

FARGO CITY COMMISSION AGENDA  
Monday, February 5, 2024 - 4:30 p.m.

Executive Session at 4:30 p.m.

Roll Call.

**PLEASE NOTE:** The City Commission will convene at 4:30 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 these matters in public in an open meeting would have an adverse fiscal effect on the City. Thus, an Executive Session for these matters is authorized pursuant to North Dakota Century Code 44-04-19.1 subsections 2, 5 and 9.

Regular Meeting at 5:00 PM

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, January 22, 2024; Special Meeting, January 23, 2024).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Receive and file an Ordinance Amending Section 31-0102 of Article 31-01 of Chapter 31 of the Fargo Municipal Code Relating to the International Property Maintenance Code.
- 2. 2nd reading and final adoption of an Ordinance rezoning certain parcels of land lying in The Pines at the District Fourth Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 1/22/24.
- 3. Gaming Site Authorization for West Fargo Baseball, Inc. at Puerto Vallarta Bar and Grill.
- 4. Applications for Games of Chance:
  - a. Fargo-Moorhead #246 of the National Association of Women in Construction for a raffle on 3/7/24.
  - b. Vietnam Veterans of American Chapter #941 for a calendar raffle from 3/1-3/30/24.
  - c. Red River Range for a raffle on 4/19/24.
  - d. St. Mary's Cathedral for a raffle on 5/5/24.
  - e. Ronald McDonald House Charities of the Red River Valley for a raffle board on 2/10/24.
  - f. USA Wrestling of North Dakota for a raffle on 7/18/24.
- 5. Contract and bond for Project No. SL-23-B1.

6. Bid advertisement for Project No. SR-24-A.
7. Memorandum of Offer to Landowner for an Easement (Temporary Construction Easement) with Aaron Properties, LLC (Improvement District No. BR-23-G2).
8. Purchase of Service Agreement with ND Department of Health and Human Services, Behavioral Health Division for withdrawal management program.
9. Purchase of Service Agreement with FM Metropolitan Council of Governments.
10. Notice of Grant Award from ND Department of Health and Human Services for PHEP-EPR All Hazards (CFDA #93.069).
11. Notice of Grant Award from the ND Department of Emergency Services for FY 2023 State and Local Cybersecurity Grant Program and related budget adjustments (CFDA #97.137).
12. Agreements to provide in-kind contributions to Comstock Services LLC, JGC Leasing LLC and Kjos Investments LLC for the Corvent Medical Project.
13. Tree and Stump Removal Services – 2024 Agreement with Cougar Tree Care, Inc. (RFP21023) and Landscape Maintenance Services – 2024 Agreement with All-Terrain Grounds Maintenance (RFP22004).
14. Bills.

#### **REGULAR AGENDA:**

15. **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:**

16. **PUBLIC HEARING** – Annexation of 14.20 acres, more or less located in a part of the Northwest Quarter of Section 14, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota
  - a. 1st reading of annexation Ordinance.
17. **PUBLIC HEARING** – 46th Avenue Industrial Park Addition (3336 52nd Avenue North); approval recommended by the Planning Commission on 7/6/23:
  - a. Zoning Change from AG, Agricultural to LI, Limited Industrial.
  - b. 1st reading of rezoning Ordinance.
  - c. Plat of 46th Avenue Industrial Park Addition.
18. Receive and file General Fund 2023 Year End Projections.
19. 2023 Downtown Fargo Business Improvement District Overview.
20. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. Conner Riley, 120 University Drive South (5 years).
  - b. James and Sandra Roers, 4420 Carrie Rose Lane South (5 years).
  - c. Gregory and Suzanne Morrison, 4422 Carrie Rose Lane South (5 years).
  - d. Timothy and Patricia Mayo, 4404 Carrie Rose Lane South (5 years).

- e. Brian and Marea Berg, 135 North Woodcrest Drive North (5 years).
- f. Robert and Kathleen Bennett, 3221 36 Avenue South (5 years).
- g. Ann Zimny, 1010 26 Street North (5 years).
- h. Spaceage Properties, LLC, 1402 39th Street North (5 years).
- i. Kevin and Jeanne Moug, 4406 Carrie Rose Lane South (5 years).
- j. Mary Ann Armbrust, 4428 Carrie Rose Lane South (5 years).
- k. Earlyne Hector, 4440 Carrie Rose Lane South (5 years).
- l. John Hicks, 4424 Carrie Rose Lane South (5 years).
- m. Thomas and Anna Marie Heistand, 4408 Carrie Rose Lane South (5 years).

21. 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).