

## FARGO CITY COMMISSION AGENDA

Monday, July 7, 2025 - 5:00 p.m.

Executive Session at 4:00 p.m.

Roll Call.

**PLEASE NOTE:** The Board of City Commissioners will convene in the City Commission Chambers at 4:00 p.m. and retire into Executive Session in the Red River Room for the purposes of attorney consultation regarding reasonably predictable and/or threatened litigation by Northdale Oil, Inc. and its affiliate Eastdale, LLC., and to discuss negotiating strategy or providing negotiating instructions to its attorney or other negotiator regarding the reasonably predictable or 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. Discussing these matters in an open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City. Thus, an Executive Session for this matter 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, June 23, 2025).

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

1. 1st reading of an Ordinance Amending Sections 21-0601, 21-0602, 21-0603, 21-0604 and Enacting Sections 21-0601.1 and 21-0605 of Article 21-06 of Chapter 21 of the Fargo Municipal Code Relating to Flood Plain Management.
2. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Amending Ordinance No. 5464 Pertaining to Zoning of The Pines at the District Seventh Addition to the City of Fargo, Cass County, North Dakota.
3. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Enacting Section 8-1322 of Article 8-13 of Chapter 8 of the Fargo Municipal Code relating to Traffic Code and an Ordinance Amending Section 1-0305(C)(7) and adding Section 1-0305(C)(14) of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
4. Resolution Concluding the Community Development Committee, Parking Commission and City Hall/Auditorium Commission, and waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of the following Ordinances:

- a. Amending Sections 8-1006 and 8-1006.2 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to Parking Regulations.
  - b. Repealing Section 8-1025 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to Parking Regulations.
  - c. Repealing Sections 18-0505, 18-0506, 18-0507, 18-0508, 18-0509, 18-0510, 18-0511, 18-0512 and 18-0513 of Article 18-05 of Chapter 18 of the Fargo Municipal Code Relating to Public Ways and Places.
5. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of the following Ordinances:
    - a. Amending Sections 10-0322 and 10-0322.1 of Article 10-03 of Chapter 10 of the Fargo Municipal Code Relating to Harassment and Harassment - Hate Crime.
    - b. Amending Section 10-0103 of Article 10-01 of Chapter 10 of the Fargo Municipal Code Relating to Sale of Tobacco to Individuals Under Twenty-One (21) Years of Age and Use and Possession by Individuals Under 21 Years of Age Prohibited.
    - c. Amending Section 8-0610 of Article 8-06 of Chapter 8 of the Fargo Municipal Code Relating to Rotary Traffic Islands.
    - d. Amending Section 08-0313 of Article 08-03 of Chapter 8 of the Fargo Municipal Code Relating to Careless Driving and Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
    - e. Amending Section 8-0309 of Article 8-03 of Chapter 8 of the Fargo Municipal Code Relating to Driving while License Suspended or Revoked - Impoundment of License Plates and Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
    - f. Enacting Section 10-0502 in Article 10-05 of Chapter 10 of the Fargo Municipal Code Titled Proof of Identification in Licensed Premises.
    - g. Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
    - h. Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
    - i. Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
  6. Findings of Fact, Conclusion and Order of the Board of City Commissioners of the City of Fargo, Conclusions and Order, and Notice of Entry of Order for property located at 1102 1st Avenue South.
  7. Direct the City Attorney to repeal the appropriate Ordinances and/or Resolutions to conclude the Sustainability and Resiliency Committee and the Police Advisory and Oversight Board.
  8. Site Authorization for Games of Chance for the North Dakota Horse Park Foundation at Sickies Garage Fargo.
  9. Applications for Games of Chance:
    - a. El Zagal Directors Staff for a raffle on 9/20/25.
    - b. Knights of Columbus 4th Degree Assembly 788 for a raffle and calendar raffle on 2/16/26.
    - c. St. Anthony of Padua Parish Fall Bazaar for bingo and a raffle on 9/28/25.
    - d. YMCA of the Northern Sky for a raffle and raffle board on 8/5/2025.
    - e. Holy Spirit for a raffle on 10/15/25, 10/22/25 and 10/26/25
  10. Denial of a request from Folkways to close a portion of Broadway for upcoming events.

