

FARGO CITY COMMISSION AGENDA

Monday, July 15, 2019 - 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, July 1, 2015).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of the following Ordinances:
 - a. Relating to Plumbing Code.
 - b. Relating to Waterworks System.
- 2. 2nd reading and final adoption of an Ordinance rezoning Certain Parcels of Land Lying in Blu Water Creek 4th Addition.
- 3. Reject the proposals received for the Park East property.
- 4. Sole Source Procurement for Professional Consulting Services with Walker Consultants for the parking facility portion of the proposed Mercantile Mixed-Use project.
- 5. Direct the City Attorney to draft a Parking Agreement with the owners of the Bison Apartments, for the agreed upon terms contingent upon the construction of the Mercantile Parking Ramp.
- 6. Applications for Games of Chance:
 - a. Osgood Kindergarten Center PTO for a raffle from 8/5/19 to 11/16/19.
 - b. Bison Wrestling Club for a raffle on 11/2/19.
 - c. Horse Race North Dakota Foundation for a calendar raffle from 7/19/19 to 7/28/19.
 - d. Fargo Moorhead Derby Girls for a raffle on 9/14/19.
 - e. River Keepers for a raffle on 8/8/19.
- 7. Memorandum of Offer to Landowner – Permanent Easement with Douglas James Anderson (Project No. FM-15-J2).
- 8. Revisions to the City Municipal Code Nos.16-0105 and 22-0301.
- 9. General Fund – Budget to Actual through June 2019 (unaudited).
- 10. Agreement for the Financial Support of Valley Water Rescue.
- 11. Notice of Grant Award Amendment with the ND Department of Health for the PHEP/EPR Statewide Management Team (CFDA #93.074).

12. Direct City Attorney to review and amend Articles 10-0103, 35-0103 and 1-0305 regarding tobacco use and sales to minors.
13. Notice of Grant Award with the ND Department of Health for Water Pollution – EPA Block (CFDA #66.605).
14. Agreement for Services with Josh Ebert.
15. Agreement with Upper Missouri District Health Unit for Statewide Tobacco Prevention Public Education Campaign.
16. Notice of Grant Award with the ND Department of Health for local public health unit tobacco prevention and control program.
17. Memorandum of Understanding with F-M Ambulance Service, Inc.
18. Bid award for conduit and fiber placement, contingent upon Cass County Commission approval (RFP19098).
19. Bid award for Construction Manager at Risk Services for the Civic Plaza, Area 1 (RFQ19106).
20. Acquisition of 1529 10th Avenue South in the amount of \$47,000.00 using 2019 CDBG Block Grant Funds.
21. Bid award for hook hoist refuse body (RFP19092).
22. Bid award for one motorgrader with wing (RFP19105).
23. Memorandum of Understanding with National Audubon Society, Inc. to support their urban woods and prairies initiative.
24. Contract and bond for Project No. FM-15-J2.
25. Bills.
26. Change Order No. 1 for an increase of \$10,201.23 for Improvement District No. BN-19-J1.
27. Negative Final Balancing Change Order No. 1 in the amount of -\$16,815.90 for Improvement District No. BN-18-L1.
28. Negative Final Balancing Change Order No. 5 in the amount of -\$8,243.95 for Improvement District No. BR-18-E1.
29. Amendment No. 3 to the Professional Services Agreement with Apex Engineering in the amount of \$32,500.00 for Improvement District No. BR-18-C0.
30. Amended Utility Relocation and authorize payment to Minnkota Power in the adjusted amount of \$137,357.43 (Improvement District No. BN-19-A2).

REGULAR AGENDA:

31. Commissioner Gehrig would like to discuss Commissioners Cost of Living Increases.

32. Public Hearings - 5:15 pm:

- a. Transfer of a Class "A" Alcoholic Beverage License from Firebox, LLC d/b/a Firebox to International African Restaurant and Nightclub, LLC d/b/a International African Restaurant and Nightclub at 4554 7th Avenue South; denial recommended by the Liquor Control Board; continued from the 7/1/19 Regular Meeting.
- b. Renaissance Zone Project for Clark Equipment Company for a commercial lease project located at 118 Broadway North; continued from the 7/1/19 Regular Meeting.
- c. CONTINUE to 7/29/19 - 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.
- d. CONTINUE to 7/29/19 - 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.
- e. CONTINUE to 7/29/19 – 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 application will use in the operation of leasing residential apartments.
- f. CONTINUE to 7/29/19 – 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 application will use in the operation of leasing residential apartments and commercial space.
- g. CONTINUE to 8/12/19 - 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.
- h. Annexation of property located in the Northeast Quarter in Section 11, Township 138 North, Range 49 West, of the Fifth Principal Meridian containing 171.972 acres, more or less.
 1. 1st reading of annexation Ordinance.
- i. Zoning Change from AG, Agricultural and GC, General Commercial to SR-2, Single-Dwelling Residential, SR-4, Single Dwelling Residential, GC, General Commercial, and P/I, Public and Institutional, Selkirk Place First Addition (2816, 2886, 2896, 2990, 3006, and 3340 64th Avenue South); approval recommended by the Planning Commission on 5/7/19:
 1. 1st reading of rezoning Ordinance.
 2. Plat of Selkirk Place First Addition.
- j. Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential and SR-5, Single-Dwelling Residential, Madelyn's Meadows Second Addition (7269 25th Street South); approval recommended by the Planning Commission on 3/5/19:
 1. 1st reading of rezoning Ordinance.
 2. Plat of Madelyn's Meadows Second Addition.

33. Request to prepare a Renewal Plan and Development Agreement for a project located Northeast of University Drive and 11th Avenue North.
34. Request from the Attorney's Office to approve the engagement of Andrus Anderson LLP, working in affiliation with the Robbins Geller Law firm as legal counsel for the City in the opioid lawsuit and the fees as proposed.
35. Request from the Transit Department for a budget adjustment in the amount of \$206,101.00 to bring bus operator's wages in line with industry and local wages.
36. Contract Amendments for the Ground Transportation Center (GTC) Remodel Project:
 - a. Approve Deck Concept C, with the option to reevaluate Option B at a future date.
 - b. Approve the additional \$725,000.00 in needed repair costs to support the remodel.
 - c. Acknowledgment of continued commitment to maintain the GTC structure in a state of good repair through the deferred maintenance schedule.

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.