

FARGO CITY COMMISSION AGENDA
Monday, August 19, 2024 - 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, August 5, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of an Ordinance Amending Section 23-0211 of Article 23-02 of Chapter 23 of the Fargo Municipal Code Relating to the Electrical Code.
- 2. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in YWCA Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 8/5/24.
- 3. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying Presentation Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 8/5/24.
- 4. Applications for Games of Chance:
 - a. Fargo Davies High School for a raffle on 8/23/24-2/28/25.
 - b. Fargo Davies High School for a raffle on 11/26/24-2/14/25.
 - c. Veterans Honor Flight of ND/MN for a raffle on 8/25/24.
 - d. YWCA Cass Clay for a raffle board on 09/05/24.
 - e. El Zagal Outdoors Unlimited for a raffle on 09/10/24.
- 5. Concur with the findings of staff and the Liquor Control Board and apply the administrative penalty of a \$500.00 fine for a first failure to the liquor license violations identified at Front Street Tap Room.
- 6. Concur with the findings of staff and the Liquor Control Board and apply the administrative penalty of a \$500.00 fine for a first failure to the liquor license violations identified at VFW.
- 7. Concur with the findings of staff and the Liquor Control Board and apply the administrative penalty of a \$500.00 fine for a first failure to the liquor license violations identified at Hi Ho South, Applebee's on 45th, Fargo Billiards,. Delta Hotels, Chili's and Candlewood Suites.
- 8. Final Balancing Change Order No. 1 in the amount of \$11,443.18 for Project No. FM-15-F3.
- 9. Change Order No. 1 in the amount of \$82,514.40 for Project No. SR-24-B1.
- 10. Crossing Surface Installation Agreement with BNSF Railway Company for the resurfacing of the 27th Street North Railroad At-Grade Crossing (Project No. RR-25-A1).

11. Contract and bond for Project No. DR-21-A1.
12. Contract and bond for Project No. UR-24-A1.
13. Memorandum of Offer to Landowner for Permanent Easements (Street and Utility) and (Utility) with PB&J Properties, LLC (Improvement District No. PR-24-A1).
14. Resolution Authorizing the Issuance of Taxable Annual Appropriation Bonds, Series 2024F and Resolution Authorizing the Issuance of Annual Appropriation Bonds, Series 2024G.
15. Items from the FAHR Staff meeting:
 - a. Receive and file General Fund - Budget to Actual through 7/31/24.
 - b. Reallocation of \$200,000.00 from Municipal Court to the Police Department to pay the 2024 allocation to the late Axon invoice.
 - c. ND Forest Service grant awards in the amount up to \$43,300.00 and related expense for new trees in 2025.
 - d. Accept the Grant award from the Assistance to Firefighters Grant (FEMA) in the amount of \$51,814.54 and related expenses.
 - e. Change orders in the amount of \$69,830.00 related to the Transit AVA/AVL software replacement project.
 - f. Bid awards for Fire Station No. 5 Renovation Project in the amount of \$2,463,004.00, as presented (ITB24276).
16. Notice of Grant Award from the ND Department of Health and Human Services for MCH services (CFDA #93.994).
17. Master Services Agreement and Statement of Work with Doosan Digital Innovation America, LLC (RFP24272).
18. Resolution approving Plat of Prairie Farms Third Addition.
19. Receive and file the Bias Motivation and Hate Crime 2nd Quarter Report.
20. Bid award in the amount of \$1,031,160.00 to Northdale Oil for the purchase of contracted fuel for the 1st and 2nd Quarters of 2025 (RFP24274).
21. Resolution of Governing Body of Applicant for filing of an application with the ND Department of Environmental Quality for a loan under the Clean Water Act/or Safe Drinking Water Act (Project No. WA2402).
22. Resolution of Governing Body of Applicant for filing of an application with the ND Department of Environmental Quality for assistance performing a lead service line inventory in compliance with the Lead and Copper Rule Revisions.
23. Bills.

REGULAR AGENDA:

24. 1st reading of an Ordinance Enacting Article 10-14 of Chapter 10 of the Fargo Municipal Code Relating to Camping on Public Property.

PUBLIC HEARINGS - 5:15 pm:

25. **PUBLIC HEARING** – Application filed by Beyond Shelter, Inc. for a Payment in Lieu of Tax Exemption (PILOT) for a project to be located at 2131 and 2185 65th Avenue South which the applicant will use to construct affordable rental housing for seniors.
26. **PUBLIC HEARING** – Schatz Fifth Addition (5601 and 5671 34th Avenue South); approval recommended by the Planning Commission on 6/4/24:
 - a. Zoning Change from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay.
 - b. 1st Reading of rezoning ordinance.
 - c. Planned Unit Development Master Land Use Plan.
 - d. Plat of Schatz Fifth Addition.
27. **PUBLIC HEARING** – Renaissance Zone Rehabilitation Project for Campsite 4, LLC (Project 365-F) for the rehabilitation of a commercial property located at 5 14 Street North.
28. **PUBLIC HEARING** – Fargo Growth Plan 2024.
29. Recommendation to adopt the Resolution Amending the Home Rule Charter – Sales, Use and Gross Receipts Taxes for the exclusive use by Police and Fire and placing the question on the November 5th ballot.
30. Applications for Property Tax Exemptions for Improvements Made to Buildings
 - a. Border Properties #1, LLC, 4321 14th Avenue North (5 years).
 - b. Samantha Smestad and Ryan Thompson, 1909 8th Street North (5 years).
 - c. Joe Boulger, 1542 8th Street North (5 years).
 - d. Preston Nesemeier, 1621 8th Avenue South (5 years).
 - e. Michael Shirk/Heath, 901 11th Avenue North (5 years).
 - f. KLH&J Land, LLC, 4001 15th Avenue North (5 years).
 - g. Kristin Bode, 78 18th Avenue North (5 years).
 - h. Mitchell and Kathleen Rumpel, 520 21st Avenue South (5 years).
31. Recommendation to amend the Findings of Fact, Conclusions and Order to allow for a 30-day extension for property located at 909 4th Street North.
32. Liaison Commissioner Assignment Updates.
33. **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://www.fargond.gov/VirtualCommission)).**

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](https://www.fargond.gov/CityCommission).