

FARGO CITY COMMISSION AGENDA
Tuesday, December 27, 2022 - 5:00 p.m.

Executive Session at 4:00 p.m.

Roll Call.

PLEASE NOTE: The City Commission will convene at 4:00 p.m. and retire into Executive Session in the Red River Room for the purpose of attorney consultation regarding the pending litigation Romantix Inc. v. City of Fargo and Nicole Crutchfield, as well as reasonably predictable and threatened litigation regarding the property located at 924 5th Street South and Citizens for a Clean Environment, LLC, and to receive its attorneys' advice and guidance on the legal risks, strengths, and weaknesses of an action of a public entity, which, to discuss these matters in open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City. Thus, an Executive Session for these matters is authorized pursuant to North Dakota Century Code 44-04-19.1 subsections 2, 5 and 9.

Regular Meeting at 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, December 12, 2022; Special Meeting, December 21, 2022).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of an Ordinance Relating to Definitions, License-Qualifications, Licensed Premises-Requirements for, and Licenses-Termination, Suspension, Revocation, and Sanctions; 1st reading, 12/12/22.
- 2. Resolutions Relating to the Qualification of Members of the Board of Health.
- 3. Amendment to the Findings of Fact, Conclusions and Order for property located at 812 7th Street North.
- 4. City of Fargo Resolution Authorizing Officers to Make Deposits and Withdrawals.
- 5. Applications for Games of Chance:
 - a. St. John Paul II Catholic Schools for a raffle and raffle board on 2/3/23.
 - b. Centennial Elementary PTO for bingo on 1/27/23.
- 6. 2023 Legislative Priorities.

7. Release of Permanent Easement with Montplaisir Ag and Rental, LLP and Laverne A. Montplaisir Family Trust.
8. Satisfaction of Agreement for Document No. 1151314.
9. Access Easement (Storm Sewer, Sanitary Sewer and Water Main) with Southeast Cass Water Resource District.
10. Master Service Agreements for Consulting Engineering Services as presented for Project No. MS-23-A0 (RFP23005).
11. Exercising the option to piggyback on the Minnesota State Contract to purchase a riding sweeper/scrubber from Tennant Sales & Service Company (PBC22-186080).
12. Notice of Grant Award Amendment with the ND Department of Health and Human Services for the Ryan White Part B Program (CFDA #93.917).
13. Notice of Grant Award Amendment with the ND Department of Health and Human Services for COVID-19 Preventative Services Recovery (CFDA #93.391).
14. Agreement for Services with Great Outcomes Consulting, LLC.
15. Agreement for Services with Metro Plains Management.
16. Request for out-of-grade pay for Lieutenant Bill Ahlfeldt effective 1/2/23-3/19/23.
17. Agreement for Property Demolition with Pioneer LLC at 924 5th Street South (RFP22112).
18. Amendment No. 1 of Subrecipient Agreement with Churches United for the Homeless.
19. Notice of Grant Award from the ND Department of Emergency Services Division of Homeland Security for a FY2022 State Homeland Security Grant (CFDA #97.067).
20. Service Contract Agreement with Liberty Business Systems, Inc. (PBC23-131).
21. Receive and file the November 2022 Traffic Enforcement Efforts.
22. Purchase of a digital whiteboard for the Criminal Investigations Division using federal seized assets in the amount of \$3,546.76.
23. Awarding of RFP23006 for winter pruning contract.
24. Bid awards for Project No. WA2158.
25. Task Order No. 22 with AE2S in the amount of \$399,300.00 for Project No. WA2152.
26. Bills.
27. Contract Amendment No. 7 with Houston Engineering in the amount of \$47,500.00 for Improvement District No. MS-17-A0.
28. Negative Final Balancing Change Order No. 4 in the amount of -\$355,221.95 for Improvement District No. PN-22-A1.
29. Contracts and bonds for Improvement District Nos. BN-23-A and BR-23-C1.

REGULAR AGENDA:

30. **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).**
31. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. CONTINUE TO 1/23/23 - Application for a Class "CWM" Alcoholic Beverage License for ZaChase LLC d/b/a Crafty Taps to be located at 3902 13th Avenue South.
 - b. Application for a Class "GH" Alcoholic Beverage License for LYH LLC d/b/a Little Brother to be located at 117 Broadway North.
 - c. Application for a Class "I" Alcoholic Beverage License for KSB Syndicate, Inc. d/b/a Mangata Wine and Raw Bar to be located at 1666 1st Avenue North.
 - d. Application to transfer a Class "N" Alcoholic Beverage License from Concessions Management, LLC d/b/a Concessions Management to Fargo Force Hockey Club LLC d/b/a Fargo Force to be located at 5225 31st Avenue South.
 - e. Application to transfer a Class "ABH" Alcoholic Beverage License from 3803 Hospitality, LLC d/b/a Holiday Inn Fargo to 3803 Spirits LLC d/b/a Holiday Inn Fargo to be located at 3803 13th Avenue South (ownership change).
 - f. Application to transfer a Class "ABH-Limited" Alcoholic Beverage License from 3803 Hospitality LLC d/b/a Holiday Inn Express Fargo to 3803 Spirits LLC d/b/a Holiday Inn Express Fargo to be located at 1040 40th Street South (ownership change).
32. 2nd Street Pedestrian Bridge Project update.
33. Recommendation for a Liaison Commission Assignment Change.
34. Recommendation for appointment of the City Administrator.
35. Recommendation to deny the request for a 120-day extension to the Dangerous Building action on property located at 924 5th Street South.
36. Recommendation to approve the Purchase and Development Agreement for sale of property located at 501 Main Avenue to 501 Main Ave DevCorp, LLC.
37. 2nd reading and final adoption of an Ordinance Relating to Adult Entertainment Centers and Adult Establishments; 1st reading, 12/12/22.
38. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. David and Carolyn Boutain, 1222 5th Street North (5 years).
 - b. Leslie Laam and Justin Walden, 2521 Lilac Lane North (5 years).
 - c. Stephanie Rasmussen, 109 15th Avenue North (5 years).
 - d. Travis and Anne Christensen, 105 Meadowlark Lane North (5 years).
 - e. David and Brittney Piper, 2825 Maple Street North (5 years).
 - f. Mark and Kathy Schmitt, 2529 58th Avenue South (5 years).
 - g. Neil Ebeling and Jessica Magness, 2425 East Country Club Drive South (5 years).

- h. Dawson and Karly Schefter, 1315 9th Street South (5 years).
- i. Geoffrey Childress and Christine Dotzenrod, 2501 38th Avenue South (5 years).

39. 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.