

FARGO CITY COMMISSION AGENDA
Monday, June 10, 2024 – 5:00 P.M.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at 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 FargoND.gov/CityCommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, May 28, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Letter of Support for the YWCA childcare project to the ND Opportunity Fund Consortium.
- 2. Receive and file the Summons and Complaint relating to U.S. Bank National Association v. Lori Jill Eveland, et al.
- 3. Receive and file the Summons and Complaint relating to Michelle Kommer and HighRoad Partners, LLC v. City of Fargo.
- 4. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 20-0401 of Article 20-04 of Chapter 20 of the Fargo Municipal Code (Land Development Code) Relating to Use Regulations; 1st reading, 5/28/24.
- 5. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 25-1509.1 (D) of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages; 1st reading, 5/28/24.
- 6. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 25-1506 (CC) of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages; 1st reading, 5/28/24.
- 7. 2nd reading, waive reading and final adoption of an Ordinance Amending Sections 25-1501 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages; 1st reading, 5/28/24.
- 8. 2nd reading, waive reading and final adoption of an Ordinance Amending Sections 25-1503 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages; 1st reading, 5/28/24.
- 9. 2nd reading, waive reading and final adoption of an Ordinance Amending Sections 25-1509 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages; 1st reading, 5/28/24.
- 10. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 11-0209 of Article 11-02 of Chapter 11 of the Fargo Municipal Code Relating to Public and Sanitary Nuisances; 1st reading, 5/28/24.

11. Site Authorizations for Games of Chance:
 - a. Arc Upper Valley at CJ's Tavern.
 - b. Arc Upper Valley at Suite Shots.
 - c. Fargo Post 2 Baseball Club at El Zagal.
 - d. Fargo Post 2 Baseball Club at Herds and Horns.
 - e. Horse Race North Dakota at Chub's Pub.
 - f. Horse Race North Dakota at Edgewood Tavern.
 - g. Horse Race North Dakota at Labby's Bar & Grill.
 - h. Horse Race North Dakota at Sickies Garage.
 - i. Horse Race North Dakota at Sidestreet Grille & Pub.
 - j. Horse Race North Dakota at The Old Broadway.
 - k. North Dakota Horse Race Foundation at The Boiler Room.
 - l. Northern Prairie Performing Arts at 701 Eateries.
 - m. Roy Chandler Post 762 at VFW Club.
 - n. Special Olympics North Dakota at Rooters Bar.
 - o. Team Makers Club, Inc. at Fargo Dome.
 - p. West Fargo Baseball, Inc. at Puerto Vallarta Bar and Grill.

12. Applications for Games of Chance:
 - a. Easton Hoffman Benefit for a raffle 7/17/24; Public Spirited Resolution.
 - b. Steve Weidner FM Junior Tour for a calendar raffle 7/1/24-6/30/25.
 - c. Veterans Honor Flight of ND/MN for a raffle every Monday from 7/1/24-6/30/25 and 10/7/24.
 - d. Villa Nazareth dba CHI Friendship for a raffle 10/11/24.

13. First Amendment to Agreement with Passport Labs, Inc. for citation management and parking services until 12/31/24.

14. Farm Lease (Oak Grove) with Chad Johnson and Kyle Johnson for 5636, 5638, 6054 and 6056 Veterans Boulevard South.

15. Site Amenities and Project Plan - Interstate Business District Addition Amendment No. 1 and Amendment to Developer Agreements with Storage Kings ND, LLC and ARD Properties, LLC.

16. Amendment No. 2 in the amount of \$86,000.00 with Houston Engineering Inc. for Project No. NR-24-B0.

17. Change Order No. 1 in the amount of \$0.00 for Project No. SN-23-B1.

18. Bid award to Key Contracting, Inc. in the amount of \$44,500.00 for Project No. UR-24-H1.

19. Contract and Bond for Project No. UR-24-G1.

20. Memorandum of Offer to Landowner for Permanent Easement (Street and Utility) with Wells Fargo Bank, N.A. (Improvement District No. BR-23-G2).

21. Change Order No. 1 in the amount of \$33,043.34 and 20-calendar day time extension to Phases 1A and 1B for Improvement District No. BR-24-B1.

