

FARGO CITY COMMISSION AGENDA  
Monday, November 24, 2025 - 5:00 p.m.

Executive Session at 4:30 p.m.

Roll Call.

**PLEASE NOTE:** The Board of City Commissioners will convene in the City Commission Chambers at 4:30 p.m. and retire into Executive Session in the Red River Room for the purpose of attorney consultation regarding eminent domain litigation the City of Fargo is involved in with the Joyce Cole Trust and Edna Holm as Trustee of the Daniel H. Holm and Edna T. Holm Revocable Living Trust, and to receive its attorneys' advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity, which, to discuss these matters in open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City; and for purposes of discussing negotiating strategy and/or providing negotiating instructions to its attorney or other negotiator regarding the litigation with Joyce Cole Trust and Edna Holm as Trustee of the Daniel H. Holm and Edna T. Holm Revocable Living Trust. 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 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, November 10, 2025).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Appointment of Ian McLean as City Attorney effective 11/25/25.
- 2. 1st reading of an Ordinance Amending Section 16-0201, 16-0204, 16-0206, 16-0213, 16-0214 and 16-0216 and Repealing Section 16-0205 of Article 16-02 of Chapter 16 of the Fargo Municipal Code Relating to Waterworks System.
- 3. 1st reading of an Ordinance Amending Section 22-0301 of Article 22-03 of Chapter 22 of the Fargo Municipal Code Relating to Plumbing Code.
- 4. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in EOLA Second Addition and J & O 45th Street Apartments Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 11/10/25.
- 5. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in EOLA Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 11/10/25.

6. Applications for Games of Chance.
7. Direct the City Attorney to seek clarification from the Attorney General regarding North Dakota Century Code § 5-02-10 concerning pre-emption of City Ordinance pertaining to procedures.
8. Direct the City Attorney, Police Chief and Deputy City Auditor to review application guidelines and background investigation processes for Alcoholic Beverage Licenses.
9. Bid award to Opp Construction for the installation of traffic signal protective bollards (RFP25304).
10. Negative Final Balancing Change No. 1 in the amount of -\$1,455.24 for Project No. ER-25-D1.
11. Negative Final Balancing Change Order No. 3 in the amount of -\$298,259.14 for Project No. FM-21-A2.
12. Change Order No. 2 for a time extension to the substantial and final completion date to 7/18/26 for Project No. TM-25-A1.
13. Bid award to PCI Roads LLC in the amount of \$1,466,293.26 for Project No. QR-25-A1.
14. Bid award to Northern Improvement Company in the amount of \$496,432.70 for Project No. TR-26-A1.
15. Amendment (First) to Master Services Agreements with previously approved consultants (Project No. MS-23-A0).
16. Negative Final Balancing Change Order No. 2 in the amount of -\$12,671.52 for Improvement District No. BR-25-F1.
17. Change Order No. 3 in the amount of \$2,783.75 for Improvement District No. PR-24-A1.
18. Bid award to Border States Paving, Inc. in the amount of \$1,918,999.07 for Improvement District No. BR-26-E1.
19. Contract and bond for Improvement District No. BR-26-A1.
20. Items from the FAHR Meeting:
  - a. Receive and file General Fund - Budget to Actual through 10/31/25.
  - b. Notice of Grant Award from the ND Department of Health and Human Services for WIC and related budget adjustment (CFDA #10.557).
  - c. Replacement of the fire system at Newman Outdoor Field and related budget adjustments (RFP25283).
  - d. Energy Efficiency and Conservation Block Grant and related budget adjustment.
  - e. Sale or disposal of City-owned assets through the Ford Motor Company's automotive remarketing service with the proceeds going back to the General Fund.
  - f. Lease Amendment Agreement with Bison Square Partnership (EX25314).
21. Agreement with EHS Insight.
22. Resolution Prescribing Rates and Charges for Solid Waste Services effective 1/1/26.

23. Change Order No. 3 in the amount of \$0.00 for the GTC Deck Overlay Project.
24. State of Minnesota - Minnesota State Colleges and Universities - Minnesota State Community and Technical College Services Contract (U-Pass).
25. Contract and bond for Project No. WA2501 (electrical construction contract).
26. Bid award for the Water Treatment Plant chemicals for 2026, as presented (ITB26024).
27. Bid award for the Water Reclamation Utility chemicals for 2026, as presented (ITB26025).
28. Extension to the Electrical Services Agreement with Sun Electric, Inc. until 2/28/26 for the water utility.
29. Extension to Agreements for Consulting Services for Water, Water Reclamation and Solid Waste Utilities as presented.
30. Bills.

#### **REGULAR AGENDA:**

31. Recommendation to approve the Agreement Concerning Annexation and Extraterritorial Jurisdiction with the City of Harwood.

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

32. **PUBLIC HEARING** – Application for an ownership change of a Class “ABH” Alcoholic Beverage License from 3803 Spirits, LLC d/b/a Holiday Inn to HIWA Lounge, LLC d/b/a Holiday Inn located at 3803 13th Avenue South.
33. **PUBLIC HEARING** - Application for a Class “GH” Alcoholic Beverage License for Kimp’s Kitchen, LLC d/b/a Kimp’s Kitchen to be located at 1000 45th Street South.
34. **PUBLIC HEARING** - Application for a Class “F” Alcoholic Beverage License for Spaghetti Western d/b/a Spaghetti Western to be located at 524 Broadway North.
35. **PUBLIC HEARING** - Application for an ownership change of a Class “FA” Alcoholic Beverage License from Roadhouse of Fargo Holdings, LLC d/b/a Texas Roadhouse to Texas Roadhouse Holdings, LLC d/b/a Texas Roadhouse located at 4971 13th Avenue South.
36. **PUBLIC HEARING** - Plat of Gateway Hyundai Addition (3800 Main Avenue); approval recommended by the Planning Commission on 8/5/25.
37. **PUBLIC HEARING** – Hearing on a dangerous building located at 1544 3rd Avenue South.
38. **PUBLIC HEARING - CONTINUE to 12/8/25** - Annexation of 303.23 acres, more or less located in the West Half of Section 3, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota.
39. **PUBLIC HEARING - CONTINUE to 12/8/25** - Annexation of 256.87 acres, more or less East Half of Section 3, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, less those parcels lying within said East Half legally described in

those instruments recorded at the Office of the Recorder, Cass County, North Dakota;  
continued from the 11/10/25 Regular Meeting

40. **PUBLIC HEARING - CONTINUE to 12/8/25** - Annexation of 236.16 acres, more or less in the Southeast Quarter and the East One-Half of the Southwest Quarter of Section 35, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota; continued from the 11/10/25 Regular Meeting.
41. Metro Railroad Needs Study Presentation.
42. Application for Abatement or Refund of Taxes #4595 for property located at 1437 15th Street South requesting a reduction in value for 2025.
43. Recommendation to approve the 2026 Engineering CIP, 2027 Core Neighborhood Reconstruction, 2027 Federal Aid Reconstruction Project and updated language to the Infrastructure Funding Policy.
44. Discussion regarding the continuation of broadcasting Public Comments.
45. Liaison Commissioner Assignment Updates.
46. **PUBLIC COMMENTS (2.5 minutes will be offered for comment with a maximum of 30 minutes total for all public comments. Individuals 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).