

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at 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.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, August 10, 2020).

CONSENT AGENDA – APPROVE THE FOLLOWING:

1. 2nd reading and final adoption of the following Ordinances; 1st reading, 8/10/20:
 - a. Rezoning Certain Parcels of Land Lying in Timber Parkway Fourth Addition, Timber Parkway Third Addition and Timber Parkway Second Addition.
 - b. Rezoning Certain Parcels of Land Lying in North Fargo Industrial Addition.
 - c. Annexing a Certain Parcel of Land Lying in the East Half of Section 15, Township 140 North, Range 49 West.
 - d. Rezoning Certain Parcels of Land Lying in the Proposed Sanford South Campus Addition.
 - e. Rezoning Certain Parcels of Land Lying in South Haven Subdivision.
2. Receive and file the Summons and Complaint relating to Alan C. Erickson vs. City of Fargo.
3. Findings, Conclusion and Order of the Board of City Commissioners of the City of Fargo regarding the License Violation of Northstar Hospitality, LLC d/b/a SouthTown PourHouse.
4. Applications for Games of Chance:
 - a. Fargo South High School for a calendar raffle from 9/3/20 to 2/28/21.
 - b. Nativity Church of Fargo for bingo and a raffle on 11/8/20.
 - c. Dakota Medical Foundation – Lend A Hand Up for a raffle and raffle board on 9/12/20.
 - d. Fargo Rotary Club for a raffle on 10/15/20.
5. Easement (Temporary Construction Easement) with the Park District of the City of Fargo (Project No. FM-19-B).
6. Purchase Agreement with Stanley and Patricia Ryland (Project No. FM-20-C1).
7. Memorandum of Understanding Regarding Right of Way Encroachment and Road Maintenance with Cass County (Project No. FM-16-A1).
8. 40th Avenue North Bridge repairs at an estimated cost of \$47,067.85.
9. TMH Properties Development Agreement and Amended Easement with TMH Properties, LLC.
10. Amendment (First) to Right of Way Agreement with Great Plains Mercantile Holdings, LLC.

Page 2 Change Order No. 1 for an increase of \$2,650.00 and time extension to 10/1/20 for Project No. UR-19-E1.

12. Encroachment Agreement with Sterling Properties, LLLP.
13. Receive and file General Fund – Budget to Actual through July 2020 (unaudited).
14. Receive and file Financial Status Report Year to Date through 7/31/20 for majoring operating funds (unaudited).
15. Fargo Public Schools Department of Support Services Service Agreement for extended nursing care services for special education students.
16. Contract Agreement for Services with Dacotah Foundation.
17. Contract Agreement for Services with Southeast Human Service Center.
18. Amendment to Agreement for Services with Gia Rassier.
19. Amendment to Agreement for Services with Annie Wood.
20. Contract Agreement for Services with American Lung Association.
21. Resolution Approving Proposed Budget & Activities for COVID-19 Quarantine Support, Prevention, Preparation and Response.
22. Bid award for 2021 spring tree order (RFP20130).
23. Receive and file the Snow Emergency Route Designation Map.
24. Amendment No. 4 with KLJ, Inc. in the amount of \$6,478.57 for the GTC Improvement Project.
25. Structure Lease Agreement with New Cingular Wireless PCS, LLC, contingent upon Water Utility approval of final construction documents.
26. Bid award for Project No. WA2004.
27. Change Order No. 1 for an increase of \$2,450.00 for Project No. WA1906.
28. Change Order No. 2 for an increase of \$35,528.93 for Project No. WW1904.
29. Bills.
30. Change Order No. 1 for an increase of \$55,929.27 and associated time extension for Improvement District No. BN-20-C1.
31. Change Order No. 1 for an increase of \$13,896.45 and associated time extension for Improvement District No. BN-20-F1.
32. Change Order No. 3 for time extensions for Improvement District No. BR-20-E1.
33. Negative Final Balancing Change Order No. 5 in the amount of -\$120,397.08 for Improvement District No. BN-19-F1.

REGULAR AGENDA:

35. Presentation on the new Cass Clay Alerts System.
36. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. CONTINUE to 9/8/20 – Application filed by AdShark Ventures, LLC for a property tax exemption for a project located at 5601 34th Avenue South, which the applicant will use in the operation of their operation of ecommerce services, utilizing online user-data, internet based platforms, website development and conversion rate optimization to drive sales and new customer growth.
 - b. WITHDRAWN - Application filed by Access Point Technologies EP, Inc. for an exemption of property and/or income tax for a project located at 4837 Amber Valley Parkway, which the applicant will use in the operation of developing medical devices for the electrophysiology market.
 - c. Northern Sheyenne Land Third Addition (1805, 1810, 1820, 1821, 1840 and 1841 Sheyenne Loop North):
 1. Zoning Change from GI, General Industrial to LI, Limited Industrial.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Northern Sheyenne Land Third Addition.
 - d. Amendments to the 2019 Action Plan Community Development Block Grant (CDBG).
 - e. Special Assessment of unpaid utility bills.
 - f. Special Assessments for maintenance of skyway system.
 - g. Special Assessment of nuisance abatement fees.
37. Appointments to the Arts and Culture Commission.
38. Recommendation from the Police Chief Selection Committee.
39. Recommendation to extend the Resolution Extending the Moratorium Pertaining to the Retail Sale of Alcoholic Beverages Approved June 1, 2020 to November 30, 2020.
40. ***PUBLIC INPUT OPPORTUNITY*** - Request from the Downtown Community Partnership to discuss the downtown Fargo business environment.
 - a. Communication from Josie Danz regarding the benches in the Downtown Area.
41. **RESIDENT COMMENTS (each Fargo resident will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments).**

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us 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.

