

## FARGO CITY COMMISSION AGENDA

Monday, June 26, 2023 - 5:00 p.m.

Executive Session at 4:30 p.m.

Roll Call.

**PLEASE NOTE:** The Board of City Commissioners will convene at 4:30 p.m. and retire into Executive Session for the purpose of attorney consultation pertaining to 501 Main Avenue. To discuss the risks, strengths or weaknesses of an action of the public entity in an open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City of Fargo. Thus, an Executive Session for said matters is authorized pursuant to North Dakota Century Code §44-04-19.1 subsection 2.

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](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 12, 2023).

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

- 1. 1st reading 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. 2nd reading and final adoption of an Ordinance Amending Section 11-0209 of Article 11-02 of Chapter 11 of the Fargo Municipal Code Relating to Noise Control and Radio Interference.
- 3. Direct the City Attorney to prepare amendments to Fargo Municipal Code Article 25-15 - Alcoholic Beverages - Relating to food sale requirements for license renewal.
- 4. Site Authorization for Games of Chance:
  - a. Metro Sports Foundation at Alibi Lounge.
  - b. West Fargo Hockey Association at Fort Noks.
- 5. Applications for Games of Chance:
  - a. Steve Weidner FM Junior Tour for a calendar raffle from 7/1/23-6/30/24.
  - b. Fargo Moorhead West Fargo Chamber for a raffle on 7/19/23.
  - c. Veterans Honor Flight of ND/MN for a raffle every Monday from 7/3/23-6/24/24.
  - d. Veterans Honor Flight of ND/MN for a raffle on 7/16/23.

- e. St. Anthony of Padua Parish Fall Bazaar for a raffle on 9/24/23.
  - f. Scottish Rite Holding Company for a raffle on 8/9/23.
  - g. Chiefs of Police Association of North Dakota for a raffle from 6/27/23-6/28/23.
6. Renewal of the Alcoholic Beverage and Live Entertainment Licenses until 6/30/24, contingent upon all essential requirements for renewal being met by 6/30/23.
  7. Agreement – Project Manager with Nicolette Plante.
  8. Pipeline Easement and Agreement with Cass Rural Water Users District (Project No. VF-23-B1).
  9. Task Order No. 1 with Houston Engineering in the amount of \$199,501.00 for Project No. QR-23-A0.
  10. Bid advertisement for Project No. FM-15-F.
  11. Bid award to Ryan Contracting in the amount of \$872,126.00 for Project No. UN-23-B2.
  12. Change Order No. 6 in the amount of \$5,793.55 for Improvement District No. BR-21-C1.
  13. Memorandum of Offer to Landowner for a Permanent Easement (Water Main) with Huynh KHA Property LLC (Improvement District No. BR-23-A).
  14. Bid award to Border States Paving, Inc. in the amount of \$1,499,056.13 for Improvement District No. PR-23-G1.
  15. Bid award to SJ Louis Construction, Inc. in the amount of \$358,724.00 for Improvement District No. UR-23-A1.
  16. Pipeline Easement with Municipal Airport Authority (Project No. VF-23-B1).
  17. Bid award to Osgood Cleaning Services LLC in the amount of \$198,000.00 for a three-year contract for cleaning services at the Fargo Police Department Headquarters and associated Master Services Agreement (RFP23103).
  18. Bid award and Contract to JLG Architects for development of a Master Facility Plan for the Fargo Police Department (RFP23078).
  19. Piggyback purchase through the Sourcewell Cooperative Contract with Johnson Controls in the amount of \$137,960.00 for an upgrade to the Building Automation System at the FARGODOME (PBC070121-JHN).
  20. Resolution establishing a Forestry licensing requirement.
  21. Fargo Cass Public Health 2023 budget adjustments as presented.
  22. Notice of Grant Award from the ND Department of Health and Human Services for Regional Environmental Health Services.
  23. Notice of Grant Award from the ND Department of Health and Human Services for State Aid to Local Public Health.

24. Notice of Grant Award from the ND Department of Health and Human Services for Increasing Immunization Rates – LPH (CFDA #93.268).
25. Notice of Grant Award from the ND Department of Health and Human Services for PHEP - EPR Statewide Response Team (CFDA #93.069).
26. Notice of Grant Award from the ND Department of Health and Human Services for family planning telehealth infrastructure enhancement and expansion grant (CFDA #93.217).
27. Request from the Downtown Community Partnership (DCP) to utilize the property at 501 Main Avenue for parking during the 2023 Downtown Fargo Street Fair.
28. Resolution Approving Plat of Golden Valley Seventh Addition.
29. Sole Source Procurement with Filmtec Corporation in the amount of \$128,420.40 for the ultra-filtration membranes at the Effluent Reuse Facility (SSP23116).
30. Bid award to Peterson Mechanical, Inc. in the amount of \$78,000.00 for the tankless hot water heater project at the Water Treatment Plant (Project No. WA2206) (RFP23105).
31. Bills.

**REGULAR AGENDA:**

32. **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:**

33. **PUBLIC HEARING** – CONTINUED to 8/21/23 - Application for a Class “GH” Alcoholic Beverage License for Five Star African Cuisine d/b/a Five Star African Cuisine to be located at 855 45th Street South, Suite 1A.
34. **PUBLIC HEARING** - Application for a Class “A-Club” Alcoholic Beverage License for the Fargo Air Museum d/b/a Fargo Air Museum to be located at 1609 19th Avenue North.
35. **PUBLIC HEARING** - Application for a Class “W” Alcoholic Beverage License for The Fargo Brewing Company, LLC d/b/a Fargo Brewing Company to be located at 610 University Drive North.
36. **PUBLIC HEARING** – CONTINUED to 7/10/23 - Hearing on a dangerous building located at 421 15th Avenue North.
37. **PUBLIC HEARING** - Hearing to consider a Renewal Plan and Developer Agreement with HN 8th Street, LLC for Tax Increment Financing District No. 2023-03 (502 8th Street South).
38. Presentation from the developers of 501 Main Avenue on proposed changes to their development plans.
39. Informational overview of the 2024 Primary Election changes.

40. Request from Kilbourne for cost share assistance for burying the overhead power line in Graver Alley.
41. Recommendation to declare the estimated population of the City of Fargo to be 131,444.
42. Recommendation to receive and file the following Ordinances:
  - a. Relating to Commercial Pedal Car Vehicles.
  - b. Relating to Regulations Governing Operators.
43. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. DCBA Holdings, LLC, 1348 6th Street South (5 year).
  - b. Adam Zavalney and Emma Gruber, 1401 12th Street North (5 year).
44. Recommendation to appoint Commissioner Arlette Preston as the Liaison Commissioner to the Community Development Committee.
45. Recommendations for appointments to the following Boards and Commissions:
  - a. Liquor Control Board.
  - b. Library Board.
  - c. Arts and Culture Commission.
46. Construction Update.
47. 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).