

FARGO CITY COMMISSION AGENDA
Tuesday, September 6, 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 22, 2022 and Special Meeting, August 31, 2022).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of the following Ordinances; 1st reading, 8/22/22:
 - a. Rezoning Certain Parcels of Land Lying in West Acres Seventh Addition.
 - b. Rezoning Certain Parcels of Land Lying in Simonson Companies Second Addition.
- 2. Findings of Fact and Order, and Order for property at 437 23rd Street South.
- 3. Concur with the findings of staff and the Liquor Control Board and apply the Penalty Matrix to the following:
 - a. Izumi Sushi and Hibachi (\$750.00 fine, second failure).
 - b. Plaza Azteca (\$750.00 fine, second failure).
 - c. Tailgators (\$500.00 fine, first failure).
 - d. Blaze Pizza (\$500.00 fine, first failure).
 - e. Old Broadway (\$500.00 fine, first failure).
 - f. Pho D'Licious (\$500.00 fine, first failure).
- 4. Applications for Games of Chance:
 - a. FM Walleyes Unlimited, Inc. for a raffle on 2/16/23.
 - b. Jeremiah Program Fargo-Moorhead for a raffle on 11/2/22.
 - c. Tricia Eback Benefit Fund for a raffle on 11/12/22; Public Spirited Resolution.
 - d. Kappa Psi Professional Fraternity of NDSU for a raffle on 9/23/22.
 - e. NDSU Foundation for a raffle and raffle board on 10/1/22.
 - f. ND Academy of Nutrition and Dietetics for a raffle on 11/1/22; Public Spirited Resolution.
 - g. Independent Insurance Agents of North Dakota for a raffle on 9/7/22; Public Spirited Resolution.
 - h. Fargo Public Schools for a raffle on 10/10/22.
- 5. Letter of Support for Vetter Dental.
- 6. Contract and bond for Project No. SR-22-C1.
- 7. Final Balancing Change Order No. 2 in the amount of \$0.00 for Project No. FM-19-A4.
- 8. Consent to Construction with Lachowitz Investments LLC (Matt's Automotive).

9. Change Order No. 1 in the amount of \$36,148.00 for Project No. UR-22-B1.
10. Variance Acknowledgement and Liability Waiver with Great Plains Block 3 Holdings, LLC for property located at 419 3rd Street North.
11. Encroachment Agreement with Great Plains Block 3 Holdings, LLC.
12. Consulting Services with Apex Engineering for Improvement District No. BR-23-G0 and Project No. NR-24-A0.
13. Bid advertisement for Project No. UR-22-C.
14. Bid award for Police Department Headquarters Rooftop HVAC Unit (RFP22136).
15. Bid award for Downtown Library Boiler Replacement (RFP22135).
16. Ninth Amended Lease Agreement with North Dakota State University and the Fargo Dome Authority.
17. Bid award for the 2023 spring tree order (RFP23004).
18. Community Faculty Contract with the University of North Dakota School of Medicine and Health Sciences.
19. Contract Agreement for Services with the American Lung Association.
20. Contract Agreement for Services with Dacotah Foundation.
21. Agreement for Services with Megan Nies.
22. Direct the City Attorney to prepare Amendments to Fargo Municipal Code Section 35-0105 of Article 35-01 of Chapter 35 Relating to Hearing for Suspension of Administrative Penalties as it relates to tobacco sales.
23. Agreement for Services with Center Point Tactical LLC.
24. Set September 19, 2022 at 5:15 p.m. as the date and time for a hearing on a dangerous building at 924 5th Street South.
25. 2022 Community Development Block Grant and HOME Partnership allocations from HUD.
26. Kresge Grant allocations for work on The Fargo Project, as presented.
27. Bid award for the 2022 Sidewalk Snow and Ice Removal Services - Code Enforcement and subsequent Services Agreements (RFP22129).
28. Bid award for the 2022 Sidewalk Snow and Ice Removal Services – City Owned Properties and subsequent Services Agreement (RFP22139).
29. Bid award for Snow Hauling Trucking Services and subsequent Services Agreements (RFP22137).