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City of Fargo Staff Report			
Title:	Northern Sheyenne Land Third Addition	Date:	4/29/2020
		Update:	8/20/2020
Location:	1805, 1810, 1820, 1821, 1840, and 1841 Sheyenne Loop North	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lot 1, Block 3, 19th Avenue Southwest Pond Addition; Lots 5-7, Block 1 and Lots 2-3, Block 2, Northern Sheyenne Land Second Addition; and a Vacation and replat of part of 19th Avenue North dedicated as part of Northern Sheyenne Land Addition to the City of Fargo, Cass County, North Dakota		
Owner(s)/Applicant:	Kelmar Property 6, LLC/Houston Engineering	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Major Subdivision Including Vacation of ROW (replat of Lot 1, Block 3, 19th Avenue Southwest Pond Addition; Lots 5-7, Block 1 and Lots 2-3, Block 2, Northern Sheyenne Land Second Addition; and a Vacation and replat of part of 19th Avenue North dedicated as part of Northern Sheyenne Land Addition to the City of Fargo, Cass County, North Dakota); Zoning Change from GI, General Industrial to LI, Limited Industrial		
Status:	City Commission Public Hearing: August 24, 2020		
Existing	Proposed		
Land Use: Undeveloped	Land Use: Industrial		
Zoning: GI, General Industrial	Zoning: LI, Limited Industrial		
Uses Allowed: GI - General Industrial. Allows detention facilities, health care facilities, safety services, adult entertainment centers, off-premise advertising, commercial parking, industrial service, manufacturing and production, warehouse and freight movement, waste related use, wholesale sales, aviation, surface transportation, and mining	Uses Allowed: LI – Limited Industrial. Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation.		
Maximum Building Coverage: 85%	Maximum Building Coverage: 85%		
Proposal:			
The applicant requests two entitlements:			
<ol style="list-style-type: none"> 1. A major subdivision, including vacation of right of way, entitled Northern Sheyenne Land Third Addition, which is a replat of Lot 1, Block 3, 19th Avenue Southwest Pond Addition; Lots 5-7, Block 1 and Lots 2-3, Block 2, Northern Sheyenne Land Second Addition; and a Vacation and replat of part of 19th Avenue North dedicated as part of Northern Sheyenne Land Addition to the City of Fargo, Cass County, North Dakota 2. A zoning change from GI, General Industrial to LI, Limited Industrial for all lots in the Northern Sheyenne Land Third Addition. 			
Surrounding Land Uses and Zoning Districts:			
<ul style="list-style-type: none"> • North: AG—undeveloped; LI—undeveloped; P/I, Public/Institutional—City-owned stormwater detention basin • East: GI—undeveloped, and railroad • South: GI—industrial uses • West: GI—industrial uses 			

Area Plans:

The subject property is included in the North Fargo Tier 1 West area of the 2007 Growth Plan.

The subject property was rezoned from AG, Agricultural and GC, General Commercial to GI, General Industrial in 2012 with the Northern Sheyenne Land Addition. Staff supported the rezone with the following analysis:

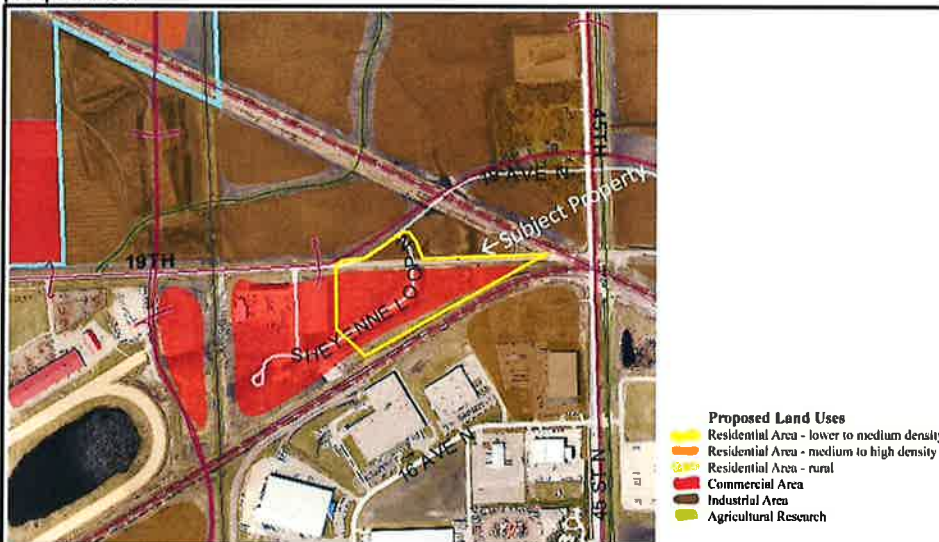
"The subject property is located within the North Fargo Tier One West area as identified within the 2007 Growth Plan as shown below. The plan is intended to be used as a framework for development, setting forth the general mix of land uses, approximate size of each land use mass, street connections and so forth. Development must be accepted as being in compliance with the plan prior to being reviewed for zoning compliance and compliance with the Land Development Code (LDC). According to the plan, commercial/industrial development in this area is an appropriate future land use.

