

## FARGO CITY COMMISSION AGENDA

Monday, July 10, 2023 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/Streaming](http://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](http://www.FargoND.gov/CityCommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, June 26, 2023; Special Meeting, June 28, 2023).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. 2nd reading and final adoption of an Ordinance Amending Section 19-0203 and Enacting Sections 19-0206.1 and 19-0208 of Article 19-02, Amending Section 19-0302 and Enacting Sections 19-0305, 19-0306 and 19-0307 of Article 19-03 of Chapter 19 of the Fargo Municipal Code Relating to the Department of Forestry - Trees, Parks and Boulevards.
- 2. 1st reading of Ordinances Enacting Article 25-38 of Chapter 25 of the Fargo Municipal Code Relating to Commercial Pedal Car Vehicles and Amending Section 8-0311 of Article 8-03 of Chapter 8 of the Fargo Municipal Code Relating to Regulations Governing Operators.
- 3. Applications for Games of Chance:
  - a. EagleRidge Legacy Fund, Inc. for a raffle on 7/27/23; Public Spirited Resolution.
  - b. Fargo Gateway Lions for a raffle and sports pool on 7/11/23.
  - c. ND Chapter of Backcountry Hunters & Anglers for a raffle on 9/21/23; Public Spirited Resolution.
  - d. Matthew's Voice Project for a raffle from 7/14/23 to 7/30/23; Public Spirited Resolution.
  - e. North Dakota Beekeepers Association for a raffle on 7/14/23.
  - f. Warm Blanket Hugs for a raffle on 8/11/23.
  - g. Knights of Columbus 4th Degree Assembly 788 for a calendar raffle 1/1/24-1/31/24.
  - h. Fargo 12U White Baseball Team for a raffle on 7/25/23.
- 4. Site Authorizations for Games of Chance:
  - a. Plains Art Museum at Blue Wolf Casino (West Acres Bowl/Cactus Jacks) (amended).
  - b. West Fargo Events Inc. at Holiday Inn (Spirits Lounge).
- 5. Amendment to the limited franchise agreement with Cass County Electric.
- 6. Extension of a Class "A-3" Alcoholic Beverage License for 518 Properties LLC d/b/a Summit Nightclub until 2/28/24.
- 7. Addition of Project No. HD-23-B1 to the 2023 Capital Improvement Plan.
- 8. Final Balancing Change Order No. 1 in the amount of \$3,740.54 for Project No. UR-22-C1.

9. Negative Final Balancing Change Order No. 2 in the amount of \$-2,550.00 for Project No. TP-21-B1.
10. Waiver of annual fees for Right of Way Occupancy for Red River Valley Electric Cooperative Power Association (Project No. FM-21-A1).
11. Cost share with Lumen Communications for modifications to an existing concrete utility vault (Improvement District No. BR-23-F1).
12. Service Agreement with Minnkota Power Cooperative, Inc. for utility relocation and forthcoming Easement Agreement (Improvement District No. BN-23-A2).
13. Encroachment Agreement with TYKE Properties, LLC located at 2600 3rd Avenue North.
14. Modification of full incentive language for Phase 2 construction to extend to 48-calendar days (Improvement District No. BR-22-A2).
15. Bid award in the amount of \$874,351.50 to Fargo Electric Construction, Inc. for Project No. TR-23-A1.
16. Bid award in the amount of \$22,220.00 to American Engineering Testing for a special inspection contract for the construction of Fire Station 8.
17. Opioid Abatement Fund budget adjustment.
18. Subrecipient Agreement Amendment between Fargo Cass Public Health (Grantor) and Family Healthcare (Subrecipient).
19. School Nursing Budget Proposal Amendment for 7/1/23 to 6/30/24 between Fargo Public School District and Fargo Cass Public Health.
20. Notice of Grant Award from ND Department of Health and Human Services for Tobacco Prevention and Control.
21. Notice of Grant Award from ND Department of Health and Human Services for Women's Way (CFDA #s 93.898 and 93.391).
22. Notice of Grant Award Amendment from the ND Department of Health and Human Services for PHEP City Readiness Initiative (CFDA #93.069).
23. Agreement for Services with Families United for Self-Empowerment.
24. Bid award to Amy's Windows in the amount of \$122,550.00 for replacement of the shades at the Main Library (RFP23090).
25. Letter of Support for Four Sisters, LLC project to the ND Opportunity Fund.
26. Sole Source Procurement with FASTER Asset Solutions in the amount of \$87,808.00 for software upgrades and General Agreement (SSP23114).
27. Contract and bond for Project No. WA2055.
28. Contract and bond for Project No. WA2255.

29. Contract and bond for Project No. WA2254.
30. Contract and bond for Improvement District No. UN-23-A1.
31. Contract and bond for Improvement District No. PN-23-E1.
32. Contract and bond for Improvement District No. PR-23-G1.
33. Contract and bond for Improvement District No. UR-23-A1.
34. Bills.

**REGULAR AGENDA:**

35. **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](https://FargoND.gov/VirtualCommission)).**

**\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**

36. **PUBLIC HEARING** – Hearing on a dangerous building located at 421 15th Avenue North; continued from the 6/26/23 Regular Meeting.
37. **PUBLIC HEARING** – CONTINUED TO 7/24/23 - Southwest Fargo Mission Second Addition (4451, 4455, and 4475 40th Avenue South); approval recommended by the Planning Commission on 5/2/23:
  - a. Zoning Change from P/I, Public and Institutional to P/I, Public and Institutional and GC, General Commercial with a C-O, Conditional Overlay.
  - b. 1st reading of rezoning Ordinance.
  - c. Plat of Southwest Fargo Mission Second Addition.
38. **PUBLIC HEARING** – Annexation of 80.40 acres, more or less located in a Part of the Southwest Quarter of Section 28; of the Southeast Quarter of Section 29; and the Northeast Quarter of Section 32, Township 140 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota.
  - a. 1st reading of annexation Ordinance.
39. **PUBLIC HEARING** – Veterans Industrial Park Addition (5385 19th Avenue North); approval recommended by the Planning Commission on 5/2/23:
  - a. Zoning Change from AG, Agricultural to LI, Limited Industrial.
  - b. 1st reading of rezoning Ordinance.
  - c. Plat of Veterans Industrial Park Addition.
40. **PUBLIC HEARING** – Interstate Business District Addition (4753 45th Street North and 4269 40th Avenue North); denial recommended by the Planning Commission on 6/6/23:
  - a. Growth Plan Amendment from Residential Area, Lower to Medium Density, Commercial, and Proposed Park to Industrial and Commercial
  - b. Zoning Change from AG, Agricultural and LI, Limited Industrial with a C-O, Conditional Overlay to LI, Limited Industrial with a C-O, Conditional Overlay, GC, General Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional.
  - c. 1st reading of rezoning Ordinance.

- d. Plat of Interstate Business District Addition.
- 41. Change order for additional services with BerryDunn for implementation and project management of a new Enterprise Resource Planning (ERP) accounting system (RFP21029).
- 42. Recommendation for appointment of the City Engineer.
- 43. Update on Federal Aid Road and Bridge Projects.
- 44. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. Alecia Arneson and Matthew Meyer, 1514 3rd Avenue North (5 years).
  - b. Brian and Taylor Tranda, 2411 18th Street South (5 years).
  - c. Emma Saice, 911 7th Avenue North (5 years).
  - d. Zachary Echola and Heidi Selzer-Echola, 1111 6th Street South (5 years).
- 45. 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](http://www.FargoND.gov/CityCommission).