

FARGO CITY COMMISSION AGENDA
Monday, July 27, 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, July 13, 2020).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of the following Ordinances; 1st reading, 7/13/20:
 - a. Relating to Child Care Centers.
 - b. Rezoning Certain Parcels of Land Lying in Truesdell's Addition.
 - c. Rezoning Certain Parcels of Land Lying in Craigs Oak Grove Second Addition.
- 2. Findings of Fact and Order, and Notice for property at 717 3rd Avenue North.
- 3. Site Authorization for Metro Sports Foundation at Brewtus Clubhouse.
- 4. Applications for Games of Chance:
 - a. Haiti Eye Mission for a raffle on 10/30/20.
 - b. FM Walleyes Unlimited, Inc. for a raffle on 12/3/20.
 - c. Holy Spirit Catholic Church for bingo, raffle and calendar raffle from 9/7/20 to 10/11/20.
 - d. YMCA of Cass and Clay Counties for a raffle on 8/4/20.
 - e. Nativity Knights of Columbus for a raffle on 10/3/20.
 - f. St. John Paul II Catholic Schools for a raffle from 9/1/20 to 4/24/21.
- 5. Pledged securities as of 6/30/20.
- 6. Receive and file General Fund-Budget to Actual through June 2020 (unaudited).
- 7. Use of on-street parking stalls as outdoor dining areas in the Central Business District and the associated Agreement with the Downtown Community Partnership.
- 8. Right of Way Use Agreement with Great Plains Kesler South Holdings, LLC and Great Plains Kesler North Holdings, LLC.
- 9. Bid advertisement for Project Nos. FM-16-A and HD-19-A.
- 10. Change Order No. 2 for an increase of \$56,000.00 and time extension to 8/15/20 for Project No. FM-14-13.
- 11. Change Order No. 1 for an increase of \$115,290.00 for Project No. SR-20-A1.

12. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
 - a. Costs totaling \$1,650,055.35.
 - b. Costs totaling \$15,060.94.
13. Mutual Aid Agreement - Memorandum of Understanding with City of West Fargo, ND Fire Department.
14. Community Faculty Contract (Hospital/Clinic with Single Contract) with the University of North Dakota School of Medicine and Health Sciences for medical school student training in the clinic.
15. Financial Award from the ND Department of Commerce/DCS for the ND Homeless Grant.
16. Notice of Grant Award with the ND Department of Health for Water Pollution-EPA Block (CFDA #66.605).
17. Agreement for Services with Center Point Tactical LLC.
18. Agreement for Services with Megan Nies.
19. Bid award for conduit/fiber placement project (RFV20122).
20. Bid awards for Library materials (RFP20115).
21. Resolution approving Plat of Epic Gateway Addition.
22. Resolution Approving Written Agreement for the HomeField 3 Activity Home Investment Partnership Program Funds and Owner Agreement with HomeField 3, LLLP for new construction at 4225 28th Avenue South (HOME Grant Funds).
23. Interlocal Agreement with Cass County to provide \$49,274.00 in Edward Byrne Memorial Justice Assistance Grant (JAG) funds (CFDA #16.738).
24. Direct the City Attorney to work with the Police Department to draft an amendment to the City Ordinance pertaining to hotel registries.
25. Direct the City Attorney to work with the Police Department to draft a City Ordinance related to fighting.
26. Bid award for the purchase of three loader mounted v-plows.
27. Extension of fare free transit services (fixed route and paratransit) through 12/31/20.
28. Change Orders for the Ground Transportation Center Remodel Project:
 - a. No. 1 for an increase of \$13,850.46 for the electrical contract.
 - b. No. 2 for an increase of \$933.55 for the mechanical contract.
 - c. No. 2 for an increase of \$187,843.71 for the general contract.
29. Purchase and Installation of a Geonet Geocomposite Layer System with Northwest Linings and Geotextile Products in the amount of \$35,944.00 in conjunction with Project No. SW19-01 Cell 19.
30. Change Order No. 1 for an increase of \$22,584.65 for Project No. WW1904.

31. Change Order No. 3 for an increase of \$21,886.27 for Project No. WA1951.
32. Task Order No. 10 with Apex Engineering in the amount of \$324,820.00 for Project No. WA2055.
33. Task Order No. 33 with AE2S in the amount of \$309,600.00 for the design and bidding of a pumping and metering system for regional water service.
34. Bid advertisements for Project Nos. WA1860 and WA1863.
35. Bid award for Water Treatment Plant chemicals for the remainder of 2020 (AFB20127).
36. Contracts and bonds for Project Nos. PR-20-B1 and SL-20-A1.
37. Bills.
38. Contract Amendment No. 6 in the amount of \$87,416.00 for Improvement District No. PN-19-A0.
39. Negative Final Balancing Change Order No. 6 in the amount of -\$9,232.78 for Improvement District No. BN-19-J1.
40. Bid award for Improvement District No. AN-20-B1.
41. Create Improvement District No. FM-20-C.

REGULAR AGENDA:

42. COVID-19 Update.
43. Recommendation to appoint Deputy Chief Ross Renner Interim Police Chief.
44. Public Hearings - 5:15 pm:
 - a. CONTINUE to 8/10/20 - 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.
 - b. Consider an appeal of the Liquor Control Boards 5/20/20 findings of a violation of Fargo Municipal Code 25-1512 (F) by Monte's Downtown, LLC d/b/a Twist.
 - c. Consider an appeal of the Liquor Control Boards 5/20/20 findings of a violation of Fargo Municipal Code 25-1512 (F) by Northstar Hospitality, LLC d/b/a SouthTown PourHouse.
 - d. Boulger First Addition (113 and 123 10th Street South; 1013, 1015 and 1019 2nd Avenue South); approval recommended by the Planning Commission on 6/2/20:
 1. Zoning Change from MR-3, Multi-Dwelling Residential and GC, General Commercial to GC, General Commercial.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Boulger First Addition.

- e. Edition Third Addition (4803 and 4809 38th Street South); approval recommended by the Planning Commission on 6/2/20:
 - 1. Zoning Change from MR-3. Multi-Dwelling Residential to LC, Limited Commercial.
 - 2. 1st reading of rezoning Ordinance.
 - 3. Plat of Edition Third Addition.

- 45. Request for Tax Increment Financing (TIF) for a project to be located southeast of 6th Avenue North and Oak Street.

- 46. CONTINUE to 8/10/20 - 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.

- 47. Applications for property tax exemptions for improvements made to buildings:
 - a. Brickstone Plaza LLP, 2102 12th Street North (3 year).
 - b. Ole Rommesmo, 4401 Main Avenue (5 year).
 - c. 701 Brew, 701 North University (5 year).
 - d. John and Randa Meyer, 1010 18th Avenue South (5 year).
 - e. Ronald and Alice Mastrud, 66 18th Avenue North (5 year).
 - f. Charles Mielke Sr., 1420 18th Street South (5 year).
 - g. Daniel Wahl, 1544 3rd Avenue South (5 year).
 - h. Bruce and Jolene Karvold, 1730 14th Street South (5 year).

- 48. Discussion regarding COVID-19 Mask Policy recommendations:
 - a. OPTION A - All encompassing:
 - 1. City mandate requiring masks by all people (within reason) in any public setting.
 - b. OPTION B - Targeted Mask Policies:
 - 1. City Employee, public facility mask mandate.
 - 2. City/law enforcement support for businesses that establish mask requirements including legal abilities to trespass when needed.
 - 3. Mask requirements for MAT riders and drivers, etc.

- 49. Recommendations from the Human Relations Commission.

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.