

FARGO CITY COMMISSION AGENDA  
Monday, August 26, 2019 - 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, August 12, 2019).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Receive and file an Ordinance Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages.
- 2. 1st reading of the following Ordinances:
  - a. Relating to Ordinance Violations.
  - b. Amending Ordinance No. 5140 which Rezoned Certain Parcels of Land Lying in Diamond Willow Addition, A Replat of Portions of Douglas Addition.
- 3. 2nd reading and final adoption of the following Ordinances; 1st reading, 8/12/19:
  - a. Rezoning Certain Parcels of Land Lying in 42nd Street Addition.
  - b. Relating to Marijuana and Marijuana Paraphernalia.
  - c. Relating to Classification of Ordinance Violations.
- 4. Amendment to Lease Agreement with FM Metropolitan Council of Governments.
- 5. Parking Lease Agreement with 5th Floor Apartments LLC.
- 6. Applications for property tax exemptions:
  - a. James C. and Kathy S. Rugroden, 1809 13th Avenue South (5 year).
  - b. John and Susan Deutsch, 220 8th Street South, Unit C1 (5 year).
  - c. Susan Viola Hunley, 1208 2nd Avenue South (5 year).
  - d. Laura A. Hahn, 1122 9th Avenue South (5 year).
- 7. Release of Agreement regarding Special Assessments for Lot 1, Block 12, The Pines at The District.
- 8. Annual Renewal and extension of the Class “FA” Alcoholic Beverage License until 2/29/20 for Grazies.
- 9. Site Authorization of Fargo Metro Baseball Association at the African International Restaurant and Night Club.
- 10. Applications for Games of Chance:

- a. Fargo South High School for a calendar raffle from 9/3/19 to 2/25/20.
  - b. Nativity Church Fargo for bingo and a raffle on 11/3/19.
  - c. Pink It Forward for a raffle on 9/14/19.
  - d. North Dakota Long Term Care Association for a raffle on 9/19/19.
  - e. Unseen for a raffle on 9/19/19; Public Spirited Resolution.
11. Resolution adopting the Cass County Multi-Hazard Mitigation Plan.
  12. Change Order No. 9 for an increase of \$13,532.20 for Project No. FM-15-K1.
  13. Easement (Storm Sewer and Outfall) with Heiser and Miller, LLC.
  14. Increase to the 2019 Fire Permit Fee Schedule beginning 1/1/20, as presented.
  15. First Amendment to Agreement for the Provision of Professional Services (Occupational Medicine and Medical Director Services) with Essentia Health West.
  16. Amendments to 2019 Action Plan Community Development Block Grant (CDBG) and HOME Investment Partnerships Programs.
  17. Agreement with Lisa Wise Consulting, Inc. for Professional Consulting Services for Land Development Code Diagnostic.
  18. Resolution approving Plat of St. Paul's Newman Center Addition.
  19. Change Orders for the Fargo Police Department Headquarters Project:
    - a. No. 2 for an increase of \$16,776.00 for general contract.
    - b. No. 2 for an increase of \$1,477.00 for mechanical contract.
    - c. No. 2 for an increase of \$38,169.44 for electrical contract.
  20. Bid award for General Consulting and Engineering Services (RFP19127).
  21. Amendment to the Joint Powers Agreement for Transit Support with NDSU.
  22. Reject bid for the GTC Jefferson Lines Ticketing and Storage Counter and rebid the project under the main GTC Renovation Project.
  23. Change Orders for Project No. SW 16-03 Phase II:
    - a. No. 11 for an increase of \$12,522.00 for the mechanical contract.
    - b. No. 7 for an increase of \$3,339.91 for the electrical contract.
  24. Task Order No. 8 with Apex Engineering in the amount of \$245,550.00 for design and bidding of a new Downtown water tower.
  25. Task Order No. 27 with AE2S in the amount of \$208,400.00 for Project No. WA1860.
  26. Sole Source Procurement with Metrohm Process Analytics for a process analyzer in the estimated amount of \$77,817.00 (SSP19137).
  27. Title VI and Non-Discrimination Policy Statement (City of Fargo Transit Department).
  28. Transit Capital Project – Fiscal Year 2019 Urban Roads Program Memorandum of Understanding with the NDDOT.