Several properties directly to the east of the subject property have recently been re-zoned to accommodate industrial uses. On October 3, 2011, the Fargo City Commission approved, as part of the Phoenix International proposal, Light Industrial zoning and subdivision at the north east corner of 45th Street North and 19th Avenue North. Similarly, on January 1st, 2010 and on November 1st, 2010, the Fargo City Commission approved the Light Industrial zoning of two parcels within Hector's Subdivision, located at the southeast corner of 45th Street North and 19th Avenue North. With this in mind, and in conjunction with the realignment of 19th Avenue corridor, it makes sense to shift the retail and service industry further north to the main intersection and to keep the industrial land uses with access to the rail road."

Staff supported continuing the existing industrial zoning with this analysis as part of the Northern Sheyenne Land Second Addition in 2016:

"While the subject property is identified as being suitable for commercial land-use, the 19th Avenue North corridor west of I-29 has continued to develop as industrial. This has been supported by several approved growth plan amendments along this portion of 19th Avenue North in recent years since the adoption of the 2007 Growth Plan."

The proposed rezone to LI, Limited Industrial is consistent with these analyses in continuing an "industrial" zoning designation on the subject property. The LI zone does allow a greater variety of uses beyond the strictly industrial uses allowed in the GI zone, which may spur the development of these properties.



Schools and Parks:

Schools: The subject property is located within the West Fargo School District, specifically within the Harwood and Westside Elementary, Cheney Middle and West Fargo High schools.

Neighborhood: The subject property is located is not within a named neighborhood.

Parks: The subject property is not within a mile of a public park.

Pedestrian / Bicycle: A six-foot wide multi-use path that is a component of the metro area trail system is included in the current 19th Avenue North right of way along the north side of the subject property.

Staff Analysis:

This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

PLAT: The plat will create seven lots in two blocks.

ZONING: These properties are currently zoned GI, General Industrial. The proposed zone change is to LI, Limited Industrial, as the applicant believes that the greater and more varied uses that the LI zoning allows will provide more flexibility for the development of these lots. The existing lots are undeveloped.

PUBLIC WATER and SEWER: Public water and sewer will be provided in the dedicated public streets.

VACATION OF RIGHT OF WAY: The project includes vacation of right of way for former 19th Avenue North, which has been re-routed to the north. Right of way vacated by this plat will be incorporated into the proposed lots on the plat. Vacation of right of way has separate findings, as noted below.

STATUS OF LOT 1, BLOCK 3, 19th AVENUE SOUTHWEST POND ADDITION: This small lot is currently owned by the City of Fargo, though a purchase agreement with the applicant is in place. This purchase will be completed prior to plat recordation.

FINDINGS

Zoning

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

Staff is unaware of any error in the zoning map as it relates to this property. The existing zoning on this property is GI, General Industrial. The proposed zoning is LI, Limited Industrial. The LI zoning designation is consistent with the land use designation for this property in the 2007 Growth Plan as noted above. **(Criteria Satisfied)**

2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. Lots in the subdivision will front on dedicated public streets. These streets will provide access and public utilities to serve the development. **(Criteria satisfied)**

3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal

was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received no comment or inquiry from the public. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**

4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." The Growth Plan that applies to this property is the 2007 Growth Plan--North Fargo Tier 1 West. As noted in the "Area Plan" section above, the "Industrial" land use designation of that plan has been applied to this area. The proposed LI zoning is consistent with that land use designation. Staff finds this proposal is consistent with the purpose of the LDC, the applicable growth plan, and other adopted policies of the City. **(Criteria satisfied)**

Major Subdivision

The LDC stipulates that the following criteria is met before a major subdivision plat can be approved

1. Section 20-0907. of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.

The existing zoning on this property is GI, General Industrial. The proposed zoning is LI, Limited Industrial. The Growth Plan that applies to this property is the 2007 North Fargo Tier 1 West Growth Plan, part of the 2007 Growth Plan. As noted in the "Area Plan" section above, the "Industrial" land use designation of that plan has been applied to this area. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received no public comments.

(Criteria Satisfied)

2. Section 20-0907.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.

The existing zoning on this property is GI, General Industrial. The proposed zoning is LI, Limited Industrial. The LI zoning will accommodate the proposed limited industrial development. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments.

(Criteria Satisfied)

3. Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.