22. No protests received and declared insufficient for Improvement District No. AN-24-B.

23. Create Improvement District No. BN-24-C (New Paving and Utility Construction).

24. Contract and bond for Improvement District No. AN-24-A1.
25. Contract and bond for Improvement District No. BR-24-F1.
26. Contract and bond for Improvement District No. BR-24-G1.
27. Contract and bond for Improvement District No. NR-23-C5.
28. Contract and bond for Improvement District No. NR-23-C6.
29. Contract and bond for Improvement District No. PN-24-A1.
30. Contract and bond for Improvement District No. PR-24-A1.
31. Amendment No. 1 to the Engineer Agreement with KLJ Engineering LLC in the amount of \$16,840.00 for Fire Station No. 5 renovations (RFP24010).
32. Set June 24, 2024 at 5:15 p.m. as the date and time for a Public Hearing on a dangerous building located at 909 4th Street North.
33. Set June 24, 2024 at 5:15 p.m. as the date and time for a Public Hearing on a dangerous building located at 1449 4th Avenue South.
34. Update to the Electronic Communications Policy No. 200-016.
35. Termination of Consent Party Rights of the City of Fargo – Golden Valley Third Addition.
36. Extension of Household Hazardous Waste Services Agreements with Clean Harbors Environmental Service, Inc. and Recycle Technologies, Inc. effective 6/1/24-5/31/27.
37. Bid advertisement for Project No. WA2404 (Lime Softening WTP Pretreatment Bypass).
38. Amendment No. 1 to Engineer Agreement with Apex Engineering Group, Inc. in the amount of \$48,885.00 for Project No. WA2055.
39. Bills.

REGULAR AGENDA:

40. Recommendation to appoint Jennifer Faul to the position of Director of Fargo Cass Public Health.
41. Applications for Abatement or Refund of Taxes #4560 and #4561 for property located at 1019 4th Avenue South requesting a reduction in value from \$156,800.00 to \$99,500.00 for 2022 and a reduction in value from \$167,800.00 to \$99,500.00 for 2023; staff is recommending a reduction in values to \$99,500.00 for both 2022 and 2023.

PUBLIC HEARINGS - 5:15 pm:

42. **PUBLIC HEARING – CONTINUE** to 6/24/24 - Hearing to consider a Renewal Plan and Developer Agreement with JS2L Partners, LLP for the Tax Increment Financing District No. 2024-01 (600 block of 4th Street North).

43. **PUBLIC HEARING** – Application filed by Precision Dental Laboratories, Inc. for property tax exemption to be located at 1841 Sheyenne Loop North which the applicant will use primarily for light manufacturing purposes.
44. **PUBLIC HEARING** – Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) 2024 Action Plan, Proposed Amendments to the 2023 HUD Action Plan, Proposed Amendments to the 2020-2024 HUD Consolidated Plan and Proposed Amendments to the Citizen Participation Plan.
45. Recommendation for approval of the items from the FAHR Staff meeting:
 - a. Receive and File - Sales Tax Update.
 - b. Budget Adjustment in the amount of \$80,325.00 for the purchase of a truck and equipment from the street lighting and traffic control device utility.
 - c. Extension of the 2023-2024 Highway Deicing Salt contract with Compass Minerals America Inc. for the 2024-2025 snow season at a price of \$120.69 per ton (RFP22068).
 - d. Accept the NDDDES Public Assistance Grant Program Subgrant Agreement for FEMA-4760-DR under CFDA 97.036 for the December 2023 Ice Storm Cost Recovery.
 - e. Workforce Development Partnership Agreement with the University of Mary.
46. Construction Update.
47. Request from the State of Wisconsin for Fargo PD personnel assistance.
48. Presentation on dangerous driving and loud muffler issues.
49. Recommendation to reduce the speed limit on 52nd Avenue South from I-29 to the Sheyenne River from 45 mph to 40 mph effective June 18, 2024.
50. Recommendation to direct the Assistant City Administrator to report back to the City Commission in two weeks with a summary of policy and Ordinance recommendations to manage encampments on public property to align with the Housing First philosophy.
51. Liaison Commissioner Assignment Updates.
52. **RESIDENT COMMENTS (Fargo residents or business owners will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents or business owners in Fargo who would like to address the Commission, whether virtually or in person, must sign-up at 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 web site at FargoND.gov/CityCommission.