

FARGO CITY COMMISSION AGENDA
Monday, August 24, 2020 - 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, August 10, 2020).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of the following Ordinances; 1st reading, 8/10/20:
 - a. Rezoning Certain Parcels of Land Lying in Timber Parkway Fourth Addition, Timber Parkway Third Addition and Timber Parkway Second Addition.
 - b. Rezoning Certain Parcels of Land Lying in North Fargo Industrial Addition.
 - c. Annexing a Certain Parcel of Land Lying in the East Half of Section 15, Township 140 North, Range 49 West.
 - d. Rezoning Certain Parcels of Land Lying in the Proposed Sanford South Campus Addition.
 - e. Rezoning Certain Parcels of Land Lying in South Haven Subdivision.
- 2. Receive and file the Summons and Complaint relating to Alan C. Erickson vs. City of Fargo.
- 3. Findings, Conclusion and Order of the Board of City Commissioners of the City of Fargo regarding the License Violation of Northstar Hospitality, LLC d/b/a SouthTown PourHouse.
- 4. Applications for Games of Chance:
 - a. Fargo South High School for a calendar raffle from 9/3/20 to 2/28/21.
 - b. Nativity Church of Fargo for bingo and a raffle on 11/8/20.
 - c. Dakota Medical Foundation – Lend A Hand Up for a raffle and raffle board on 9/12/20.
 - d. Fargo Rotary Club for a raffle on 10/15/20.
- 5. Easement (Temporary Construction Easement) with the Park District of the City of Fargo (Project No. FM-19-B).
- 6. Purchase Agreement with Stanley and Patricia Ryland (Project No. FM-20-C1).
- 7. Memorandum of Understanding Regarding Right of Way Encroachment and Road Maintenance with Cass County (Project No. FM-16-A1).
- 8. 40th Avenue North Bridge repairs at an estimated cost of \$47,067.85.
- 9. TMH Properties Development Agreement and Amended Easement with TMH Properties, LLC.
- 10. Amendment (First) to Right of Way Agreement with Great Plains Mercantile Holdings, LLC.

11. Change Order No. 1 for an increase of \$2,650.00 and time extension to 10/1/20 for Project No. UR-19-E1.
12. Encroachment Agreement with Sterling Properties, LLLP.
13. Receive and file General Fund – Budget to Actual through July 2020 (unaudited).
14. Receive and file Financial Status Report Year to Date through 7/31/20 for majoring operating funds (unaudited).
15. Fargo Public Schools Department of Support Services Service Agreement for extended nursing care services for special education students.
16. Contract Agreement for Services with Dacotah Foundation.
17. Contract Agreement for Services with Southeast Human Service Center.
18. Amendment to Agreement for Services with Gia Rassier.
19. Amendment to Agreement for Services with Annie Wood.
20. Contract Agreement for Services with American Lung Association.
21. Resolution Approving Proposed Budget & Activities for COVID-19 Quarantine Support, Prevention, Preparation and Response.
22. Bid award for 2021 spring tree order (RFP20130).
23. Receive and file the Snow Emergency Route Designation Map.
24. Amendment No. 4 with KLJ, Inc. in the amount of \$6,478.57 for the GTC Improvement Project.
25. Structure Lease Agreement with New Cingular Wireless PCS, LLC, contingent upon Water Utility approval of final construction documents.
26. Bid award for Project No. WA2004.
27. Change Order No. 1 for an increase of \$2,450.0 for Project No. WA1906.
28. Change Order No. 2 for an increase of \$35,528.93 for Project No. WW1904.
29. Bills.
30. Change Order No. 1 for an increase of \$55,929.27 and associated time extension for Improvement District No. BN-20-C1.
31. Change Order No. 1 for an increase of \$13,896.45 and associated time extension for Improvement District No. BN-20-F1.
32. Change Order No. 3 for time extensions for Improvement District No. BR-20-E1.
33. Negative Final Balancing Change Order No. 5 in the amount of -\$120,397.08 for Improvement District No. BN-19-F1.

34. Contract and bond for Improvement District No. SL-20-B1.

REGULAR AGENDA:

35. Presentation on the new Cass Clay Alerts System.

36. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**

- a. CONTINUE to 9/8/20 – Application filed by AdShark Ventures, LLC for a property tax exemption for a project located at 5601 34th Avenue South, which the applicant will use in the operation of their operation of ecommerce services, utilizing online user-data, internet based platforms, website development and conversion rate optimization to drive sales and new customer growth.
- b. WITHDRAWN - Application filed by Access Point Technologies EP, Inc. for an exemption of property and/or income tax for a project located at 4837 Amber Valley Parkway, which the applicant will use in the operation of developing medical devices for the electrophysiology market.
- c. Northern Sheyenne Land Third Addition (1805, 1810, 1820, 1821, 1840 and 1841 Sheyenne Loop North):
 1. Zoning Change from GI, General Industrial to LI, Limited Industrial.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Northern Sheyenne Land Third Addition.
- d. Amendments to the 2019 Action Plan Community Development Block Grant (CDBG).
- e. Special Assessment of unpaid utility bills.
- f. Special Assessments for maintenance of skyway system.
- g. Special Assessment of nuisance abatement fees.

37. Appointments to the Arts and Culture Commission.

38. Recommendation from the Police Chief Selection Committee.

39. Recommendation to extend the Resolution Extending the Moratorium Pertaining to the Retail Sale of Alcoholic Beverages Approved June 1, 2020 to November 30, 2020.

40. ***PUBLIC INPUT OPPORTUNITY*** - Request from the Downtown Community Partnership to discuss the downtown Fargo business environment.

- a. Communication from Josie Danz regarding the benches in the Downtown Area.

41. **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.