

## FARGO CITY COMMISSION AGENDA

Monday, August 10, 2020 - 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, July 27, 2020).

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

- 1. 2nd reading and final adoption of the following Ordinances; 1st reading:
  - a. Rezoning Certain Parcels of Land Lying in the Proposed Edition Third Addition.
  - b. Rezoning Certain Parcels of Land Lying in Boulger First Addition.
- 2. Applications for Games of Chance:
  - a. Legacy Children's Foundation for a raffle on 8/17/20.
  - b. Sts. Anne & Joachim Catholic Church for a raffle on 11/8/20.
- 3. Granting of the Downtown Community Partnership with sole authority to place and manage pedestrian benches in Downtown Fargo.
- 4. Amended Engineer's Report for Project No. FM-16-A.
- 5. Cost Sharing for Underground Building Encroachment Removal Policy 2020.
- 6. Amended Easement (Amends Document #320762) with Fargo Public Schools.
- 7. Memorandum of Offer to Landowner for Permanent and Temporary Easements with the Municipal Airport Authority of the City of Fargo (Project No. FM-16-A).
- 8. Purchase Agreement with Beverly Pearson for property located at 12 North Terrace North.
- 9. Right of Way and Land Use Agreement with Epic Gateway North Real Estate Holdings, LLC.
- 10. Encroachment and Use Agreement with Great Plains 1001 Holdings, LLC.
- 11. Contracts and bonds for the remodeling of the entertainer dressing rooms/catering room/hallway at the FARGODOME.
- 12. Fargo Cass Public Health Mobile/Concessions Food License Application and Agreement.
- 13. Notice of Grant Award with the ND Department of Health for increasing influenza vaccination in high risk adults (CFDA #93.268).

14. Amend the existing Agreement with United Way and Afro American Development Association (on behalf of ESHARA Partners) to increase funding by \$17,870.00.
15. Change Order No. 1 for an increase of \$20,494.60 for the Ground Transportation Center Remodel Project for the general construction contract.
16. Amendment No. 1 to Prime Agreement with Lisa Wise Consulting, Inc.
17. Recipient Agreement with the YWCA, subject to technical review by the Public Health Director and City Attorney.
18. City of Fargo COVID-19 Temporary Employment Policy – Annual Leave (vacation) Maximum Accrual.
19. Change in Transit operating hours to end service at 9:45 p.m. Monday thru Saturday through the end of 2020 and resume normal operating hours beginning on 1/1/21.
20. Transit staff to finalize the draft RFP for transit management, drivers and dispatch services and release it on 8/17/20.
21. Bills.
22. Negative Final Balancing Change Order No. 4 in the amount of -\$15,436.13 for Improvement District No. PN-18-C1.
23. Negative Final Balancing Change Order No. 5 in the amount of -\$43,679.69 for Improvement District No. BN-18-F2.
24. Change Order No. 3 for an increase of \$10,350.00 for Improvement District No. PN-18-C1.
25. First Amendment to Joint Powers Agreement with Southeast Cass Water Resource District (Drain 53 Improvement Project 2019-01) (Improvement District No. BN-20-C1).
26. Bid award for Improvement District No. AN-20-A1.
27. Contract and bond for Improvement District No. AN-19-J1 and AN-20-B1.

**REGULAR AGENDA:**

28. Recommendation to approve the Mayor's 2021 Preliminary Budget and set the Public Hearing date for Tuesday, September 8, 2020 at 5:15 p.m.
29. Receive and file the summary of a meeting to discuss the 2020 election.
30. **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**
  - a. Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Lots 1-7, Block 1, Timber Parkway Fourth Addition; Lot 3, Block 1, Timber Parkway Third Addition; and Lot 1, Block 1, Timber Parkway Second Addition (4935 and 5081 Timber Parkway South; 3439, 3375 and 3400 James Way South; and 3360, 3401, 3430 and 3485 Jacks Way South); approval recommended by the Planning Commission on 7/7/20:
    1. 1st reading of rezoning Ordinance.

- b. Zoning Change from SR-2, Single-Dwelling Residential to SR-3, Single-Dwelling Residential on Lots 25-32, South Haven Subdivision (2505-2617 65th Avenue South); approval recommended by the Planning Commission on 7/7/20:
    - 1. 1st reading of rezoning Ordinance.
  - c. Sanford South Campus Addition (1720 University Drive South and 1701, 1719, 1723, 1727, 1731, 1735, 1739, 1743 and 1747 11th Street South); approval recommend by the Planning Commission on 6/2/20:
    - 1. Zoning Change from SR-2, Single-Dwelling Residential and GC, General Commercial with a C-O, Conditional Overlay to GC, General Commercial with a C-O, Conditional Overlay.
    - 2. 1st reading of rezoning Ordinance.
    - 3. Plat of Sanford South Campus Addition.
  - d. Annexation of property located on the East Half of Section 15, Township 140 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota:
    - 1. 1st reading of annexation Ordinance.
  - e. North Fargo Industrial Addition (3701 40th Avenue North and 4201 and 3261 County Road 81 North):
    - 1. Zoning Change from AG, Agricultural to LI, Limited Industrial.
    - 2. 1st reading of rezoning Ordinance.
    - 3. Plat of North Fargo Industrial Addition.
  - f. Application filed by PRx Performance for a payment in lieu of tax exemption (PILOT) for a project located at 4125 24th Avenue North, which the applicant will use in the primary operation of an e-commerce business with fitness related products; continued from the 7/27/20 Regular Meeting.
31. Application for Abatement or Refund of Taxes #4487 submitted by Stephanie Nyhus of Ducharme, McMillan & Associates on behalf of Scheels All Sports Inc. requesting the valuation for 2018 be reduced from \$28,286,000.00 to \$25,397,000.00 for property located at 1551 45th Street South.
32. Application for a property tax exemption for improvements made to a building filed by Tabitha Meyer, 1405 15th Street South (5 year).
33. Recommendations for appointments and reappointments to the following Boards and Commissions:
- a. Planning Commission.
  - b. Fargo Youth Initiative.
34. **\*Public Input Opportunity\*** - Mask Directives:
- a. Mask Directive for the City of Fargo effective 8/17/20.
  - b. Temporary Employment Policy on Mask Usage and Continuing Operations Guidance regarding COVID-19 for City of Fargo employees effective 8/17/20.
35. Receive and file the Attorney General's letter declining the request for an Attorney General opinion regarding "Firearm Sales" as a prohibited home occupation.
- a. Commissioner Gehrig would request that this item be placed on the 8/24/20 Regular Agenda as a Public Input Opportunity.

36. Commissioner Gehrig would like to have a discussion about body cameras.
37. Commissioner Gehrig would like to address the Tax Review Policy.
38. **RESIDENT COMMENTS (each Fargo resident will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments).**

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).