The City's standard policy is that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles

(Criteria Satisfied)

ROW Vacation Approval Criteria: The City of Fargo does not currently have any adopted regulation dealing with the vacation of rights-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacate Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant must submit a vacation plat (a major subdivision). In this case, the petition for vacation and the plat are included in the applicant's overall subdivision application and plat.

Notwithstanding the Land Development Code's (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 24-07 (outside of municipal limits) and Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C. The final decision on vacation of right of way is made by the City Commission.

N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions. No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality's grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of such electric facilities in the vacated streets.

There are no remaining utilities in the area of right of way proposed to be vacated. (Criteria Satisfied)

N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification. No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.

In accordance with the requirement of this section, this information is included in the plat and its application. (Criteria Satisfied)

N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice. If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.

Documentation is located within both the Planning project file and Auditor's file. (Criteria Satisfied)

N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body. The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.

This City Commission hearing is scheduled for August 24, 2020. (Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirement to receive the rezoning Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading and move to approve the proposed 1) zone change from GI, General Industrial I to LI, Limited Industrial; and 2) plat of **Northern Sheyenne Land Third Addition**, including vacation of right of way, as presented, as the proposal complies with the 2007 Growth Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC; and the right-of-way vacation findings of NDCC 40-39-04 through -07."

Planning Commission Recommendation: May 5, 2020

On May 5th , 2020, by a vote of 9-0 with one Commissioner absent and one seat vacant, the Planning Commission moved to accept the findings and recommendations of staff and recommended approval to the City Commission of 1) zone change from GI, General Industrial I to LI, Limited Industrial; 2) plat of **Northern Sheyenne Land Third Addition** including vacation of right of way, as presented, as the proposal complies with the Go2030 Fargo Comprehensive Plan, 2007 Growth Plan, Standards of Article 20-06, Section 20-0906.F (1-4) and all other applicable requirements of the LDC, and the right-of-way vacation findings of NDCC 40-39-04 through -07.”

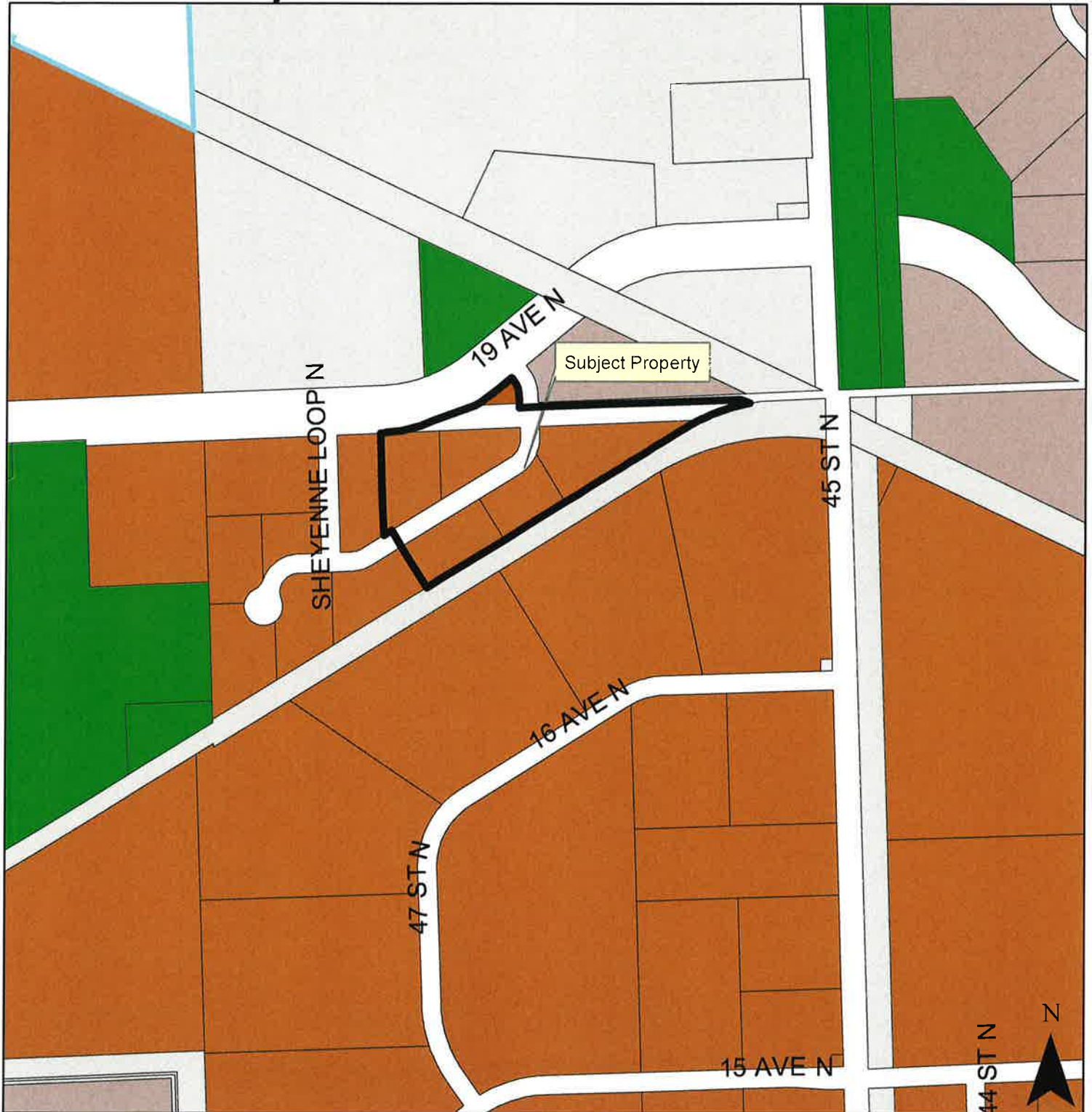
Attachments:

