

FARGO CITY COMMISSION AGENDA
Tuesday, January 3, 2017 - 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, December 19, 2016).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file Ordinance Amending Ordinance No. 5066 Pertaining to Zoning of Brandt Crossing Tenth Addition.
- 2. Purchase of Service Agreement with the ND Department of Health in the amount of \$17,000.00 for tuberculosis screening activities (CFDA No. 93.116).
- 3. Contract Amendment with the ND Department of Health for the immunization program (CFDA Nos. 93.268 and 93.539).
- 4. Grant Award from the ND Department of Health for the workplace breastfeeding support project in the amount of \$5,000.00.
- 5. Agreement for Provision of City Readiness Initiative Grant Activities in Clay County for Clay County Public Health Department to share resources in the event of a public health emergency.
- 6. Recommendation from the PEC to classify the new Accounting Analyst position at the FARGODOME to a Grade 10 effective immediately.
- 7. Resolution Authorizing Officers to Make Deposits and Withdrawals and approval of designated depositories.
- 8. Taxicab License for Ash Town Taxi.
- 9. Designation of the Rape and Abuse Crisis Center as a pass-through grant recipient of the grant award from the Byrne Justice Assistance Grant Program in the amount of \$9,750.00 for FY 2017.
- 10. Applications for Games of Chance:
 - a. El Zagal Shrine Arab Patrol for a raffle on 3/3/17.
 - b. Muskies Inc. F-M Chapter for a raffle on 2/9/17.
- 11. Applications for property tax exemptions for improvements made to buildings:
 - a. Linda G. Fiocchi Trust, 3134 23rd Street South (3 Year).

- b. Thomas M. and Keri L. Desutter, 2220 25th Avenue South (3 Year).
 - c. Milan D. and Elsie A. Knutson, 3202 Peterson Parkway North (3 Year).
 - d. Todd A. and Janna M. Manthei, 1448 23rd Street South (3 Year).
 - e. Andrea Bullinger, 1133 7th Street North (5 Year).
 - f. Sandra F. Clinton, 1613 8th Avenue South (5 Year).
 - g. Jared L. Ladbury and Janelle L. Stahl-Ladbury, 2402 9th Street North (5 Year).
 - h. Mei X. and Jessica A. Unruh, 1409 12th Street North (5 Year).
 - i. Jessica A. Ziegler, 1734 14 ½ Street South (5 Year).
 - j. Kimberly M. and Kenneth Anderson, 1421 7th Street South (5 Year).
 - k. Carmen E. Benson, 1720 23rd Street South (5 Year).
 - l. Michele K. Ehlebracht, 1429 5th Avenue South (5 Year).
 - m. Diane R. Heagle, 912 9th Avenue South, Unit 1 (5 Year).
 - n. Todd and Lindsay B. Peterson, 66 Meadowlark Lane North (5 Year).
 - o. Stephanie M. Rasmussen, 109 15th Avenue North (5 Year).
 - p. Shawnden J. Martin and Rachel E. Wade, 1744 23rd Street South (5 Year).
12. Budget amendment in the amount of \$242,405.00 from the general parking fund to the parking capital fund for the Roberts Commons parking facility.
 13. Change Order No. 1 to extend the substantial completion date from 12/21/16 to 2/20/17 for The Fargo Project-Water Features.
 14. Pilot Filter Agreement with Moorhead Public Service for the joint purchase of a pilot filter skid.
 15. Change Order No. 7 for an increase of \$143,494.72 for the general construction contract for Project No. WA1301.
 16. Change Order No. 4 for an increase of \$7,631.50 for Project No. WW1402-9.
 17. Change Order No. 4 for an increase of \$71,493.14 for Project No. WW1403.
 18. Plan of Finance for the implementation of the single stream recycling program.
 19. Change Orders for the City Hall Project:
 - a. No. 2 for an increase of \$3,260.00 for general construction contract.
 - b. No. 3 for an increase of \$26,160.00 for general construction contract.
 - c. No. 1 for an increase of \$13,222.00 for mechanical construction contract.
 - d. No. 2 for a decrease of \$4,100.00 for mechanical construction contract.
 20. Memorandum of Offer to Landowner for permanent and temporary easement from Brenda Elmen Ordal, Et al. (Project No. PR-17-A0).
 21. Memorandum of Offer to Landowner for temporary easement from IdeaOne Telecom, Inc. (Project No. PR-17-A0).
 22. Contract Award for consulting services to AE2S in the amount of \$77,500.00 for the Storm Water Utility Fee Schedule Study (Project No. MS-15-P0).
 23. License Agreement with Midcontinent Communications and direct staff to prepare an Alley Vacation Plat for the East West Alley between 1st and 2nd Avenue North-Broadway and Roberts.

