

FARGO CITY COMMISSION AGENDA
Monday, August 1, 2016 - 5:00 P.M.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.cityoffargo.com/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m.; and are also included in our video archive at www.cityoffargo.com/commission

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, July 18, 2016).

CONSENT AGENDA – APPROVE THE FOLLOWING:

1. 2nd Reading, waive reading and final adoption of the following Ordinances; 1st Reading 7/18/16:
 - a. Rezoning Certain Parcels of Land Lying in Edition Addition.
 - b. Rezoning Certain Parcels of Land Lying in Bison Village Addition.
 - c. Rezoning Certain Parcels of Land Lying in Keeney and Devitts 2nd Addition.
2. Waive requirement to receive and file the Ordinances one week prior to 1st reading and 1st reading of the following Ordinances:
 - a. Amending Article 21.1-01 of Chapter 21.1 of the Fargo Municipal Code Relating to The International Residential Code.
 - b. Amending Article 21.2-01 of Chapter 21.2 of the Fargo Municipal Code Relating to The International Existing Building Code.
 - c. Amending Article 21-01 of Chapter 21 of the Fargo Municipal Code Relating to The International Building Code.
 - d. Amending Article 30.1-01 of Chapter 30.1 of the Fargo Municipal Code Relating to The International Fuel Gas Code.
 - e. Amending Article 31-01 of Chapter 31 of the Fargo Municipal Code Relating to The International Property Maintenance Code.
 - f. Amending Sections 9-0701 and 9-0704 of Article 9-07 of Chapter 9 of the Fargo Municipal Code relating to Fire Protection and Prevention.
 - g. Amending Section 30-0106 of Article 30-01 of Chapter 30 of the Fargo Municipal Code relating to the International Mechanical Code.
 - h. Enacting Chapter 21.3 of the Fargo Municipal Code relating to the International Energy Conservation Code.
3. Receive and file the following Ordinances:
 - a. Amending Section 25-1506 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to License Classifications.
 - b. Amending Section 25-1508 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Issuance and Transfer of Licenses.
 - c. Amending Section 25-1509 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages.

4. Recommendation from the PEC to reclassify a vacant Police Officer Position (Grade 12) to a Police Sergeant position (Grade 15) effective immediately.
5. Applications for Games of Chance:
 - a. Fargo Angels Hockey Club for a raffle on 12/3/16.
 - b. Holy Spirit Catholic Church for bingo, a raffle and a calendar raffle from 10/1/16 to 10/31/16.
 - c. CHI Riverview for a raffle on 10/9/16.
6. Pledged securities as of June 30, 2016.
7. Change Orders for the Fire Headquarters Remodel Project:
 - a. No. G-4 for an increase of \$26,946.32.
 - b. No. E-1 for an increase of \$10,503.00.
 - c. No. M-1 for an increase of \$25,975.00.
8. Appointment of Todd Miller as a City Prosecutor.
9. Resolution Authorizing Sale of Property located at 2125 7th Avenue North.
10. Resolution Approving Plat of Timber Creek Sixth Addition.
11. Resolution of Annexation of 96.2 acres of land in portions of Sections 12 and 13, T138N, R49W and a portion of Section 7, T138N, R48W.
12. Final payment to Foss Architecture & Interiors in the amount of \$6,800.00 for the Traffic Engineering Maintenance Building Study (Project No. MS-16-G0).
13. Encroachment Agreement with Gasper's School of Dance and Performing Arts Inc. at 524 7th Street North.
14. Bid advertisement for Project No. PR-16-E.
15. Grant contract with the North Dakota Department of Commerce to support operational expenses at the Gladys Ray Shelter in the amount of \$30,700.00 (CFDA No. 14.231).
16. Grant contract amendment with the North Dakota Department of Commerce to support operational expenses at the Gladys Ray Shelter in the amount of \$5,000.00 (CFDA No. 14.231).
17. Notice of Grant Award Agreement with the North Dakota Department of Health for Water Pollution – EPA Block for the water pollution program in southeastern North Dakota (CFDA No. 66.605).
18. Notice of Grant Award Amendment with the North Dakota Department of Health for Public Health Preparedness and Response, All Hazards (CFDA No. 93.069).
19. Amended Contract with Cass County Social Services for in home services.
20. School Contracts with Central Cass School District, Kindred Public School District and Northern Cass School for nursing services for the 2016-2017 school year.
21. Purchase of one 16-foot ground mower from Turfworks in the amount of \$90,650.00.

22. Contracts and bonds for Project Nos. TN-16-G1 and TP-16-A1.
23. Bills.
24. Change Order No. 1 for an increase of \$20,180.00 for Improvement District No. PR-14-01.
25. Contract Amendment No. 2 with Apex Engineering in the amount of \$92,653.00 for Improvement District No. PR-17-A0.
26. Bid Award for Improvement District Nos. PN-15-J1 and PR-16-F1.
27. Create Improvement District No. BN-16-C.
28. Contract and bond for Improvement District No. BN-16-G1.

