

## FARGO CITY COMMISSION AGENDA

Tuesday, January 2, 2018 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://www.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. They are also included in the video archive at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, December 18, 2017).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Receive and file an Ordinance Amending Section 25-1507 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
- 2. 1st reading of an Ordinance Amending Section 35-0102 of Article 35-01 of Chapter 35 of the Fargo Municipal Code Relating to the Sale of Tobacco Products.
- 3. Resolution Authorizing Officers to Make Deposits and Withdrawals and approval of the designated depositories.
- 4. Appointment of Dorsey & Whitney, LLP to serve as the City's bond counsel firm effective 1/1/18.
- 5. Applications for Games of Chance:
  - a. TNT Kid's Fitness for a raffle and raffle board on 1/11/18; Public Spirited Resolution.
  - b. Matt Jensen Benefit for a raffle and raffle board on 2/10/18; Public Spirited Resolution.
  - c. North Central Turf Grass Association for a raffle on 3/1/18.
- 6. Tax exemptions for improvements made to buildings:
  - a. Blake J. and Nicole A. Nelson, 2501 Lilac Lane North (5 year).
  - b. Charles D. Smith, 1526 13 1/2 Street South (5 year).
  - c. Nathan R. Evenson and Jamie L. Heller, 2486 West Country Club Drive (5 year).
  - d. John H. and Kristin E. Osborne, 93 28th Avenue North (5 year).
  - e. Jeffrey J. and Renee Schweitzer, 114 Prairiewood Drive South (5 year).
  - f. Brian D. and Colleen E. Scherer, 1731 Park Boulevard South(5 year).
  - g. Bradley T. and Deborah E. Wimmer, 2501 West Country Club Drive South, Unit B (5 year).
- 7. Contract Agreement with Fargo Park District to implement healthy concession stand options.
- 8. Direct City Attorney's office to review and update Articles 11-0805 through 11-0807.
- 9. Contract Agreement with AE2S to provide marketing and communication for the breastfeeding initiative.

10. Agreement for Services with Janice Tweet to develop and pilot a fruit and vegetable food recovery system for the 2018 growing season.
11. Adopt Resolutions Approving the following Plats:
  - a. Vista Village Sixth Addition.
  - b. Vista Village Seventh Addition.
12. Master Professional Services Agreements for 2018-2020 with Terracon Consultants, Inc., Northern Technologies, LLC and Braun Intertec Corporation for construction materials testing services for Project No. MS-18-A0.
13. Setback Waiver Request for property at 519 Oak Street North.
14. Real Estate Purchase and Sale Agreement with BNSF Railway Company in association with Project No. BR-18-C1 and execution of the Entry and Confidentiality Agreement.
15. Bid award for Project No. QN-17-A1.
16. Bills.
17. Time extension to 11/7/17 for substantial completion of Improvement District No. BN-17-H1.
18. Bid award for Improvement District No. NR-17-A1.

**REGULAR AGENDA:**

19. Resolutions Prescribing Rates and Charges for Water and Wastewater Utility Services for 2018.
20. Public Hearings - 5:15 pm:
  - a. Hearing on a dangerous building located at 1011 5th Avenue South.
    1. Proposed Finding of Fact and Order and Notice to Property Owner regarding a dangerous building at 1011 5th Avenue South.
  - b. Hearing on a dangerous building located at 1410 1st Avenue South.
    1. Proposed Finding of Fact and Order and Notice to Property Owner regarding a dangerous building at 1410 1st Avenue South.
  - c. Transfer of a Class "FA" Alcoholic Beverage License from Lone Star Steakhouse d/b/a Lone Star Steakhouse at 1545 University Drive South to Clink LLC d/b/a Luna Coffee.
  - d. Application filed by KLP Lodging, LLC d/b/a AmericInn Fargo for a Class "ABH-Limited" Alcoholic Beverage License at 4325 23rd Avenue South.
  - e. Application filed by Hornbacher's Inc. d/b/a Hornbacher's Wine & Spirits for a Class "B-Limited" Alcoholic Beverage License at 4101 13th Avenue South.
  - f. WITHDRAWN - Vacation of a portion of 2nd Street North between 1st Avenue North to 5th Avenue North of North Dakota R-1 Urban Renewal Addition (2nd Street North from 1st Avenue North to 5th Avenue North); approval recommended by the Planning Commission on 6/6/17; continued from the 12/4/17 and 12/18/17 Regular Meetings.

- g. WITHDRAWN - Dedication Plat of 2nd Street North on portions of North Dakota R-1 Urban Renewal Addition, Keeney and Devitt's Second Addition and portions of vacated 2nd Street North, 4th Avenue North and 5th Avenue North (2nd Street North, from 1st Avenue to 5th Avenue North); approval recommended by the Planning Commission on 6/6/17; continued from the 12/4/17 and 12/18/17 Regular Meetings.
  - h. Zoning Change to repeal and re-establish a C-O, Conditional Overlay on Lots 2-6, Block 1, BLU Water Creek Addition, Lots 1-3, Block 1, BLU Water Creek Second Addition and Lot 2, Block 1, Bentley Square Addition (4504, 4582, 4600, 4648 and 4682 32nd Avenue South, and 3233 and 3265 45th Street South, and 4507 and 4609 33rd Avenue South); approval recommended by the Planning Commission on 12/5/17.
    - 1. 1st reading of rezoning Ordinance.
  - i. Zoning Change to repeal and re-establish a C-O, Conditional Overlay within the boundaries of The District of Fargo Third Addition (3751 53rd Avenue South); approval recommended by the Planning Commission on 11/7/17.
    - 1. 1st reading of rezoning Ordinance.
    - 2. Plat of The District of Fargo Third Addition.
  - j. Amendment to the PUD, Planned Unit Development Master Use Plan for Lots 17-18 and portions of Lots 1-2, Block 4, of Harwood's Addition (703 and 707 10th Street North); approval recommended by the Planning Commission on 12/5/17.
    - 1. 1st reading of Ordinance.
  - k. Text Amendment to amend Section 20-0402.R.1.b of the Fargo Municipal Code (Land Development Code) relating to the screening of outdoor storage areas; approval recommended by the Planning Commission on 11/7/17.
    - 1. 1st reading of Ordinance.
  - l. Zoning Change from MR-3, Multi-Dwelling Residential to LC, Limited Commercial with a C-O, Conditional Overlay on Lot 29 of Ohmer's Addition Subdivision of Lots 65 through 68 (1314 12th Street North); approval recommended by the Planning Commission on 12/5/17.
    - 1. 1st reading of rezoning Ordinance.
  - m. Zoning Change from MR-3, Multi-Dwelling Residential to P/I, Public and Institutional with a C-O, Conditional Overlay on Lot 30 of Ohmer's Addition Subdivision of Lots 65 through 68 (1310 12th Street North); approval recommended by the Planning Commission on 12/5/17.
    - 1. 1st reading of rezoning Ordinance.
21. Recommendation for appointments and reappointments to the following Boards and Commissions:
- a. City Hall-Auditorium Commission.
  - b. Human Relations Commission.
  - c. Renaissance Zone Authority.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. 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 website at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).