29. Request to submit an RFP for tire purchase and services.
30. NDDOT Section 5310 and 5339 Transit Grant Agreements.
31. Bills.
32. Change Order No. 2 for an increase of \$3,301.98 for Improvement District No. BN-18-F2.
33. Change Order No. 3 for an increase of \$10,590.60 and time extension to 9/12/19 for Improvement District No. BR-18-A1.
34. Change Order No. 4 for an increase of \$9,097.43 and time extension to 9/30/19 for Improvement District No. NR-18-A1.
35. Change Order No. 7 for an increase of \$25,189.85 and time extension to 7/28/19 for Improvement District No. BN-17-A1.
36. Task Order No. 2 with Apex Engineering in the amount of \$235,200.00 for Improvement District No. BR-20-C0.
37. Change Order No. 5 for an increase of \$42,554.50 for Improvement District No. NR-17-B1.
38. Contract and bond for Improvement District No. NR-19-A1.

**REGULAR AGENDA:**

39. Construction projects update.
40. Public Hearings - 5:15 pm:
  - a. Special Assessment of unpaid utility bills.
  - b. Transfer of a Class "FA" Alcoholic Beverage License from ERJ Dining IV, LLC d/b/a Chili's to Brinker Restaurant Corporation d/b/a Chili's Grill & Bar at 3902 13th Avenue South, Suite 4402.
  - c. Transfer of a Class "A" Alcoholic Beverage License from FSB Associates LLC d/b/a Cowboy Jacks to L & D Hospitality d/b/a Cowboy Jacks at 506 Broadway North.
  - d. WITHDRAWN - Application for a Class "A-Club" Alcoholic Beverage License for the Downtown Community Partnership d/b/a Downtown Community Partnership at 207 4th Street North, Suite B.
  - e. Renaissance Zone Project for Great Plains 1001 Holdings, LLC for a new construction project located at 1001 and 1011 Northern Pacific Avenue North; 28 10th Street North; 1016 1st Avenue North and 11 11th Street North; continued from the 7/15/19 Regular Meeting; continued from the 7/15/19, 7/29/19 and 8/12/19 Regular Meetings.
  - f. Application filed by Great Plains 1001 Holdings, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 1001 NP Avenue, 28 10th Street North, 1016 1st Avenue North and 11 11th Street North which the applicant will use in the operation of leasing of residential apartments and commercial space; continued from the 7/15/19 and 7/29/19 Regular Meetings.

- g. Application filed by Great Plains Antique Holdings, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 1017 4th Avenue North which the applicant will use in the operation of leasing residential apartments; continued from the 7/15/19 and 7/29/19 Regular Meetings.
- h. Renaissance Zone Project for DFI Kesler LLC and DFI BJ LLC for a new construction project located at 617 and 621 1st Avenue North, and 624 2nd Avenue North; continued from the 7/15/19, 7/29/19 and 8/12/19 Regular Meetings .
- i. Application filed by DFI Kesler, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 624 2nd Avenue North, 621 1st Avenue North and 617 1st Avenue North which the applicant will use in the operation of leasing residential apartments and commercial space; continued from the 7/15/19 and 7/29/19 Regular Meetings.
- j. CONTINUED to 9/9/19 - Right-of-Way Vacation of the alley between Lots A, B, C, D, E, F, T and U, the vacated 10 foot alley adjacent to Lots T and U, Hagaman's Subdivision of part of Block 2, Roberts Addition (624 2nd Avenue North and 613, 617, and 621 1st Avenue North); approval recommended by the Planning Commission on 4/2/19; continued from the 7/15/19 and 8/12/19 Regular Meetings.
- k. CONTINUED to 9/9/19 - Right of Way Vacation of a portion of 5th Street North between Blocks 21 and 22 Keeney and Devitt's Second Addition and lying North of 4th Avenue North and South of Lot B, Block 1, Great Northern Depot Addition (410 5th Street North); continued from the 8/12/19 Regular Meeting.
- l. CONTINUED to 9/9/19 - Alley Vacation of the alley between Lot 12, Block 26 and a part of Lot 7 and all of Lots 8-12, Block 25, Roberts Second Addition (1001 NP Avenue North and 28 10th Street North); approval recommended by the Planning Commission on 7/2/19; continued from the 8/12/19 Regular Meeting.
- m. Development Plan for Tax Increment Financing District No. 2019-02 (for property northeast of 11th Avenue North and University Drive North and other sites in the Roosevelt Neighborhood).

41. Appointments to the Human Relations Commission.

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).