24. Encroachment Agreement with 701 Collective, LLC at 701 University Drive North.
25. Bills.
26. Deny the following requests submitted by Robert Gibb and Sons, Inc.:
 - a. Change Order for an increase of \$39,353.07 and contract time extension for Improvement District No. UR-16-A1.
 - b. Contract time extensions for Improvement District Nos. BR-16-E1 and BR-16-A1.
27. Change Order No. 1 for a contract time extension to 11/28/16 for Improvement District No. PR-16-F1.
28. Create Improvement District No. PR-17-A.

REGULAR AGENDA:

29. Commissioners Strand and Piepkorn wish to reconsider the motion made at the 11/7/16 meeting to approve the recommended alignment for the proposed levee/floodwall and associated infrastructure and authorization to pursue construction of the project and acquisition of necessary property rights using means that may include eminent domain for Project No. FM-15-J2.
 - a. Discussion on how to best notify constituents who may be affected by items on the agenda other than the publication of the agenda on line and in The Forum.
30. Public Hearings - 5:15 pm:
 - a. Application filed by Midcontinent Communications for a property tax exemption for property located at 4624 28th Avenue South, which the applicant will use in the operation of hosting, data storage, network monitoring and data center services to business customers; continued from the 12/19/16 Regular Meeting.
 - b. Transfer of a Class "ABH" Alcoholic Beverage License from BDH Hotel Ventures, LLC d/b/a Radisson to 201 Hospitality LLP d/b/a Radisson-Fargo at 201 5th Street North.
 - c. Application filed by JL Beers, Inc. d/b/a JL Beers for a Class "FA-RZ-M" Alcoholic Beverage License at 518 1st Avenue North.
 - d. Application filed by Vinyl Taco, Inc. d/b/a Vinyl Taco for a Class "FA-RZ-M" Alcoholic Beverage License at 520 1st Avenue North.
 - e. Application filed by Izumi Sushi and Hibachi All You Can Eat, Inc. d/b/a Izumi Sushi and Hibachi Buffet for a Class "F" Alcoholic Beverage License at 5050 13th Avenue South, Suite 5.
 - f. Renaissance Zone Project for North 500 Block LLC for a rehabilitation project located at 508 1/2 Broadway North.
 - g. Calico Prairie Addition (4462 30th Avenue South); approval recommended by the Planning Commission on 12/6/16:
 1. Zoning change from LC, Limited Commercial to MR-3, Multi-Dwelling Residential.
 2. 1st reading of rezoning Ordinance.
 3. Growth Plan Amendment.

- h. Hogan's Addition (501 and 507 15th Avenue North, and 1510 5th Street North); approval recommended by the Planning Commission on 12/6/16.
 - 1. Zoning Change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential.
 - 2. 1st reading of rezoning Ordinance.
 - i. Text Amendment to amend Sections within Chapter 20 of the Fargo Municipal Code (Land Development Code) relating to Telecommunication Facilities.
 - 1. 1st reading of Ordinance.
- 31. 1st reading of Ordinance Enacting Article 24-04 of Chapter 24 of the Fargo Municipal Code Relating to Wireless Telecommunication Facilities in the Public Right of Way.
 - 32. Request for a waiver from the River Setback Ordinance submitted by Diamond Rock Properties for property at 508 Oak Street North.
 - 33. Resolution Authorizing the Issuance of Annual Appropriation Bonds, Taxable Series 2017A for the video and signage upgrade project at the FARGODOME.
 - 34. Consider submission by Cass County Emergency Management for the following grant applications:
 - a. Program to Prepare Communities for Complex Coordinated Terrorist Attacks (CCTA) Program.
 - b. Preparing Communities for a Complex Coordinated Attack Integrated Emergency Management Course (IEMC).
 - 35. Update on Parking and the Roberts Commons Ramp Artwork.
 - 36. Appointments to the Metropolitan Council of Governments Policy Board.

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