

## FARGO CITY COMMISSION AGENDA

Monday, April 1, 2024 - 4:00 p.m.

Executive Session at 4:00 p.m.

Roll Call.

**PLEASE NOTE:** The City Commission will convene at 4:00 p.m. and retire into Executive Session in the Red River Room for the purpose of attorney consultation regarding threatened litigation pertaining to 501 Main Avenue and to discuss negotiating strategy or provide negotiation instructions to its attorney or other negotiator regarding the threatened litigation, and to receive its attorney's advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity. To discuss this matter in public in an open meeting would have an adverse fiscal effect on the City. Thus, an Executive Session is authorized pursuant to North Dakota Century Code 44-04-19.1 subsections 2, 5 and 9.

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, March 18, 2024).

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

- 1. Application for Abatement or Refund of Taxes #4559 for property located at 1488 Shawnas Place South requesting a reduction in value for 2023 from \$1,323,300.00 to \$880,656.00; staff is recommending a reduction in value to \$1,239,200.00 for 2023.
- 2. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading 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.
- 3. 2nd reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Interstate Business District Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 3/18/24.
- 4. Applications for Games of Chance:
  - a. St. John Paul II Catholic Schools for a raffle on 6/24/24.
  - b. Make-A-Wish Foundation of North Dakota for a raffle on 4/13/24.
  - c. Milk Made for bingo on 4/9/24.
  - d. Fargo North High School for a raffle on 4/13/24.
  - e. YWCA Cass Clay for a raffle on 4/22/24.
  - f. St. John Paul II Catholic Schools for a raffle on 4/27/24.

5. Site Authorizations for Games of Chance:
  - a. Jon Greenley Amvets Post #7 at Amvets.
  - b. Jon Greenley Amvets Post #7 at Hi-Ho Burgers & Brews.
  - c. Red River Human Service Foundation at The Northern.
  - d. Metro Sports Foundation at The Bowler.
  - e. Metro Sports Foundation at Twin Peaks.
  - f. Metro Sports Foundation at Scheels Arena.
  - g. Metro Sports Foundation at Alibi Lounge.
6. Receive and file General Fund – Budget to Actual through 2/29/24.
7. Task Order No. 7 - Amendment No. 2 with Houston Engineering, Inc. in the amount of \$85,500.00 for Project No. FM-21-A0.
8. Payment to Xcel Energy in the amount of \$8,004.80 for power service and transformer (Project No. NR-24-B3).
9. Purchase Agreement with Tones, LLC for property for the Southwest Metro Storm Water Master Plan (Project No. FP-19-A).
10. Encroachment Agreement (Window Wells) with NDSU Development Foundation for existing window wells located in the right of way at 650 NP Avenue.
11. Purchase Agreement and Quitclaim Deed with John T. Jones Construction Co.
12. Contract and bond for Project No. NR-24-A1.
13. Contract and bond for Project No. NR-24-B2.
14. Bid award to Northstar Safety, Inc. in the amount of \$1,065,407.35 for Project No. TM-24-A1.
15. Amended Engineer's Report for Improvement District No. BN-23-F1.
16. Application and Agreement for Early Building Permit for property located at 3401 46th Avenue North (Improvement District No. BN-23-J1).
17. Application and Agreement for Early Building Permit for a building on Lot 2, Block 1 of Alex's Addition (Improvement District No. BN-24-A1).
18. Negative Final Balancing Change Order No. 3 in the amount of -\$48,907.52 for Improvement District No. BR-23-B1.
19. Bid award to Northern Improvement Co. in the amount of \$2,550,072.20 for Improvement District No. PR-24-F1.
20. Create Improvement District No. PN-24-A.
21. Create Improvement District No. BR-24-G.
22. Create Improvement District No. PR-24-H.
23. Contract and bond for Improvement District No. PR-24-E1 (Seal Coat).

24. Contract and bond for Improvement District No. BN-23-J (New Paving and Utility Construction).
25. Agreement - Health and Wellness Coordinator with Mary Krueger.
26. Vacate the Findings of Fact, Conclusions and Order for property located at 1208 University Drive South.
27. Master Services Agreement with Flock Group, Inc. for 60-day pilot program with the Police Department.
28. Bid awards for Aggregate Materials, Concrete, Concrete Materials, Asphalt, Emulsified Asphalt and black dirt as presented (RFP24138).
29. Lease with Option to Purchase Agreement No. 40005556 with CapFirst Equipment Finance, Inc. for a Towable Stump Grinder (RFP24110).
30. Bills.

#### **REGULAR AGENDA:**

31. **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](http://FargoND.gov/VirtualCommission)).**

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

32. **PUBLIC HEARING** - Application filed by Graystoke Capital Woodrow LLC and ACV ALB San Mateo, LLC for a Payment in Lieu of Tax Exemption (PILOT) for a project to be located at 301/315 University Drive North and 1222 4th Avenue North for residential apartments and leasing to the Montessori school.
33. **PUBLIC HEARING** – Hearing on a dangerous building located at 1022 9th Avenue North.
34. **PUBLIC HEARING** – Golden Valley Fourth Addition (6507, 6511, 6515, 6519, 6523, 6527, 6531, 6535, 6539, 6543 and 6547 28th Street South); approval recommended by the Planning Commission on 3/5/24:
  - a. Zoning Change from SR-4, Single-Dwelling Residential to SR-5, Single Dwelling Residential.
  - b. 1st reading of rezoning Ordinance.
35. Recommendations for selection, installation and funding of an Advanced Metering Infrastructure (AMI) system for metering water to customers.
36. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. Naomi and Muhammad Tabassum, 3625 21st Street South (5 years).
  - b. Timothy and Ann Toso, 2627 18th Street South (5 years).
  - c. Derek and Amy Ouren, 1241 Oak Street North (5 years).
37. Liaison Commissioner Assignment Updates.
38. Recommendation from the Human Rights Commission to adopt the “Resolution Supporting a Permanent Ceasefire in the Middle East.”

- a. Letter of support for Ceasefire Resolution approved by the Human Rights Commission.

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).