REGULAR AGENDA:

29. Presentation of the 2016 Leading Fleets Award plaque to Central Garage and MTG Staff.
30. State Water Commission Requests for Cost Reimbursement for FM Diversion Flood Project Costs:
 - a. Costs totaling \$3,681,747.00.
 - b. Costs totaling \$6,900,000.00.
31. Request to execute loan agreements with Wells Fargo to provide short term financing for the FM Diversion and intergovernmental agreement with Cass County.
32. Request to change the Gaming Guidelines (tabled at the last regular meeting until 8/1/16).
33. Public Hearings - 5:15 p.m.:
 - a. Application filed by Aldevron for a payment in lieu of tax exemption (PILOT) for a project in a portion of the building located at 4044 40th Avenue South which the applicant will use in the operation of research, development and manufacturing of plasmid DNA and protein GMP products for research and clinical applications.
 - b. Application filed by The Jim LLC d/b/a The Jim Craft Beer Lounge for a Class "C-1" Alcoholic Beverage License at 614 Main Avenue; Continued from the 6/20/16 Regular Meeting.
 - c. Transfer of a Class "AB" Alcoholic Beverage License from Playmaker's, Inc. d/b/a Avalon Event Center West to License Holdings LLC d/b/a Pickled Parrot at 503 3rd Avenue North.
 - d. Special assessments for maintenance of the Skyway System.
 - e. Special assessment of nuisance abatement fees.
 - f. Special assessments of sewer repairs.
 - g. Zoning Change from LC, Limited Commercial to GC, General Commercial with a C-O, Conditional Overlay on Lot 9, Block 1, Osgood Townsite Eleventh Addition and Lot 2, Block 2, Osgood Townsite Twelfth Addition; 1st reading of rezoning Ordinance (4800 and 4850 46th Street South).

- h. Commemorative Addition (2701 64th Avenue South and 6313 27th Street South); approval recommended by the Planning Commission on 7/5/16.
 - 1. Zoning Change from AG, Agricultural to SR-2, Single-Dwelling Residential.
 - 2. 1st reading of rezoning Ordinance.
 - 3. Plat of Commemorative Addition.
 - i. Zoning Change from SR-4, Single-Dwelling Residential to MR-3, Multi-Dwelling Residential on Lot 1, Block 8, Valley View Addition; 1st reading of rezoning Ordinance (3900 51st Street South).
 - j. Zoning Change from SR-4, Single-Dwelling Residential to MR-3, Multi-Dwelling Residential on Lot 1, Block 7, Valley View Addition; 1st reading of rezoning Ordinance (3900 54th Street South).
 - k. Appeal of a Board of Adjustment decision on a variance request at 1524 8th Street South to allow a proposed detached garage to encroach 2-feet into the required interior-side setback; denied by the Board of Adjustment on 6/30/16.
34. Application for abatement or refund of taxes #4455 made by Robert Hill Law, Ltd. representing Store Master Funding VI, LLC at 2121 43rd Street South requesting the valuation for 2015 be reduced from \$7,364,500.00 to \$5,638,050.00; denial recommended by the Assessment Department.
35. Application for abatement or refund of taxes #4450 made by Robert Hill Law, Ltd. representing the Goodin Company at 1251 46th Street North requesting the valuation for 2015 be reduced from \$4,643,200.00 to \$2,005,600.00; denial recommended by the Assessment Department.
36. Application for abatement or refund of taxes #4452 made by Robert Hill Law, Ltd. representing SuperValu Stores, Inc. 3501 12th Avenue North requesting the valuation for 2015 be reduced from \$18,108,500.00 to \$12,158,800.00; denial recommended by the Assessment Department.
37. Application for abatement or refund of taxes #4443 and #4453 made by Robert Hill Law, Ltd. representing Shoppes at Osgood/SuperValu at 4151 45th Street South requesting the valuation for 2014 be reduced from \$6,057,000.00 to \$3,306,650.00 and the valuation for 2016 be reduced from \$6,662,700.00 to \$3,306,650.00; denial recommended by the Assessment Department.
38. Recommendation for the 2016 Public Art Program.
39. Discussion regarding Opioid Crisis: Public Health and Human Services.
 - a. Comments from Commissioner John Strand.
 - b. Fargo Cass Public Health's Role:
 - 1. Ruth Roman, Director of Public Health.
 - 2. Dr. John Baird, Health Officer.
 - c. Comments from Nikki Anderson, Family Advocate.
40. Election Taskforce Update.
41. Construction Projects Update.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 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 web site at www.cityoffargo.com/commission