1. Zoning map
2. Location map
3. Preliminary plat

Zone Change (GI to LI) Plat (Major) & Vacation

1805, 1821, 1841, 1810, 1820
& 1840 Sheyenne Loop N

Northern Sheyenne Land Third Addition

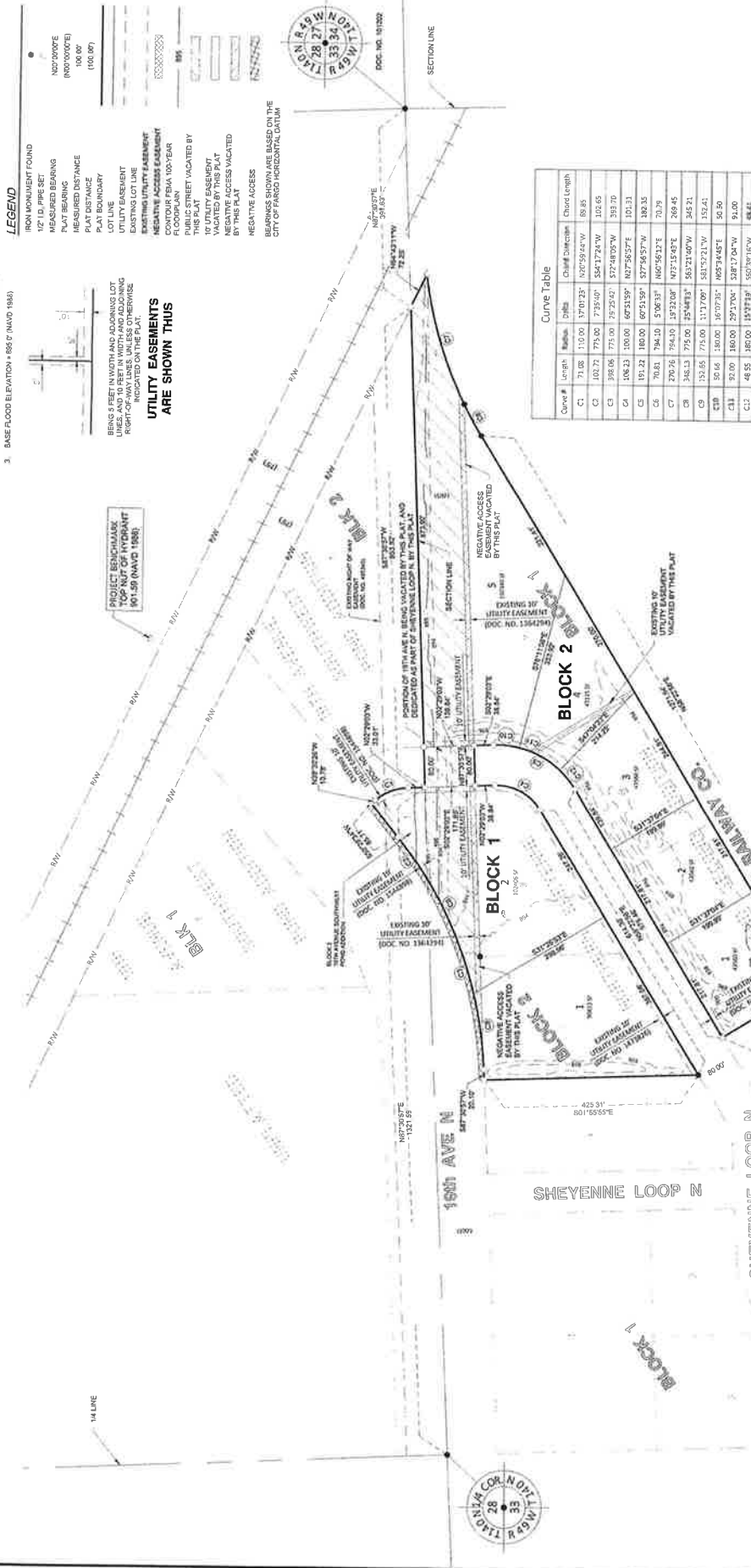


Zone Change (GI to LI) Plat (Major) & Vacation

Northern Sheyenne Land Third Addition 1805, 1821, 1841, 1810, 1820
& 1840 Sheyenne Loop N



