

FARGO CITY COMMISSION AGENDA
Monday, November 27, 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, November 13, 2023).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Letter of Support for the Precision Plumbing project to the ND Opportunity Fund.
- 2. Receive and file an Ordinance Enacting Section 8-0610 of Article 8-06 of Chapter 8 of the Fargo Municipal Code Relating to Rotary Traffic Islands.
- 3. Receive and file an Ordinance Amending Section 25-1508 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
- 4. 2nd reading and final adoption of an Ordinance Amending Section 24-0102 of Article 24-01 of Chapter 24 of the Fargo Municipal Code Relating to the Franchise Granted to the St. Paul, Minneapolis and Manitoba Railroad Company and Its Successors; 1st reading, 11/13/23.
- 5. 2nd reading and final adoption of an Ordinance Amending Section 1-0305 (A)(1) of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations; 1st reading, 11/13/23.
- 6. Applications for Games of Chance:
 - a. El Zagal for a raffle on 2/17/23.
 - b. Friends of the Children Fargo-Moorhead for bingo on 12/2/23.
 - c. St. John Paul II Catholic Schools for a raffle on 12/2/23.
 - d. St. John Paul II Catholic Schools for a raffle on 1/30/24.
 - e. Benefit for Sgt. Tyrell Fauske for a raffle on 12/28/23; Public Spirited Resolution.
- 7. Extension of a Class “A-8” Alcoholic Beverage License for BFG, Inc. d/b/a Borrowed Bucks Roadhouse until 6/30/24.
- 8. Contract and bond for Project No. SN-23-A.
- 9. Memorandum of Understanding Regarding Construction and Maintenance with the Park District of the City of Fargo for the Bison Village Shared Use Path (Project No. SN-23-A1).
- 10. Memorandum of Understanding - Construction of 45th Street North with the City of Reile’s Acres.

11. Memorandum of Understanding Regarding Construction and Maintenance with the Park District of the City of Fargo for the River Drive Trail Shared Use Path (Project No. SN-23-B0).
12. Change Order No. 1 in the amount of \$475.00 and a time extension to the Substantial and Final Completion dates of 12/22/23 and 1/22/24 for Project No. NR-23-B1.
13. Final Balancing Change Order No. 1 in the amount of \$32,996.95 for Project No. PR-22-B1.
14. Negative Final Balancing Change Order No. 3 in the amount of -\$10,051.57 for Project No. UR-23-A1.
15. Change Order No. 1 in the amount of \$20,310.44 for Improvement District No. PN-23-A1.
16. Change Order No. 2 in the amount of \$30,757.41 and a 14-day time extension for Improvement District No. BR-23-B1.
17. Create Improvement District No. BR-23-G.
18. Bid award and Contract with Automated Maintenance Services, Inc. in the amount of \$70,080.00 for cleaning services at the Public Works West Building (RFP23208).
19. Master Services Agreements for Engineering/Architectural Services (RFP24010 and RFP24011).
20. Piggyback purchase through ND State Contract No. 110 with High Point Networks LLC in the amount of \$23,504.00 for indoor access points (PBC23226).
21. Allocation of remaining ARPA funding to the 2023 General Fund, as presented.
22. Change Orders for Fire Station No. 8 Construction:
 - a. No. 1 in the amount of \$2,160.00.
 - b. No. 4 in the amount of \$5,880.00.
 - c. No. 5 in the amount of -\$19,310.00.
23. Task Order No. 3 with KLJ Engineering LLC in the amount of \$19,400.00 for Fire Station No. 5.
24. Agreement with Richland County Family Planning.
25. Contract with the ND Department of Health and Human Services for surge staffing/supplies.
26. Purchase of Service Agreement with the ND Department of Health and Human Services, Behavioral Health Division for addressing opioid stimulant misuse.
27. Purchase of Service Agreement with the ND Department of Health and Human Services, Behavioral Health Division for substance abuse prevention.
28. Purchase of Service Agreement with Center Point Tactical LLC.
29. Agreement for Services with Clay County Public Health.
30. Resolution Approving Plat of Laverne's Third Addition.

