

FARGO CITY COMMISSION AGENDA
Monday, August 22, 2022 - 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 8, 2022).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Letter of Support for the 6 Broadway, LLC Project.
- 2. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of the following Ordinances:
 - a. Relating to Noise Control and Interference.
 - b. Relating to Use and Care of Streets and Sidewalks.
- 3. Settlement Agreement - Tax Increment Financing District No. 2019-02 with Roers Development, Inc. and NC Land Lease, LLC.
- 4. 2nd reading and final adoption of the following Ordinances; 1st reading, 8/8/22:
 - a. Rezoning Certain Parcels of Land Lying in Urban Plains by Brandt Sixth Addition.
 - b. Rezoning Certain Parcels of Land Lying in Valley View Addition.
- 5. Amended Gaming Site Authorization for VFW Post 762 at VFW Club.
- 6. Applications for Games of Chance:
 - a. Fargo South High School for a calendar raffle from 9/1/22 through 2/23/23.
 - b. First Choice Clinic (d/b/a W Care Center) for bingo on 9/22/22.
 - c. Vocational Training Center for a raffle on 9/30/22; Public Spirited Resolution.
 - d. North Dakota Autism Center for a raffle on 9/20/22.
 - e. Impact Foundation for a raffle on 10/15/22.
- 7. Receive and file General Fund – Budget to Actual through July 2022 (unaudited).
- 8. 2023 City Commission meeting dates.
- 9. Contracts and bonds for Project Nos. HD-22-A1 and UR-22-B1.
- 10. Change Order No. 1 in the amount of \$10,307.12 and time extension to the substantial and final completion dates to 8/19/22 and 9/2/22 for Project No. NR-20-A3.
- 11. ND Department of Transportation Cost Participation and Maintenance Agreement.
- 12. Land Use Agreement with Maple Valley Shops, LLC.

13. Bid award for Project No. SR-22-C1.
14. Bid advertisement for Project No. FM-21-A.
15. Amendment to Agreement for Temporary Use of Space with FirstLink.
16. Resolution Authorizing the Issuance and Delivery of Allonge and Amendment to Loan Agreement (Sales Tax Revenue Bonds, Series 2008B).
17. State Water Commission request for cost reimbursement for the Fargo-Moorhead Metropolitan Area Flood Risk Management in the amount of \$3,555,737.95.
18. Purchase of Services Agreement with Cass County Human Service Zone.
19. Notice of Grant Award from the ND Department of Health for Community Grant Program (CFDA #93.991).
20. Amendment to the Notice of Grant Award from the ND Department of Health and Human Services for Childhood Obesity Prevention (CFDA #93.994).
21. Contract Agreement for Services with New Life Center.
22. Addendum to the mowing of tall grass and weeds – code enforcement contract with Valley Green and Associates (RFP22049).
23. Annual Massage Therapy Establishment Fee of \$100.00 to cover the remainder of 2022 and all of 2023, and the annual fee to be assessed again on 1/1/24.
24. Engagement of Baker Tilly to conduct the executive search for the City Administrator position.
25. Set September 6, 2022 at 5:15 p.m. as the date and time for a hearing on a dangerous building at 2315 2nd Avenue South.
26. Resolution Approving Plat of Valley View Estates Third Addition.
27. Application for Project Safe Neighborhoods Grant Funds Request.
28. Memorandum of Understanding with the ND Soybean Processors, LLC and Cass Rural Water Users District.
29. Bills.
30. Final reimbursements to Southeast Cass Water Resource District in the amount of \$247,425.82 and Madelyn Meadow Developer in the amount of \$18,585.46 for Improvement District No. FM-20-C1.
31. Amended Engineer's Report for Improvement District No. BN-22-C.
32. Bid award for the following Improvement Districts:
 - a. No. BN-22-N1.
 - b. No. PN-22-M1.

REGULAR AGENDA:

33. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at FargoND.gov/VirtualCommission).**
34. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. Hearing on a dangerous building located at 437 23rd Street South.
 - b. Simonson Companies Second Addition (5237 38th Street South and 3825, 3863 and 3901 53rd Avenue South); approval recommended by the Planning Commission on 8/2/22:
 1. Zoning Change to repeal and re-establish a C-O, Conditional Overlay in the LC, Limited Commercial zoning district.
 2. 1st reading of rezoning Ordinance.
 - c. West Acres Seventh Addition (1882 39th Street South); approval recommended by the Planning Commission on 8/2/22:
 1. Zoning Change from GC, General Commercial to MR-3, Multi-Dwelling Residential.
 2. 1st reading of rezoning Ordinance.
 - d. CONTINUE TO 9/6/22 - Application filed by Roosevelt Family Lofts, LLC for a property tax exemption for a project to be located at 711 10th Avenue North which the applicant will use for market rate multi-family housing and property management services.
35. Construction Update.
36. Recommendation to approve Amendment No. 4 with Apex Engineering to add the westbound to northbound right turn lane at 25th Street South for the 32nd Avenue South Reconstruction Project (Improvement District No. BR-22-A1).
37. Recommendation for appointment to the Economic Development Incentives Committee.
38. Liaison Commissioner Assignment Updates.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 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.