

FARGO CITY COMMISSION AGENDA
Monday, September 23, 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, September 9, 2019).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of an Ordinance Relating to Lodging Tax.
- 2. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance relating to Waterworks System.
- 3. 2nd reading and final adoption of the following Ordinances; 1st reading on 9/9/19:
 - a. Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages.
 - b. Rezoning Certain Parcels of Land Lying in The Pines at the District Addition.
 - c. Rezoning Certain Parcels of Land Lying in Scilley's Addition.
- 4. Applications for property tax exemptions for improvements made to buildings:
 - a. Paul Teunissen, 2509-2511 18th Street South (3 year).
 - b. Joseph and Jaime Foertsch, 104 Prairiewood Drive South (3 year).
 - c. Mark and Susan Howlett, 1429 10th Street North (5 year).
 - d. Eugene D. and Sandra L. Filley, 33 35th Avenue North (5 year).
 - e. Leslie A. and Barbara A. Herbranson, 1042 14th Street North (5 year).
 - f. Robert J. and Gloria Danielson, 1021 19th Street South (5 year).
 - g. Renee O'Brien, 820 2nd Street North (5 year).
- 5. Applications for Games of Chance:
 - a. 4 Luv of Dog Rescue for a raffle on 11/9/19.
 - b. Davies Eagle Elite for a raffle on 11/16/19.
 - c. Path of North Dakota, Inc. for a raffle on 11/26/19.
 - d. Fargo-Moorhead USBC Association for a calendar raffle from 1/11/20 to 1/26/20.
 - e. Fargo-Moorhead USBC Association for a calendar raffle from 10/5/19 to 2/16/20.
 - f. Homeward Animal Shelter for a raffle on 10/18/19.
 - g. Lewis & Clark Elementary School for a raffle on 10/25/19.
- 6. Access Agreement with Allison Kenninger for property at 901 42nd Avenue North (Project No. FM-19-A).
- 7. Access Agreement with Scott C. and Donna M. Seltveit for property at 906 41st Avenue North (Project No. FM-19-A).

8. Partial Release of Permanent Easement (Water and Sanitary Sewer) with Kevin J. and Cynthia L. Liedahl for property at 1440 12th Street South.
9. Change Order No. 2 for an increase of \$74,746.50 and a 41-day time extension for Project No. SN-19-A1.
10. Change Order No. 1 for interim time extension and design modifications for Project No. FM-15-J2.
11. Change Order No. 4 for an increase of \$25,339.00 and time extension to 6/15/20 for Project No. SN-18-C2.
12. Receive and file General Fund – Budget to Actual through August 2019 (unaudited).
13. Public Assistance Grant Program Subgrant Agreement for FEMA-4444-DR with the State of ND, Department of Emergency Services.
14. Third Amendment to Parking Management Agreement with Interstate Parking Company of North Dakota, LLC.
15. Amendment No. 4 to Agreement with First Transit.
16. Amendment No. 1 with KLJ in the amount of \$4,210.61 for the GTC Jefferson Ticketing/Storage Counter Project.
17. Change Order No. 10 for an increase of \$260,478.57 for Project No. WA1301 (electrical contract).
18. Payment to KPH in the amount of \$313,494.40 for emergency sanitary sewer repairs.
19. Bills.
20. Payment to KPH, Inc. in the amount of \$56,250.78 for Improvement District No. BN-18-A1.
21. Change Orders for Improvement District No. BR-18-A1:
 - a. No. 5 for an increase of \$8,296.07.
 - b. No. 6 for an increase of \$54,127.00.
22. Task Order No. 2 with Moore Engineering in the amount of \$350,000.00 for Improvement District No. BR-20-B0.

REGULAR AGENDA:

23. Adopt the 2020 City of Fargo budget and proposed tax levies.
24. Public Hearings - 5:15 pm:
 - a. Application filed by La Fiesta Mexican and American Grill LLC d/b/a La Fiesta Mexican and American Grill for a Class “F” Alcoholic Beverage License at 1109 38th Street South.
 - b. Resolution Approving the Issuance of Revenue Bonds by the Colorado Health Facilities Authority for the Benefit of Sanford and the Evangelical Lutheran Good Samaritan Society (Series 2019 (Sanford)).

- c. CONTINUE to 10/7/19 - Renaissance Zone Project for Great Plains Mercantile Holdings, LLC for a new construction project located at 401 Broadway Avenue; 410 and 412 5th Street North.
 - d. CONTINUE to 10/7/19 - Renaissance Zone Project for 201 Hospitality, LLC for a rehab project located at 201 5th Street North.
 - e. 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, 8/12/19, 8/26/19 and 9/9/19 Regular Meetings.
 - f. 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, 8/26/19 and 9/9/19 Regular Meetings.
 - g. Alley Vacation of the alley in Block 21, Keeney & Devitt's Second Addition (401 Broadway North).
 - h. Appeal of a Planning Commission decision on 8/6/19 to approve a Conditional Use Permit that would allow a bed and breakfast in the SR-3, Single-Dwelling Residential zoning district on Lots 2 and 3, Block F, Chas A. Roberts Addition (611 8th Street South); continued from the 9/9/19 Regular Meeting.
 - i. Amendments to the 2019 Action Plan Community Development Block Grant (CBDG)/HOME Investment Partnerships Programs.
 - j. Application filed by City Flats LLC for a payment in lieu of tax exemption (PILOT) for a project located at 1329 5th Avenue North, which the applicant will use in the operation of an affordable multi-family apartment building.
 - k. Application filed by Computer Telephony Innovations d/b/a Voxtel for a property tax exemption for a project located at 509 25th Avenue North, which the applicant will use in the operation of a telecommunications and software development company that manufactures telecommunications switching and billing software.
25. Proposed Ordinances related to e-cigarettes and e-liquids, and restricting the sale of e-liquids to minors.
26. Recommendations for appointments to the following Boards and Commissions:
- a. Housing and Redevelopment Authority.
 - b. MetroCOG Policy Board.
27. Construction Projects Update.

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.