1. NEGATIVE ACCESS EASEMENT, AS NOTED ON THIS PLAN, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY OR ADRIFT WHICH EASEMENTS DENIES DIRECT VEHICULAR ACCESS TO A STREET OR PUBLIC HIGHWAY FROM ANY LOT OR TRACT OF LAND WHICH IS NOT A STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COINCIDENT WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.
2. PROPERTY IS SITUATED IN ZONE A1; ZONE A2; ZONE A3; FLOODPLAIN AND ZONE X AREAS OF 100% ANNUAL FLOODING AND ZONE X AREAS OF 1% ANNUAL CHANCE FLOODING ARE SHOWN BY THE FOLLOWING: CHANCE FLOOD WITH GRASSLAND AREAS LESS THAN 1' SQUARE FEET AND AREAS PROTECTED BY TREES FROM 1' SQUARE FEET TO 100' SQUARE FEET; CHANCE FLOOD FROM PANEL 5867C TO 5869B, UNITED NATIONS NAVD 1983.



HOUSTON
ENGINEERING INC.
Project No. 10577-0001

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

3602

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
LYING IN NORTHERN SHEYENNE LAND THIRD ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Northern Sheyenne Land Third Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on May 5, 2020; and,

WHEREAS, the rezoning changes were approved by the City Commission on August 24, 2020,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

All of the Northern Sheyenne Land Third Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "GI", General Industrial, District to "LI", Limited Industrial, District.

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

(SEAL)

Attest:

Timothy J. Mahoney, M.D., Mayor

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:



MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: TIA BRASETH, COMMUNITY DEVELOPMENT PLANNING COORDINATOR TB

DATE: AUGUST 19, 2020

RE: PUBLIC HEARING & APPROVAL OF PROPOSED AMENDMENTS TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)/HOME INVESTMENT PARTNERSHIPS 2019 ANNUAL ACTION PLAN

The Department of Planning & Development is considering COVID-related amendments to its 2019 Annual Action Plan, previously approved by City Commission on June 17, 2019 and May 18, 2020. The City Commission is asked to hold a public hearing and then consider the following Community Development Block Grant (CDBG) actions:

1. **Activity Amendment – Previously advertised as “Temporary Rental Assistance – \$464,253 CDBG COVID1 granted to the State of North Dakota to assist Fargo residents through its North Dakota COVID-19 Emergency Rent Bridge program or other similar program.”**

Proposed changes would expand the project description to not only include assistance for rent, but also for mortgage payments, utilities, security deposits, and other homeless or eviction prevention-type assistance, as well as operational administration support, as approved by the City of Fargo, for up to 6-months per household. Emergency payments will be made directly to the provider of items or services on behalf of an individual or household through City of Fargo partners, SouthEastern North Dakota Community Action Agency (SENDCAA) and Presentation Partners in Housing.

2. **Add Activity to 2019 Annual Action Plan – Gladys Ray Shelter Partitioned Bunk Beds**
Installation of bunk beds with solid separation panels will minimize the spread of COVID-19 by increasing social distancing capabilities.
3. **Activity Amendment: Affordable Housing Development at 702 2 Street North**
Activity will include disposition of City-owned land previously purchased with CDBG funds to demolish blighted house. This property will be donated to Lake Agassiz Habitat for Humanity to build a new unit which will be occupied by a household earning 80% or less of the Area Median Income. The City of Fargo will execute a secondary mortgage with the homeowner for the value of the land, which will be repaid upon sale or vacancy.

The proposed amendments are in compliance with federal regulations for the Department of Housing and Urban Development (HUD) CDBG program. The following actions were completed as required by the City of Fargo's Citizen Participation Plan:

Public Advertisement Published	August 19, 2020
5-Day Public Comment Period Begins	August 20, 2020
Provided Information to the Community Development Committee	August 20, 2020
5-Day Public Comment Period Ends	August 24, 2020
Public Hearing at City Commission Meeting	August 24, 2020

No public comments were received. Each proposed amendment is detailed in the attached public notice. Once approved, the amendment will be submitted to HUD for approval.

Recommended Motion: Approve proposed amendments to CDBG/HOME 2019 Annual Action Plan.



**Notice of Public Hearing & Public Comment Period
Amendments to 2019 Action Plan
Community Development Block Grant (CDBG)**

The City of Fargo is considering COVID-related amendments to its 2019 Action Plan, previously approved by City Commission on June 17, 2019 and May, 18 2020. An additional allocation of funding has been released for COVID-related response, prevention, and preparation as part of the CARES Act and must be included in the annual action plan. These proposed amendments are considered substantial amendments and must go through a citizen participation process. The details and timeline for this process are outlined below. Upon City Commission action on August 24, 2020, a recommendation regarding these amendments will be forwarded to HUD for their consideration and approval.

5-Day Public Comment Period: August 20 through 24, 2020

Send written comments or phone: City of Fargo
Planning and Development Department
Attn: Community Development Planning Coordinator
225 4th Street North, Fargo ND 58102
701.476.4144

Electronic Comments: Planning@FargoND.gov

Public Hearing: Monday, August 24, 2020 - 5:15 p.m.
Fargo City Commission Chambers
225 4th Street North, Fargo ND 58102

Final City Commission Consideration: Monday, August 24, 2020

Summary of Proposed Amendments to 2019 Action Plan:

1. Activity Amendment – Previously advertised as:

“Temporary Rental Assistance – \$464,253 CDBG COVID1 granted to the State of North Dakota to assist Fargo residents through its North Dakota COVID-19 Emergency Rent Bridge program or other similar program.”

