

FARGO CITY COMMISSION AGENDA
Monday, November 19, 2018 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at 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.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, November 5, 2018).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file an Ordinance Amending Section 10-0318 of Article 10-03 of Chapter 10 of the Fargo Municipal Code Relating to Public Safety, Morals and Welfare.
- 2. Waiver of requirement for receipt of an Ordinance one week prior to 1st reading and 1st reading of the following Ordinances:
 - a. Amending Section 1-0305.A of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classifications of Ordinance Violations – Tattoos, Body Art and Body Piercing Violations as Class B Misdemeanors.
 - b. Amending Sections 25-3301 through 25-3307 of Article 25-33 of Chapter 25 and Enacting Sections 25-3301.1 and 25-3301.2 of Article 25-33 of Chapter 25 of the Fargo Municipal Code Relating to Tattoos, Body Art and Body Piercing.
- 3. 2nd reading and final adoption of the following Ordinances; 1st reading 11/5/18:
 - a. Rezoning Certain Parcels of Land Lying in Gardenia Addition.
 - b. Amending Sections 20-0212, 20-0216, 20-0302, 20-0402, 20-0403, 20-0502, 20-0612, 20-0701, 20-0704, 20-0705, 20-0901, 20-0907 and 20-0914 of Articles 20-02 thru 20-07 and 20-09 of Chapter 20 of the Fargo Municipal Code Relating to the Land Development Code of the City of Fargo.
- 4. Direct the City Attorney to prepare amendments to the Fargo Municipal Code relating to Driving without a License in Possession.
- 5. Applications for property tax exemptions for improvements made to buildings:
 - a. Christine C. and Thomas D. Dowdell, 3107 Par Street North (3 year).
 - b. Keith G. and Shelley A. Lesteberg, 2844 28th Avenue South (3 year).
 - c. Ann C. Schmidt, 2315 32nd Street South (3 year).
 - d. Martin R. Aas, 1418 20th Street South (5 year).
 - e. David A. and Shanon Gregor, 1014 24th Avenue South (5 year).
 - f. Craig and Kaia Ehrmantraut, 2819 Longfellow Road North (5 year).
 - g. Nicholas L. and Rachel R. Kjonaas, 3720 Fairway Road North (5 year).
 - h. Amy and Andrew Herian, 2849 Hickory Street North (5 year).
 - i. Karen Timm, 3245 17th Avenue South, Unit 102 (5 year).
 - j. Mitchell H. and Michelle EY Cunningham, 1526 9th Street North (5 year).

- k. Darian L. Hanson, 814-816 32nd Street North (5 year).
 - l. Richard A. and Trudy M. Huschka T/O/D, 2105 2nd Street North (5 year).
 - m. Dmitry Kovalyov and Kari A. Losee, 1601 6th Street South (5 year).
 - n. Lora J. Wallgren T/O/D, 1725 14th Street South (5 year).
 - o. Tammy and Jeffrey Osborn, 1625 14th Avenue South (5 year).
 - p. Teresa L. Ash, 1209 15th Street South (5 year).
6. Applications for Games of Chance:
 - a. Fargo Angels Hockey Club for a calendar raffle on 12/2/18.
 - b. Knights of Columbus Council 11930 for a raffle on 5/23/19.
 - c. Cancer Benefit for Travis Anderson for a raffle and raffle board on 12/2/18; Public Spirited Resolution.
 - d. NDSU Judging Club for a calendar raffle from 4/8/19 to 4/12/19.
 - e. NDSU Judging Club for a raffle on 2/20/19.
 7. Receive and file General Fund – Budget to Actual through October 30, 2018 (unaudited).
 8. Direct the City Attorney to review and revise Article 13-11, Child Care Centers.
 9. Contract Agreement with AE2S Communications for breastfeeding campaign initiatives (RFP17362).
 10. Developer and Road Use Agreement with 404 Place, LLC.
 11. Negative Final Balancing Change Order No. 2 in the amount of -\$4,880.27 for Project No. UR-17-C1.
 12. Final Balancing Change Order No. 1 in the amount of \$0.00 for Project No. TP-16-A1.
 13. Community Development Block Grant Storefront Rehab project 16 8th Street South.
 14. Sole Source Procurement with Bishop Land Design, LLC to perform programming services for the Civic Plaza Block in the amount of \$150,000.00.
 15. Bid awards for purchase of one crawler dozer (RFP18310) and one excavator (RFP18309).
 16. Bid award for winter pruning operations (RFP18314).
 17. Developer Waiver of Protest Agreement with Dakota Beach Capital, LLC.
 18. Bid award for the 2018/2019 sidewalk snow and ice removal code enforcement (RFP18267).
 19. Extension of the sidewalk snow and ice removal contract with Polar Snow & Ice Management for the 2018/2019 snow season (RFP17285).
 20. Amendment No. 3 with First Transit to revise the fees for the period of January 1, 2019 through December 31, 2019.
 21. Amendment to Software Support Agreement with SPX Corporation (Genfare).
 22. Bid award for Project No. WW1701 Phase II A Improvements (Central Generation Station).
 23. Memorandum of Offer to Landowner and Permanent Easement (Street and Utility) with Elwood Jay Brand (Project No. WW1705).

24. Resolution Prescribing Rates and Charges for Hauled Liquid Waste at the Wastewater Treatment Facility.
25. Bills.
26. Change Order No. 1 for an increase of \$30,054.22 and time extension to 10/26/18 for Improvement District No. BR-18-F1.
27. Change Order No. 2 for an increase of \$36,312.00 for Improvement District No. AN-17-G1.
28. Change Order No. 1 for an increase of \$33,887.90 for Improvement District No. TM-18-A1.
29. Memorandum of Offer to Landowner for a Permanent Easement with Plecity Kowalski Construction Inc. in association with Improvement District No. BN-16-H1.
30. Memorandum of Offer to Landowner for Temporary Easements (construction) for Improvement District No. BN-19-A1:
 - a. Clark and Sherri D. Erickson.
 - b. Minnkota Power Cooperative, Inc.
 - c. Fred M. Hector, Jr. Revocable Trust.
 - d. Bradley A. Anderson and Yuki Anderson.

REGULAR AGENDA:

31. Update on winter sheltering.
32. Development Agreement with Dakota Beach Capital, LLC.
33. Public Hearings - 5:15 pm:
 - a. Plat of Fitzsimonds Addition on a portion of the Southeast Quarter of Section 34, Township 139 North, Range 49 West of the 5th Principal Meridian (5080 38th Street South and 3805 52nd Avenue South); approval recommended by the Planning Commission on 8/7/18.
 - b. Hearing on a dangerous building located at 826 10th Street North; continued from the 11/5/18 Regular Meeting.
 - c. Hearing on a dangerous building located at 1101 7th Street North; continued from the 9/24/18 and 10/22/18 Regular Meetings.
34. Recommendation to reappoint Chuck Hoge to the Growth Initiative Fund Board.
35. The City Attorney will provide a status report regarding the Municipal Airport Authority.

****The Board will meet in Executive Session to discuss negotiating strategy and to provide negotiating instruction to its negotiator and to consult with its attorneys regarding a possible Agreement between the City and the Fargo Municipal Airport Authority as authorized by NDCC, Section 44-04-19.1 subsections 2 and 9.

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.