendar raffle from 8/22/17 to 5/22/18.
   c. Fargo Davies High School for a calendar raffle from 8/26/17 to 5/15/18.
   d. Fargo Davies High School for a calendar raffle from 11/21/17 to 2/17/18.
   e. Holy Spirit Catholic Church for bingo, raffle and calendar raffle from 10/1/17 to 10/29/17.
   f. Friendship Inc. for a raffle on 11/3/17.
   g. CHI Riverview for a raffle on 10/8/17.
   h. ND Section of American Water Works Association for a raffle from 10/17/17 to 10/19/17.
   i. Bethany Auxiliary for a raffle on 8/3/17.

5. Six-month extension of the Class “A” Alcoholic Beverage License for the Ground Round.

6. Authorization to Draw from Loan Agreement dated as of 7/1/17 with Wells Fargo Bank, N.A.

7. Purchase Agreement and Quitclaim Deed to Arnold Berg Jr. for the sale of property located in Tyler’s Addition in the amount of $16,500.00.

8. Contract Agreement with Patrick J.E. Thoemke to support the implementation of healthy concession stand options.

9. Bus Service Agreement with Roers Development Inc.

10. Amendment to Joint Powers Agreement for Transit Support, Agreement for Transit Services and Bus Advertising Wrap Agreement Advertising Agreement No. 17-F09 all with NDSU.

11. Task Order No. 5 with AE2S in the amount of $52,000.00 for The Fargo Project.

12. Contract Amendment with Interface Studio LLC in the amount of up to $54,000.00 for the Downtown Master Plan.

13. Change Orders for the Roberts Commons Parking Garage:
    a. No. 3 for an increase of $5,187.65.
    b. No. 4 for an increase of $1,478.81.
    c. No. 5 for an increase of $18,037.49.
    d. No. 6 for an increase of $472.80.
    e. No. 7 for an increase of $2,832.50.

14. Submission of the 2016 Consolidated Annual Performance Evaluation Report for the City's Community Development Programs to HUD.

15. Awarding of the 2018 tree order (RFP17218).

16. Change Order No. 10 for an increase of $43,831.00 for the general construction contract of Project No. WA1301.

17. Sole Source Procurement of chlorine feed equipment from Hawkins, Inc. in an amount of up to $166,991.00 for Project No. WA1301.

18. Task Order No. 96 with AE2S in the amount of $328,650.00 for Project No. WA1510.

19. Change Order No. 3 for an increase of $3,600.00 for Project No. WA1601.

20. 60-day time extension for Project No. SW17-02, Cell No. 14, 16, 17 Phase II and partial closure project at the Landfill.

21. Final Balancing Change Order No. 1 for an increase of $3,850.00 for Project No. SW16-02.

22. Agreement for Engineering Technician I with Matthew Licht.

23. Purchase Agreement for property at 602 Hackberry Drive South (Project No. MS-15-K0).

24. Amendment to the CIP to include Project No. UR-17-F.

25. Bid advertisements for Project Nos. FM-14-63 and UR-17-F.

26. Time Extension to 8/29/17 for Project No. FM-17-A1.

27. Early Building Permit for Border States Electric at 2400 38th Street South.

28. Setback Waiver Request for property at 301 3rd Avenue North.

29. Extension of the 2016/2017 highway deicing salt contract with Compass Minerals America, Inc. for the 2017/2018 snow season at a price of $93.34 per ton.

30. Extension of the Public Works Master Services Agreement with Kadrmas, Lee & Jackson, Inc. for an additional two years with no change in pricing.

31. Proposal from Iowa Rotocast Plastics, Inc. in the amount of $35,347.50 for fourteen condiment carts at the FARGODOME.

32. Proposal from Scenic Sign Corp. in the amount of $27,895.00 to retrofit the east side exterior sign at the FARGODOME to LED lighting.