30. Amendment No. 1 to Task Order No. 5 with KLJ Engineering LLC in the amount of \$25,780.00 to provide HVAC Upgrades at the Public Works/Solid Waste Administrative Operations Facility.
31. Task Order No. 7 with KLJ Engineering LLC in the amount of \$61,450.00 for the South Side Fueling Station.
32. Bid award for Project No. SW 22-05.
33. Change Order No. 3 in the amount of \$26,190.00 for the GTC Exterior Renovations.
34. Bills.
35. Change Order No. 2 in the amount of \$10,045.00 and time extension to the substantial and final completion dates to 8/17/22 and 9/16/22 for Improvement District No. BN-21-L1.
36. Change Order No. 2 in the amount of \$514,801.00 and Incentive Clause Date extension from 10/29/22 to 11/15/22 for Improvement District No. BN-22-A1.
37. Amendment No. 1 with Houston Engineering in the amount of \$24,300.00 for Improvement District No. BN-22-C0.
38. Permanent Easement (Storm Sewer and Levee) with LaVerne A. Montplaisir Family Trust and Montplaisir AG and Rental LLP (Improvement District No. BN-22-C1).
39. Bid award for Improvement District No. BN-22-C1.
40. Contract and bond for Improvement District No. BN-22-G1, BN-22-N1 and PN-22-M1.

REGULAR AGENDA:

41. **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).**
42. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. CONTINUE TO 9/19/22 - 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; continued from the 8/22/22 Regular Meeting.
 - b. CONTINUE TO 9/19/22 - Public comment on the 2023 preliminary budget and recommended tax levies.
 - c. CONTINUE TO 10/3/22 - Hearing on a dangerous building located at 2315 2nd Avenue South.
 - d. Renaissance Zone Project for a commercial lease project at 209 and 211 Northern Pacific Avenue North.
43. Opioid Settlement Update.

44. Wildlife Management Update and recommendation to receive and file the Ordinance revisions.
45. Recommendation to delay 2nd reading of an Ordinance relating to Noise Control and Radio Interference, and an Ordinance Relating to Use and Care of Streets and Sidewalks.
46. Recommendation to direct the City Attorney to prepare changes to Article 25-04 - Vehicles for Hire.
47. Recommendation to direct the City Attorney to draft an Ordinance to exempt Child Care Centers from the requirement for showers in their facilities.
48. Request from Commissioner Preston for the Cass County Election Administrators to provide a written report on the past election.
49. Request from Commissioners Strand and Preston to provide a report on the Employee Health Plan review.
50. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. Jennifer Hall, 2901 37th Avenue South (5 year).
 - b. Barbara and Jeffrey Hanson, 2309 Victoria Rose Lane South (5 year).
 - c. Theresa and Rex Carlson, 4627 Rose Creek Parkway South (5 year).
 - d. David Bunzow and Debra Bartelt, 4833 Rose Creek Parkway South (5 year).
 - e. Robert and Barbara Deraas, 634 Harwood Drive South (5 year).
 - f. Michael and Renee Gravalin, 2401 Victoria Rose Drive South (5 year).
 - g. Dale and Kristy Gilbraith, 3531 18th Street South (5 year).
 - h. Lori Ann Gregoire, 3537 Longfellow Road North (5 year).
 - i. Nissen Homes LLC, 1514 6th Street South (5 year).
 - j. Elizabeth Leach, 203 14th Street South (5 year).
 - k. Beth and James Zitzow, 4810 University Drive South (5 year).
 - l. Larson Family Trust, 1919 Rose Creek Drive South (5 year).
 - m. Gregory and Susan Borowski, 2410 Centennial Rose Drive South (5 year).
51. Recommendation for appointments to the Board of Adjustment.
52. 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.