

FARGO CITY COMMISSION AGENDA  
Monday, September 18, 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, September 5, 2023).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. 1st reading of an Ordinance Amending Section 8-1321 of Article 8-13 of Chapter 8 of the Fargo Municipal Code Relating to Use of Safety Belts Required in Certain Motor Vehicles.
- 2. 1st reading of an Ordinance Enacting Article 3-24 of Chapter 3 of the Fargo Municipal Code Relating to a Lodging Tax for Fargodome Including Conference Center.
- 3. 1st reading of an Ordinance Enacting Article 3-25 of Chapter 3 of the Fargo Municipal Code Relating to a Sales Tax for Fargodome Including Conference Center.
- 4. Findings of Fact, Conclusions and Order, and Notice of Entry Order for 1449 4th Avenue South.
- 5. City of Fargo Resolution Authorizing Officers to Make Deposits and Withdrawals.
- 6. Resolution (Special Election Matters – Establishing Precinct-Setting Compensation of Election Officials).
- 7. Applications for Games of Chance:
  - a. FM Derby Girls for a raffle on 9/23/23.
  - b. FirstChoice Clinic d/b/a Women’s Care Center for bingo on 10/9/23.
- 8. Negative Final Balancing Change Order No. 5 in the amount of -\$62,377.95 for Project No. UR-22-B1.
- 9. ND Department of Transportation Participation, Construction and Maintenance Agreement for LPA Federal Aid Project (Project No. SL-23-B1).
- 10. Declaration of Easement (Utility) at 6375 31st Street South.
- 11. Emergency Water Main Replacement on Mills Avenue North (EM23170).
- 12. Developer Agreements with North Fargo Land, LLC and ARD Properties, LLC for the Interstate Business District Addition.

13. Bid award to Master Construction Company, Inc. in the amount of \$305,425.00 for Project No. BP-23-02.
14. Bid advertisement for Project No. SN-23-A.
15. Change Order No. 2 in the amount of \$7,046.15 and 2-day time extension to the Phase 2 Interim Date, Substantial Completion Date and Milestone Date for Improvement District No. BR-23-F1.
16. Easement (Temporary Access Easement) with Sanford Research North (Improvement District No. BR-23-J1).
17. Change Order No. 1 in the amount of \$83,176.80 for Improvement District No. UR-23-C1 (EM23135).
18. Minimum Payment Policy Waiver and Election Form, Permanent Easement (Bike Trail) and Easement (Temporary Construction Easement) with EA Children Properties, LLC (Improvement District No. SN-23-A1).
19. Create Improvement District No. BR-24-C.
20. Create Improvement District No. BR-24-E.
21. Lease extension with Fargo Baseball, LLC through 10/1/28.
22. Change Orders in the amount of \$3,804.00 for the Fargo Public Library Sunshades Replacement Project (RFP23090).
23. Amendment No. 4 with KLG for the GTC Underground Parking Facility (RFQ18325).
24. Receive and file General Fund – Budget to Actual unaudited monthly financial statements through 8/31/23.
25. Change Orders for Fire Station No. 8 Construction:
  - a. No. 1 in the amount of \$9,881.00.
  - b. No. 2 in the amount of \$38,336.34.
  - c. No. 3 in the amount of -\$12,511.00.
26. Change Orders for Fire Station No. 2 Addition:
  - a. No. 1 in the amount of -\$821.00
  - b. No. 2 in the amount of \$7,871.36.
  - c. No. 3 in the amount of \$3,392.55.
  - d. No. 4 in the amount of \$1,209.44.
  - e. No. 5 in the amount of \$1,948.80.
  - f. No. 6 in the amount of \$1,017.35.
  - g. No. 7 in the amount of -\$203.00.
27. NDDDES Mitigation Grant Application as a sub-applicant and subsequently acting as a pass through entity to receive and pass reimbursement to the resident for a storm shelter.
28. Agreement for Services with Folkways.
29. Grant Agreement with the ND Department of Health and Human Services, Office of Refugee Support Services.

30. Agreement of Affiliation with North Dakota State University, Department of Public Health.
31. Purchase of Service Agreement with Megan Nies.
32. Resolution Approving Plat of Timber Parkway Tenth Addition.
33. Resolution Approving Plat of Village West Fourth Addition.
34. Set October 2, 2023 at 5:15 p.m. as the date and time for a Public Hearing on a dangerous building at 1809 14th Avenue South.
35. UKG Dimensions Agreement for the upgrade of the time and attendance software (RFP23030).
36. Acceptance of the ND Department of Transportation Grant Funding for Occupant Protection, Impaired Driving, Distracted Driving Enforcement, Speed Enforcement and Underage Drinking Enforcement and Education Activities (CFDA #s 20.616 and 20.600).
37. Purchase of Lexipol/PoliceOne Academy Training software using seized asset forfeiture funds in the amount of \$10,757.70.
38. Extension of the 2022/2023 Services Agreements – Snow Hauling Trucking Services with Master Construction; Lenzmeier Trucking Inc.; J D Kraemer Enterprises, LLC; and Diesel Dogs Trucking, LLC for the 2023/2024 snow season (RFP22137).
39. Street Snow Plowing Services Agreement with Master Construction Co., Inc. (RFP23138).
40. ND Department of Transportation State Aid for Public Transit Agreement for FY 2024.
41. ND Department of Transportation Section 5339 Transit Grant Agreement (CFDA #20.526).
42. Bills.

#### **REGULAR AGENDA:**

43. **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:**

44. **PUBLIC HEARING** – Interstate Business District Addition (4753 45th Street North and 4269 40th Avenue North); approval recommended by the Planning Commission on 8/1/23:
  - 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.

45. **PUBLIC HEARING** - Public comment on the 2024 preliminary budget and recommended tax levies.
46. Application for Abatement or Refund of Taxes #4545 and #4544 at 1201 Elm Street North requesting a reduction in value for 2021 from \$257,200.00 to \$97,000.00 and for 2022 from \$282,900.00 to \$125,900.00.
47. Recommendation for appointments to the Civil Service Commission.
48. 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).