33. Contract and bond for Project No. SN-17-A1.

34. Bills.

35. Final Balancing Change Orders for the following Improvement Districts:
    a. No. 1 for a decrease of $30,096.98 for No. FM-14-12.
    b. No. 2 for an increase of $77.96 for No. BR-15-A1.
    c. No. 2 for a decrease of $7,058.60 for No. PN-15-N1.
    d. No. 2 for a decrease of $65,679.81 for No. PN-15-M1.
    e. No. 3 for an increase of $53,848.03 for No. UR-16-A1.
    f. No. 4 for a decrease of $47,352.46 for No. BN-15-N1.
    g. No. 4 for a decrease of $108,198.92 for No. PR-14-01.
    h. No. 4 for a decrease of $21,219.79 for No. BN-15-K1.
    i. No. 6 for a decrease of $45,585.64 for No. FM-15-B1.

36. Amended Engineer's Report for Improvement District No. BN-17-G.

37. Bid awards for Improvement District Nos. BN-17-A1 (delayed from 7/17/17 Regular Meeting), BN-17-G1, SL-17-E1, SL-17-F1, SL-17-G1 and UN-15-B1.

38. Creation of Improvement District No. BN-17-H1 to support an infrastructure request for the 2017/2018 construction season.

39. Create Improvement District No. BN-17-H.

40. Contracts and bonds for Improvement District Nos. AN-17-A1, BN-17-A1 and TN-16-F1.

REGULAR AGENDA:

41. Update on the Cass Clay Food Commission and the restructuring of the Cass Clay Food Partners.

42. Commissioner Piepkorn would like to have a discussion regarding Broadway Parking Islands.

43. <u>Public Hearings - 5:15 pm:</u>
    a. Osgood Townsite Sixth Addition (4575 45th Street South); approval recommended by the Planning Commission on 7/6/17:
        1. Zoning Change from MR-1, Multi-Dwelling Residential to P/I, Public and Institutional with a C-O, Conditional Overlay on Lot 3, Block 1.
        2. 1st reading of rezoning Ordinance.

b. Osgood Townsite Fifteenth Addition (5050 47th Street South); approval recommended by the Planning Commission on 7/6/17:
   1. Zoning Change from LC, Limited Commercial to LC, Limited Commercial, with a PUD, Planned Unit Development Overlay.
   2. 1st reading of rezoning Ordinance.
   3. Planned Unit Development Master Land Use Plan.

c. Dewitts Addition (308 9th Avenue North); approval recommended by the Planning Commission on 7/6/17:
   1. Zoning Change from MR-2, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential with a PUD, Planned Unit Development Overlay.
   2. 1st reading of rezoning Ordinance.
   3. Planned Unit Development Master Land Use Plan.

d. Section 5307 Federal Transportation Administration Grant Preliminary Program of Projects for 2017.

e. Application filed by BNG Holdings, Inc. for a property tax exemption for an expansion project located at 3285 47th Street South which the applicant will use in the operation of merchant services including processing, payment gateway integration software, point of sale technology and website design.

f. Application filed by 1023 Flats for a payment in lieu of tax exemption (PILOT) for a project located at 1023 1st Avenue South which the applicant will use in the operation of a rental property.

g. Transfer of a Class "FA" Alcoholic Beverage License from Lone Star Steakhouse d/b/a Lone Star Steakhouse at 1535 University Drive South to David Schlossman d/b/a David Schlossman; denial recommended by the Liquor Control Board on 7/19/17.
   1. Consider a six-month extension of the Class "FA" Alcoholic Beverage License for the Lone Star Steakhouse.

h. Application filed by R & R LLC d/b/a Reese Riley Bistro for a Class "GH" Alcoholic Beverage License at 2653 45th Street South; denial recommended by the Liquor Control Board on 7/19/17.

i. Resolution Providing for the Issuance of Revenue Bonds by the Colorado Health Facilities on Behalf of the Evangelical Lutheran Good Samaritan Society; continued from the 7/17/17 Regular Meeting.

44. Resolution Authorizing the Issuance of Refunding Improvement Bonds, Series 2017C and Refunding Improvement Bonds, Series 2017D.

45. Update from the Human Relations Commission on hate speech and crimes.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 241-1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo web site at FargoND.gov/citycommission.