31. Resolution Approving Plat of Larkin Second Addition.
32. Award Acceptance from the Back the Blue Grant in the amount of \$264,000.00 to the Fargo Police Department and related budget adjustments (HB 1307).
33. COPS Hiring Program Grant Award for 2024 and 2025 in the total amount of \$188,539.00 and related budget adjustments (CFDA #16.710).
34. COPS Hiring Program Grant Award FY23 in the amount of \$750,000.00 for employing six Police Officers and related budget adjustments (CFDA #16.710).
35. Amendment No. 2 with Transdev to extend the contract through 12/31/24.
36. Second Addendum to Agreement with the Fargo Park District and Cass Rural Water Users District.
37. Fourth Amendment to Memorandum of Understanding with Cass Rural Water Users District and Tharaldson Ethanol Plant I, LLC.
38. Amendment No. 1 to Wastewater Consulting Task Order No. 3 with AE2S in the amount of \$15,000.00 for the FEMA Building Resilient Infrastructure in Communities (BRIC) Grant reapplication for improvements associated with the West Side Interceptor (Project No. WW1905).
39. Resolution Prescribing Rates and Charges for Solid Waste Services (Amended 1/1/24).
40. Bid award for the Water Reclamation Utility Chemical Bids for 2024, as presented (ITB24009).
41. Bid award for the Water Treatment Facility Utility Chemicals Bids for 2024, as presented (ITB24007).
42. Task Order No. 28 with AE2S in the amount of \$247,575.00 for the design and bidding of a rehabilitation project in the 1997 Lime Softening Water Treatment Plant.
43. Amendment No. 1 to Task Order No. 9 with AE2S for a no cost change in scope for Project No. WA1865.
44. Change Orders for Project No. WA1863:
 - a. No. 4 in the amount of \$8,944.85 (general construction).
 - b. No. 4 in the amount of \$3,148.17 (electrical construction).
45. Task Order No. 29 with AE2S in the amount of \$197,685.00 for the design and bidding of the Pretreatment Bypass Infrastructure for the Lime Softening Water Treatment Plant.
46. Bills.

REGULAR AGENDA:

47. **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).**

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

48. **PUBLIC HEARING** - Appeal of a Board of Adjustment decision regarding a Land Management Permit at 338 9th Avenue South; continued from the 11/13/23 Regular Meeting.
49. **PUBLIC HEARING** – Ekman Addition (1728 42nd Street South); approval recommended by the Planning Commission on 11/7/23:
 - a. Zoning Change from GC, General Commercial to MR-3, Multi-Dwelling.
 - b. 1st reading of rezoning Ordinance.
50. **PUBLIC HEARING** – Urban Plains by Brandt Seventh Addition (2907, 2915, 2949, 2975, 3037 and 3151 Seter Parkway South); approval recommended by the Planning Commission on 10/3/23:
 - a. Zoning Change to repeal and re-establish a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of Urban Plains by Brandt Seventh Addition.
51. **PUBLIC HEARING** – Timber Parkway Eighth Addition (5056 Charles Way South); approval recommended by the Planning Commission on 11/7/23:
 - a. Zoning Change to repeal and re-establish a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance.
52. **PUBLIC HEARING** – Timber Parkway Tenth Addition (5107 and 5161 Charles Way South); approval recommended by the Planning Commission on 11/7/23:
 - a. Zoning Change to repeal and re-establish a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance.
53. Presentation and recommendation to approve the City of Fargo Purchasing Policy and Procedure Manual.
54. Recommendations for the City's priority projects to apply for Federal Highway Administration funds.
55. 2nd reading and final adoption of an Ordinance Amending Sections 13-1801, 13-1802, 13-1806 of Article 13-18 of Chapter 13 of the Fargo Municipal Code Relating to Massage Therapy Establishments; 1st reading, 11/13/23.
56. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. Travis and Anne Marie Christensen, 105 Meadowlark Lane North (5 years).
 - b. Aaron and Jessica Franke, 2314 Victoria Rose Lane (5 years).
 - c. Jean Corbett, 2619 26th Street South (5 years).
 - d. Nathan and Kimberly Rorvig, 1906 9th Street North (5 years).
 - e. Susan Nelson, 3707 Kennedy Street South (5 years).
 - f. Wayne and Cherie Gadberry, 505 Broadway North Unit 303 (5 years).
 - g. Michael Gillund and Melissa Mozley, 4726 Rose Creek Parkway South (5 years).
 - h. Patrick and Katherine McIntyre, 3225 Longfellow Road North (5 years).
57. Recommendation for appointments to the following Boards and Commissions:
 - a. Historic Preservation Commission.
 - b. Planning Commission.

58. 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.