

FARGO CITY COMMISSION AGENDA  
Monday, September 10, 2018 - 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, August 27, 2018).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of the following Ordinances:
  - a. Amending Section 35-0102, of Article 35-01 of Chapter 35 of the Fargo Municipal Code Relating to the Sale of Tobacco Products.
  - b. Amending Section 35-0201, of Article 35-02 of Chapter 35 of the Fargo Municipal Code Relating to the Sale of Tobacco Products.
- 2. 2nd reading and final adoption of the following Ordinances; 1st reading 8/27/18:
  - a. Rezoning Certain Parcels of Land Lying in Champions Gate at Prairie Farms Addition.
  - b. Amending Section 25-1513, of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
  - c. Amending Section 01-0305, of Article 01-03 of Chapter 01 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
- 3. Applications for Games of Chance:
  - a. Lend-a-Hand Up for a raffle on 9/23/18; Public Spirited Resolution.
  - b. Bobbi Jo Garcia Benefit for a raffle and raffle board on 9/30/18; Public Spirited Resolution.
- 4. Application filed by Coneflower Farmhouse LLC for a five-year tax exemption for improvements made to a building at 13 8th Street South.
- 5. Amendment to Purchase of Service Agreement with the ND Department of Human Services, Behavioral Health Division for substance abuse prevention.
- 6. Proposed 2019 Public Safety Compensation Study.
- 7. Set September 24, 2018 at 5:15 p.m. as the date and time for a hearing on a dangerous building at 1101 7th Street North.

8. Grant Agreement with the ND Department of Corrections and Rehabilitation and the ND Association of Counties (CFDA #16.540) for federal grant funds from the Office of Juvenile Justice and Delinquency Prevention.
9. Amendment to the Bank of North Dakota application for a loan under the Infrastructure Revolving Loan Fund Program.
10. Revision to the 2018 CIP and select Mid American Signal as the vendor for Project No. TR-18-A1.
11. Change Order No. 2 for an increase of \$1,373.35 for Project No. FM-15-K1.
12. Amendment No. 3 with SRF Consulting Group for an increase of \$37,440.19 for Project No. QN-17-A1.
13. Designated Bus Stop Policy.
14. RFP to replace or rehabilitate transit bus shelters, pending approval by the State of ND Transit Division.
15. Transfer of City Paratransit Unit Nos. 1189 and 1217 to Handi-Wheels Transportation, Inc. effective immediately.
16. Declaration of Easement (Utility) and utility permit at 64th Avenue South and I-29.
17. Contracts and bonds for Project Nos. HD-18-A1 and SN-18-C2.
18. Bills.
19. Change Order No. 7 for a time extension to 9/14/18 for Improvement District No. BN-17-B1.
20. Utility relocation and authorize payment to Midco in the amount of \$9,500.00 for Improvement District No. DN-18-A1.
21. Task Order Amendment No. 2 with Apex Engineering for an increase of \$3,774.00 for Improvement District No. NN-17-A0.
22. Change Order No. 4 for an increase of \$75,736.60 for Improvement District No. BR-17-F1.
23. Bid award for Improvement District No. DN-18-A1.
24. Create Improvement District No. UN-18-C.
25. Contract and bond for Improvement District No. BN-18-F2.

**REGULAR AGENDA:**

26. Commissioner Gehrig would like to discuss Public Meetings held in the City Commission Chambers.
  - a. Draft Policy relating to meetings held in the City Commission Chambers.
27. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
  - a. Costs totaling \$125,211.00

- b. Costs totaling \$268,273.00
28. Public Hearings - 5:15 pm:
- a. Zoning Change from AG, Agricultural to P/I, Public and Institutional on a portion of the South Half of Section 19, Township 140 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota and Lot 1, Block 2, Royal Oaks Addition (3400 and 3500 North Broadway and 610 37th Avenue North); approval recommended by the Planning Commission on 8/7/18:
    - 1. 1st reading of rezoning Ordinance.
  - b. CONTINUE to 10/8/18 - Application filed by Enclave Development LLC for a payment in lieu of tax exemption (PILOT) for a project located at 312 11th Street North, which the applicant will use in the operation of 60-75 housing units and amenity space; continued from the 8/27/18 Regular Meeting.
  - c. Application filed by Dakota Beach Capital LLC for a payment in lieu of tax exemption (PILOT) for a project located at 914 and 918 15th Street North which the applicant will use in the operation of the development, management and leasing of a 16-unit apartment near the NDSU campus.
29. Receive and file the following Ordinances:
- a. Amending Section 8-1425, of Article 8-14 of Chapter 8 of the Fargo Municipal Code Relating to Bicycles.
  - b. Amending Section 01-0305, of Article 01-03 of Chapter 01 of the Fargo Municipal Code Relating to General Provisions.
  - c. Enacting Article 3-23 of Chapter 3 of the Fargo Municipal Code Relating to Collection of Utilities and Services.
30. Communication from City Attorney Erik Johnson regarding the Dangerous Building Proceedings at 427 15th Avenue South.
31. Public Hearing - 6:00 p.m.:
- a. Public comment on the 2018, payable 2019, tax levy and the 2019 preliminary budget.
    - 1. Adopt the 2019 City of Fargo budget and proposed tax levies.

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).