Proposed changes would expand the project description to not only include assistance for rent, but also for mortgage payments, utilities, security deposits, and other homeless or eviction prevention-type assistance as approved by the City of Fargo, for up to 6-months per household. Emergency payments will be made directly to the provider of items or services on behalf of an individual or household. Additionally, a portion of the funds may be used for operational support to administer these funds promptly and closely screen beneficiaries to prevent a duplication of benefits, which is prohibited with HUD CDBG-CV funds. Also, as part of this proposed amendment (under the previously advertised “or other similar program”), the activity name is revised, partners are identified, and budgets are determined (see below):

Emergency Subsistence Payments [*Eligibility & Regulation Citation: 05Q Subsistence Payments – 24 CFR 570.207(b)(4)*]

- SouthEastern North Dakota Community Action Agency (SENDCAA) - \$205,000
- Presentation Partners in Housing - \$205,000

Several people have been impacted by the COVID-19 pandemic, particularly those who have low income. Many jobs were lost and in some cases, housing was lost. Keeping people housed, rapidly re-housing, or housing people who are currently homeless instantly provides a safe place for quarantine isolation and social distancing. Ultimately, this response reduces the spread of COVID-19 and keeps the community’s hospitals from being inundated.

2. Add Activity – Gladys Ray Shelter Partitioned Bunk Beds [*Eligibility & Regulation Citation: 03C Homeless Facilities (not operating costs) – 24 CFR 570.201(c)*]

Utilize \$50,000 to fabricate and install professionally manufactured bunk beds with solid separation panels. This response reduces the spread of COVID-19 by immediately increasing the separation capabilities of people sleeping in tight shelter dorm rooms.

3. Activity Amendment: Affordable Housing Development at 702 2 St N

Activities will include disposition of City-owned land previously purchased with CDBG funds (to demolish blighted house). This property will be donated to Lake Agassiz Habitat for Humanity to build a new unit which will be occupied by a household earning 80% or less of the Area Median Income. Upon occupancy, the City will record a secondary mortgage for the land value with the homeowner, which shall be repaid upon sale or vacancy. *National Objective: Low to Moderate Income Housing Benefit [570.208(a)(3)]. CDBG Matrix Codes: 02 Disposition and *12 Construction of Housing. Eligibility 24*

The remaining funds will be used for CDBG-CV administration and/or contingency (\$4,253).

Comments & Suggestions

Comments and suggestions from the public are encouraged through a public comment period and/or at the public hearing. The existing plans are available online at www.fargond.gov/planninganddevelopment/plansandstudies or by request through the Planning and Development Department. See contact information below.

The City of Fargo, in an effort to exercise the Centers for Disease Control and Prevention guidelines pertaining to social distancing and gatherings, is encouraging all stakeholders in the Community Development Block Grant and HOME Programs to participate in the public comment period remotely. Comments submitted by email or telephone are preferred. Email: Planning@FargoND.gov, Telephone: 701-476-4144.

The facility is serviced by public transit, accessible and can accommodate persons with disabilities. Alternative formats of this information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, including the availability of interpretation and translation services, will be made upon request (48 hours of notice is required). Anyone who requires these services or an auxiliary aid to fully participate in the hearing should contact the Planning and Development Department at 701.241.1474/Planning@FargoND.gov, or the City of Fargo's Section 504/ADA Coordinator Brock Morrison at 701.298.6966 to arrange for services. To access TTY/ND Relay service dial 800.366.6888 or 711. In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

**RESOLUTION APPROVING
AMENDMENTS TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)/HOME
INVESTMENT PARTNERSHIPS 2019 ANNUAL ACTION PLAN**

**BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY
OF FARGO:**

WHEREAS, the City of Fargo receives Community Development Block Grant (CDBG) and HOME Investment Partnerships program funds from United States Department of Housing and Urban Development (HUD); and

WHEREAS, in compliance with federal regulations, the City of Fargo has amended certain activities to its CDBG/HOME 2019 Annual Action Plan to make available housing and community development resources that primarily address the needs of low to moderate income persons in Fargo; and

WHEREAS, the City of Fargo has conducted a required citizen participation process including a draft publication of the amendments, a public hearing, and a 5-day public comment period as temporarily allowed through HUD waivers related to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fargo, North Dakota that the Mayor is herein authorized and directed to submit the amended plans to HUD and enter into and execute contracts and other documents as necessary to effectuate activities identified in the revised plan.

CERTIFICATE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

I, Timothy J. Mahoney, the duly elected, qualified and acting Mayor of the City of Fargo, North Dakota; and

I, Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota,

DO HEREBY CERTIFY:

That the foregoing is a full, true and correct copy of the original Resolution, and the whole thereof approving the amendments to the City of Fargo's 2019 Annual Action Plan for the Community Development Block Grant (CDBG) & HOME programs as described in the foregoing Resolution; which Resolution was duly adopted by the Board of City Commissioners of the City of Fargo, North Dakota, at the meeting of the Board held August 24, 2020 at which Regular Meeting all members present voted in favor of the adoption of the Resolution; and

That such Resolution is now a part of the permanent records of the City of Fargo, as such records are now filed in the office of the City Auditor.