11. Permanent Easement (Storm Sewer) with Designer Homes of Fargo-Moorhead LLC.
12. Consent to Construction Agreement with Kwik Trip, Inc. for 4460 Calico Drive South.
13. Encroachment Agreement (Pickup & Drop-Off Lane) with West Fargo Public School District No. 6 for 4901 15th Avenue South.
14. Amendment No. 2 with Houston Engineering, Inc. in the amount of \$9,714.00 for Project No. SN-25-B0.
15. Bid awards for Project No. NR-25-D1:
  - a. General construction contract to CC Steel, LLC in the amount of \$2,154,712.00.
  - b. Electrical construction contract to JDP Electric in the amount of \$159,418.00.
16. Contract and bond for Improvement District No. BN-25-E1.
17. Negative Final Balancing Change Order No. 2 in the amount of -\$11,310.74 for Improvement District No. BN-23-G1.
18. Negative Final Balancing Change Order No. 3 in the amount of -\$21,363.30 for Improvement District No. BN-23-J1.
19. Negative Final Balancing Change Order No. 2 in the amount of -\$26,457.00 for Improvement District No. BN-24-A1.
20. Negative Final Balancing Change Order No. 2 in the amount of -\$113,297.34 for Improvement District No. BR-24-E1.
21. Final Balancing Change Order No. 1 in the amount of \$1,220.00 for Improvement District No. AN-24-A1.
22. Final Balancing Change Order No. 1 in the amount of \$3,698.20 for Improvement District No. AN-24-B1.
23. Final Balancing Change Order No. 5 in the amount of \$48,546.26 for Improvement District No. BN-23-E1.
24. Final Balancing Change Order No. 5 in the amount of \$19,674.91 for Improvement District No. BR-24-F1.
25. Final Balancing Change Order No. 2 in the amount of \$22,289.57 for Improvement District No. BR-24-G1.
26. Private Utility Relocation with Sparklight for Improvement District No. PR-24-A1.
27. Items from the FAHR Meeting:
  - a. Receive and file Sales Tax Update.
  - b. Allocation of \$190,476.00 for the Axon Draft One Contract.
  - c. Donation in the amount of \$30,650.00 from the Fargo Police Foundation to acquire and train a new K9 Unit.
  - d. Rental Inspection and Code Enforcement fee schedule as presented.

- e. Increase of fees for Municipal Court as presented.
- 28. Notice of Grant Award Amendment from the ND Department of Health and Human Services for PHEP-EPR Statewide Response Team (CFDA #93.069).
- 29. Notice of Grant Award Amendment from the ND Department of Health and Human Services for PHEP - City Readiness Initiative (CFDA# 93.089).
- 30. Notice of Grant Award from the ND Department of Health and Human Services for HIV/HCV counseling, testing and referral (CFDA# 93.940).
- 31. Notice of Grant Award from the ND Department of Health and Human Services for PHEP - EPR All Hazards Allocation (CFDA# 93.069).
- 32. Notice of Grant Award from the ND Department of Health and Human Services for PHEP-EPR Statewide Response Team (CFDA# 93.069).
- 33. Notice of Grant Award from the ND Department of Health and Human Services for the Tobacco Prevention and Control Program.
- 34. Financial Award from the ND Housing Finance Agency for ND Homeless Grant.
- 35. Direct the City Attorney to work with Environmental Health to revise the Keeping of Chickens Ordinance - Article 12-03.
- 36. Resolution approving Plat of Champions Gate at Prairie Farms Second Addition.
- 37. Resolution approving Plat of Dakota Commerce Center North Second Addition.
- 38. Resolution approving Plat of Family Healthcare Center Addition.
- 39. Direct the City Attorney's Office to review and draft Ordinances related to electric vehicle stalls and motorized scooters.
- 40. Contract and bond for Public Works Administrative Building Exterior Improvements (ITB25189).
- 41. Change Order No. 3 in the amount of \$632,357.00 and time extension of 72 days to the substantial completion date for Project No. SW23-04.
- 42. Change Order No. 2 in the amount of \$32,361.30 for Project No. WA2158.
- 43. Task Order No. WA11 with Apex Engineering Group, Inc. in the amount of \$129,100.00 for Water Tower Demolition of Tower Nos. 2, 3 and 8 (Project No. WA2158).
- 44. Change Order No. 9 with PKG Contracting, Inc. in the amount of \$158,127.00 and time extension to the final completion date to 12/31/25 for Project No. WW1701 (Phase IIB Expansion).
- 45. Bills.

## REGULAR AGENDA:

### **PUBLIC HEARINGS - 5:05 pm:**

46. **PUBLIC HEARING** – Prairie Crossing Addition (3910 25th Street South); approval recommended by the Planning Commission on 6/3/25:
  - a. Zoning Change from SR-2, Single-Dwelling Residential to P/I, Public and Institutional with a C-O, Conditional Overlay.
  - b. 1st reading of rezoning Ordinance.
  
47. **PUBLIC HEARING** – Annexation of 87.89 acres, more or less located in a part of Section 10 and Section 15, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota (4370 52nd Avenue North; 4300, 5001 and 5115 County Road 81; 4821-4943 43rd Street North; 4349 and 4350 48th Avenue North); continued from the 6/23/25 Regular Meeting.
  
48. **PUBLIC HEARING** – Northdale First Addition (4300 County Highway 81 North); approval recommended by the Planning Commission on 2/4/25; continued from the 6/23/25 Regular Meeting:
  - a. Zoning Change from AG, Agricultural to LI, Limited Industrial with a C-O, Conditional Overlay.
  - b. 1st reading of rezoning Ordinance.
  - c. Plat of Northdale First Addition.
  
49. **PUBLIC HEARING** - Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME) 2025-2029 HUD Consolidated Plan including the 2025 HUD Action Plan and Budget Amendments to 2023 and 2024 Action Plans.
  
50. 2026 Budget Request from the Municipal Airport Authority.
  
51. Recommendation for reappointment to the Renaissance Zone Authority.
  
52. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. Matthew and Courtney Sizer (5 years).
  - b. Clyde Jr. and Katherine McArthur (5 years).
  
53. Liaison Commissioner Assignment Updates.
  
54. **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)**).

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).