

FARGO CITY COMMISSION AGENDA
Monday, September 29, 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 discussing negotiating strategy and/or providing negotiating instructions to its attorney or other negotiator regarding contractual negotiations and/or reasonably predictable litigation regarding annexation with the City of Harwood and/or Applied Digital Corporation; and to receive its attorney's advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity and regarding reasonable predictable and/or threatened litigation relating to annexation with the City of Harwood and Applied Digital Corporation. Discussing these items in an open meeting would 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 and North Dakota Century Code § 44-04-19.2, subsection 1.

Regular Meeting at 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, September 15, 2025).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Letter of Support for Halberstadt's to the ND Opportunity Fund Consortium.
- 2. Third Amendment to Purchase Agreement and Earnest Money Contract with Galvanizers, Inc.
- 3. Receive and file an Ordinance Amending Sections 8-0801, 8-0802, 8-0803, 8-0804, 8-0805, 8-0806, 8-0807, and 8-0808, of Article 8-08, of Chapter 8, of the Fargo Municipal Code Relating to Crashes and an Ordinance Repealing Section 8-0809, of Article 8-08, of Chapter 8, of the Fargo Municipal Code, Relating to False Reports and an Ordinance Amending Section 1-0305, of Article 1-03, of Chapter 1, Relating to Classification of Ordinance Violations.
- 4. Receive and file an Ordinance Amending Section 8-1009 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to the Traffic Code.

5. Receive and file an Ordinance Amending Section 25-1507 (A) of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
6. Findings of Fact, Conclusions and Order of the Board of City Commissioners of the City of Fargo and Notice of Entry of Order for property located at 1202-1204 1st Avenue South and 103, 105 and 105 1/2 12th Street South.
7. Receive and file Summons and Complaint relating to James and Victoria Ingstad v. City of Fargo.
8. Renewal of the 1st Quarter Alcoholic Beverage and Live Entertainment Licenses until 9/30/26, contingent upon all essential requirements for renewal are met by 9/30/25.
9. Site Authorizations for Games of Chance:
 - a. Homeward Animal Shelter at Hilton Garden Inn for one event on 10/17/25.
 - b. North Dakota Horse Park Foundation at Sports Bar.
10. Applications for Games of Chance:
 - a. 4 Luv of Dog Rescue for raffle on 11/8/25.
 - b. Eagles Elementary PTA for bingo on 10/24/25.
 - c. Fargo Area Conservatives for a raffle on 2/20/26; Public Spirited Resolution.
 - d. St. John Paul II Catholic Schools for a raffle and raffle board on 1/30/26.
11. Change Order No. 1 in the amount of \$3,725.00 for Project No. UR-25-D1.
12. Final Balancing Change Order No. 1 in the amount of \$18.00 for Project No. ER-25-C1.
13. Permanent Easement (Bike Trail) and Memorandum of Understanding Regarding Construction and Maintenance with the Park District of the City of Fargo (Project No. SN-25-B0).
14. ND Department of Transportation Cost Participation, Construction and Maintenance Agreement LPA Federal Aid Project and addition of Project No. TR-26-A1 to the 2025 CIP.
15. Bid advertisement for Project No. TR-26-A.
16. Change Order No. 1 which modifies the earthwork payment method to Dakota Underground for Improvement District No. BN-25-C1.
17. Change Order No. 1 for a time extension to the street lighting completion date bringing it to 10/24/25 for Improvement District No. BR-25-G1.
18. Change Order No. 1 in the amount of \$218,921.50 for Improvement District No. PR-25-H1.
19. Access Easement (Street, Water and Sewer) with Southeast Cass Water Resource District (Improvement District No. BN-25-E1).
20. Create Improvement District No. BN-25-F and adopt Resolution of Necessity (New Paving and Utility Construction).
21. Items from the FAHR Meeting:
 - a. Receive and file General Fund - YTD August 2025 Budget to Actual.

