

FARGO CITY COMMISSION AGENDA
Tuesday, February 21, 2023 - 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, February 6, 2023).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd Reading and final adoption of the following Ordinances; 1st reading, 2/6/23:
 - a. Relating to Cigar Smoking in Public Places and Places of Employment Prohibited.
 - b. Relating to Taxicabs and Vehicles for Hire.
 - c. Relating to Classification of Ordinance Violations.
- 2. Adopt the Taxi and Vehicle for Hire Resolution as presented.
- 3. Changes to the Gambling Requirements.
- 4. Extension of the Class “A” Alcoholic Beverage License for 518 Properties, LLC d/b/a Summit Nightclub until 8/31/23.
- 5. Gaming Site Authorization for Metro Sports Foundation at Country Inn & Suites (new owners).
- 6. Applications for Games of Chance:
 - a. Knights of Columbus – 6570 for a calendar raffle from 4/1/23 to 4/30/23.
 - b. Love Your Buns for a raffle on 3/11/23; Public Spirited Resolution.
 - c. North Central Turfgrass Association for a raffle on 3/1/23.
 - d. North Dakota Pottery Club Society for a raffle on 6/9/23 and 6/10/23.
 - e. St. John Paul II Catholic Schools for a raffle on 5/15/23.
 - f. Red River Valley Figure Skating Club – Fargo Ice Show for a raffle on 3/12/23.
 - g. Safari Club International North Dakota Chapter for a raffle and raffle board on 3/11/23.
 - h. USA Wrestling of North Dakota for a raffle on 7/20/23.
- 7. Direct the City Attorney to prepare amendments to Fargo Municipal Code, Article 25-15 – Alcoholic Beverages, relating to mandatory meeting.
- 8. Direct the City Attorney to prepare amendments to Fargo Municipal Code, Article 25-15 – Alcoholic Beverages, relating to owner/manager changes and reporting requirements.
- 9. Direct the City Attorney to prepare amendments to Fargo Municipal Code, Article 25-15 – Alcoholic Beverages, relating to signs of impairment.

10. Agreement for Pavement Management Analysis with Infrastructure Management Services in the amount of \$49,096.00 for Project No. MS-22-L0 (RFQ22169).
11. Encroachment Agreement with CHI Living Communities.
12. Bid advertisement for Project No. NR-23-B.
13. Work to be Performed with Latoka Restorations d/b/a SERVPRO of Fargo Moorhead for repairs at the Fargo Cass Public Health building.
14. Application for Assistance to Firefighters grant for vehicle exhaust systems, gear washers and equipment washers.
15. Application for a Staffing for Adequate Fire and Emergency Response grant.
16. Amendment to Agreement for Services with Great Outcomes Consulting, LLC (SSP23052).
17. Notice of Grant Award from the ND Department of Health and Human Services for HIV.HCV Counseling, Testing and Referral (CFDA #93.940).
18. Purchase Agreement with Elevate Communities LLC for acquisition of 802 32nd Street North and 3129 7th Avenue North.
19. Purchase of (180) 8x10 multi-curve SAPI cut rifle rated trauma plates from Protector Capital, LLC in the amount of \$43,655.00 (RFQ23051).
20. Purchase of (80) 10x16 BallisticBoard backpack insert (rifle protection) from Protector Capital, LLC in the amount of \$27,870.00 (RFQ23048).
21. Facility Use Agreement with the ND Department of Corrections and Rehabilitation to utilize the Fargo Regional Law Enforcement Training Center.
22. Awarding of Water Main Materials, Miscellaneous Materials, Fire Hydrants/Parts and Miscellaneous Street Materials to Ferguson Waterworks in the amount of \$214,278.34 (RFP23034).
23. Awarding of Aggregate Materials, Concrete, Asphalt and Emulsified Asphalt as presented (RFP23035).
24. Purchase of one articulated wheel loader from Butler Machinery Company in the amount of \$83,390.00 (RFP23041).
25. Third Addendum to the Technology License and Service Agreement with DoubleMap, TransLoc.
26. Purchase of ten Transit buses from New Flyer of America
27. Bills.
28. Negative Final Balancing Change Order No. 4 in the amount of -\$27,248.43 for Improvement District No. BN-21-L1.
29. Preliminary Engineering Services Agreement (Quiet Zone Project) with BNSF Railway Company for Improvement District No. RR-19-A1.

30. Create Improvement District No. AN-22-B
31. Create Improvement District No. PR-23-E.
32. Contract and bond for Improvement District No. BR-23-E1.

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. Duane's Pizza Addition (1601, 1605, 1615, 1617, 1619, 1621, 1623, 1627 and 1629 University Drive South; 1602, 1606, 1610, 1614, 1618, 1622 and 1626 13 1/2 Street South; 1321 17th Avenue South); approval recommended by the Planning Commission on 1/3/23:
 1. Zoning Change from SR-2, Single-Dwelling Residential, SR-3, Single-Dwelling Residential and LC, Limited Commercial to LC, Limited Commercial with a PUD, Planned Unit Development Overlay.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Duane's Pizza Addition.
 4. Planned Unit Development Master Land Use Plan.
 - b. Hearing to consider a Renewal Plan and Developer Agreement for Tax Increment Financing District No. 2023-01 (1600 block of University Drive South, on the west side of the street).
 - c. Application to transfer a Class "ABH" Alcoholic Beverage License from Fargo Suites d/b/a Fargo Suites to Fargo Sunrise Hotel LLC d/b/a Country Inn & Suites to be located at 3316 13th Avenue South.
 - d. Application for a Class "H" Alcoholic Beverage License for CEC Entertainment, LLC d/b/a Chuck E. Cheese to be located at 1202 Nodak Drive.
35. Update on the 32nd Avenue South Reconstruction Project – Phase 2 (Improvement District No. BR-23-G0).
36. Recommendation to expand the Sustainability and Resiliency Committee.
37. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. Bussinger Properties II LLLP, 725 18 Street North (5 years).
 - b. Melissa and Aaron Rohrich, 1212 7th Street South (5 years).
 - c. Michael and Carly Gunderson, 3619 River Drive South (5 years).
 - d. Matthew Graber, 1322 15th Street South (5 years).
 - e. Northern Property Group LLC, 2402 8th Avenue North (5 years).
 - f. Ole Thomassen, 1621 10th Avenue South (5 years).
 - g. Jeremy and Renne Leiviska, 4111 15th Street South (5 years).
 - h. Timothy and Maria Olson, 513 20th Avenue North (5 years).
 - i. Donald Geigle, 3340 17th Avenue South Unit 102 (5 years).
 - j. Kyle and Danielle Oetjer, 4833 Meadow Creek Drive South (5 years).

- k. Julie Sanderson, 2018 8th Street North (5 years).
- l. Andrew Snyder, 1604 52nd Avenue South (5 years).
- m. Benjamin Martin and Kelsey Baker, 3830 20th Street South (5 years).

38. Legislative Update.

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.