- b. Budget adjustment request for an Amendment to Purchase of Service Agreement with ND Department of Health and Human Services Behavioral Health Division, (Contract #810-14156).
 - c. Budget adjustment request for an Amendment to Purchase of Service Agreement with ND Department of Health and Human Services Behavioral Health Division (Contract #810-13737).
 - d. Budget adjustment request in the amount of \$48,360.00 and bid award to Dirt Dynamics for the Fire Line Valve Replacement at the FARGODOME (RFQ25276).
 - e. Purchase of a Mobile Command Center Vehicle for the Red River Valley Unmanned Aircraft Systems Unit.
 - f. Allocation of \$20,000.00 from the Riverfront TIF for vegetation management along the Downtown river corridor between 1st and 4th Avenues North.
- 22. Change Order No. 3 in the amount of \$2,882.56 for Fire Station No. 5 Renovation Project.
 - 23. Notice of Grant Award Amendment from ND Department of Health and Human Services for Women, Infants and Children (CFDA #10.557).
 - 24. Addendum to Cass Human Service Zone Agreement.
 - 25. Bid awards to F5 Project, Canopy Medical Clinic, New Life Center, The Medicine Shoppe, Southpointe Pharmacy, New Roots Midwest, Kondial Kel International, Family Healthcare, Soul Solutions, Dacotah Foundation and Southeast Human Service Center for Tobacco Prevention and Cessation activities (RFP25225).
 - 26. 2026 Benefit Renewals effective 1/1/26.
 - 27. Bid award to Western Excavation in the amount of \$30,000.00 for the demolition of property located at 1102 1st Avenue South (RFP25246).
 - 28. Renewal of Service Agreement (Minimum Security) with Centre, Inc. (PBC26002).
 - 29. Resolution approving Plat of Family Healthcare Center Addition.
 - 30. US Department of Housing and Urban Development Office of Community Planning and Development Federal Award Agreements for CDBG and HOME Investment Partnerships Program funds.
 - 31. ND Department of Transportation Highway Safety Contract in the amount of \$53,000.00 (CFDA #s20.600, 20.608 and 20.616).
 - 32. Bid award to J-Tech Mechanical in the amount of \$118,760.00 for replacement of the rooftop AC unit, air handler, evaporator coils and replumbing of existing broiler heating coils at Central Garage (RFP25259).
 - 33. ND Department of Transportation State Aid for Public Transit Agreement for Paratransit.
 - 34. Bills.

REGULAR AGENDA:

PUBLIC HEARINGS - 5:05 pm:

- 35. **PUBLIC HEARING** – Special Assessment List for the following Improvement Districts, all having been approved by the Special Assessment Commission 9/4/25:

- a. Alley Paving Improvement District No. AN-22-B.
- b. Alley Paving Improvement District No. AN-24-A.
- c. Alley Paving Improvement District No. AN-24-B.
- d. New Paving and Utility Construction Improvement District No. BN-23-A.
- e. New Paving and Utility Construction Improvement District No. BN-23-E.
- f. New Paving and Utility Construction Improvement District No. BN-23-G.
- g. New Paving and Utility Construction Improvement District No. BN-23-J.
- h. New Paving and Utility Construction Improvement District No. BN-24-A.
- i. New Paving and Utility Construction Improvement District No. BN-24-C.
- j. Paving and Utility Rehab/Reconstruction Improvement District No. BR-24-A.
- k. Paving and Utility Rehab/Reconstruction Improvement District No. BR-24-B.
- l. Paving and Utility Rehab/Reconstruction Improvement District No. BR-24-C.
- m. Paving and Utility Rehab/Reconstruction Improvement District No. BR-24-E.
- n. Paving and Utility Rehab/Reconstruction Improvement District No. BR-24-F.
- o. Paving and Utility Rehab/Reconstruction Improvement District No. BR-24-G.
- p. Storm Sewer Lift Station Rehab/Reconstruction and Incidentals Improvement District No. NR-23-C.
- q. Asphalt Wear Course Improvement District No. PN-24-A.
- r. Concrete Paving Rehab/Lane Widening Improvement District No. PR-24-A.
- s. Seal Coat Improvement District No. PR-24-E.
- t. Asphalt Mill and Overlay Improvement District No. PR-24-F.
- u. Asphalt Mill and Overlay Improvement District No. PR-24-G.
- v. Asphalt Paving Rehab/Reconstruction Improvement District No. PR-24-H.
- w. Traffic Signal Improvements Improvement District No. TN-23-A.
- x. Sanitary Sewer Lining Improvement District No. UR-24-F.

- 36. **PUBLIC HEARING** – Special Assessment for the 2025 New and Reconstruction of City Ordered Sidewalks (Project No. SR-24-A).
- 37. **PUBLIC HEARING** – Special Assessments for the 2025 New and Reconstruction of City Ordered Sidewalks (Project No. SR-24-B).
- 38. **PUBLIC HEARING** – Special Assessment of Business Improvement District (BID).
- 39. **PUBLIC HEARING** – Application filed by Bison Run Rentals LLC for a Payment in Lieu of Tax Exemption (PILOT) for a project to be located at 1102 & 1110 17th Street North, which the applicant will use for the renting of residential townhomes.
- 40. **PUBLIC HEARING** – Annexation of 49.91 acres, more or less located in a portion of the West half of the Northwest Quarter of Section 14, Township 140 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota.
 - a. 1st reading of annexation Ordinance.
- 41. **PUBLIC HEARING** - 46th Avenue Industrial Park Second Addition (3252 and 3336 52nd Avenue North); approval recommended by the Planning Commission on 6/3/25:
 - a. Zoning Change from AG, Agricultural to AG, Agricultural and LI, Limited Industrial.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of 46th Avenue Industrial Park Second Addition.
- 42. Discussion regarding the 64th Avenue Interchange.

43. Update on potential relocation sites for the Resource and Recovery Center (formerly the Downtown Engagement Center).
44. Recommendation to delay indefinitely the full-time Mayor position.
45. Recommendation to approve the proposed Transit Route changes effective January 1, 2026.
46. Recommendation to approve the Preliminary Budget as the Final Budget for 2026.
47. Liaison Commissioner Assignment Updates.
48. **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://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](https://fargoND.gov/CityCommission).