(SEAL)

Timothy J. Mahoney,
Mayor of the City of Fargo, North Dakota

ATTEST:

Steven Sprague, City Auditor

On this ____ day of _____, 2020, before me, _____, a Notary Public in and for Cass County, in the State of North Dakota, personally appeared Timothy J. Mahoney, known to me to be the Mayor of the City of Fargo, North Dakota, and Steven Sprague, City Auditor of the City of Fargo, a municipal corporation under the laws of the State of North Dakota, and they acknowledged to me that they executed the foregoing instrument.

Notary Public, Cass County, North Dakota

NOTICE OF HEARING
FOR SPECIAL ASSESSMENT OF
UNPAID UTILITY BILLS



The Board of City Commissioners of the City of Fargo, North Dakota, will conduct a Public Hearing on special assessments for Unpaid Utility Bills, provided in the list below, on Monday, August 24, 2020, at 5:15 o'clock p.m. in the City Commission Room, City Hall, Fargo, North Dakota.

Address	Parcel	Assessment	Reason
4761 10 AVE S	01-3880-01233-000	951.31	Unpaid utility bills
1301 64 AVE N	60-1100-01190-000	606.19	Unpaid utility bills
1529 34 1/2 AVE S	01-2705-00375-000	727.99	Unpaid utility bills
3467 58 CT S	01-8394-00530-000	594.56	Unpaid utility bills
6264 56 AVE S	01-8449-04620-000	761.04	Unpaid utility bills
6116 55 AVE S	01-8449-03480-000	430.61	Unpaid utility bills
4712 59 ST S	01-8559-01350-000	405.51	Unpaid utility bills
2659 70 AVE S	01-8509-00720-000	558.68	Unpaid utility bills
1616 17 AVE N	01-3500-01240-000	532.82	Unpaid utility bills
6737 25 ST S	01-3518-00090-000	753.71	Unpaid utility bills
5800 Sundance Sq S	01-6450-00221-000	341.15	Unpaid utility bills
5454 51 AVE S	01-8443-00130-000	928.06	Unpaid utility bills
54 23 ST N	01-2170-00375-000	1,055.20	Unpaid utility bills
3350 1 AVE N	01-2170-00397-011	854.38	Unpaid utility bills
300 31 ST S	01-3500-51871-000	572.45	Unpaid utility bills
2715 12 AVE N	01-1043-00013-000	1,318.02	Unpaid utility bills
2201 11 AVE N	01-0100-00720-000	517.42	Unpaid utility bills
1407 7 AVE N	01-2190-00020-000	2,686.35	Unpaid utility bills
10 27 ST N	01-2170-00380-000	1,027.68	Unpaid utility bills
4208 ESTATE DR S	01-7870-00200-000	478.68	Unpaid utility bills
3291 62 AVE S	01-8394-02250-000	402.23	Unpaid utility bills
6129 59 AVE S	01-8449-05070-000	702.19	Unpaid utility bills
6656 58 AVE S	01-8449-01060-000	582.33	Unpaid utility bills
5916 36 ST S	01-8394-00550-000	850.03	Unpaid utility bills
3378 MAPLE LEAF LOOP S	01-8599-00590-000	424.17	Unpaid utility bills

Any person aggrieved may appeal from the action of the Board of City Commissioners by filing with the City Auditor, prior to August 24, 2020, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Board of City Commissioners should not be confirmed.

City Auditor's Office
(July 29 & August 5, 2020 - Legals)

NOTICE OF HEARING
ON SPECIAL ASSESSMENTS FOR
MAINTENANCE OF SKYWAY SYSTEM

36f

The Board of City Commissioners of the City of Fargo, North Dakota, will conduct a Public Hearing on special assessments for maintenance of the Skyway System on Monday, August 24, 2020, at 5:15 o'clock p.m. in the City Commission Room, City Hall, Fargo, North Dakota.

Any person aggrieved may appeal from the action of the Board of City Commissioners by filing with the City Auditor, prior to August 24, 2020, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Board of City Commissioners should not be confirmed.

City Auditor's Office

(July 29 & August 5, 2020)

NOTICE OF HEARING
FOR SPECIAL ASSESSMENT OF
NUISANCE ABATEMENT FEES



The Board of City Commissioners of the City of Fargo, North Dakota, will conduct a Public Hearing on special assessments for Nuisance Abatement fees, provided in the list below, on Monday, August 24, 2020, at 5:15 o'clock p.m. in the City Commission Room, City Hall, Fargo, North Dakota.

Address	Parcel	Assessment	Reason
826 10th Street North	01-1140-00290-000	36,647.00	Code Enforcement
1449-1449 1/2 2nd Ave S	01-0980-01040-000	3,539.78	Code Enforcement
15 North Terrace N	01-2200-00380-000	350.00	Dutch Elm Removal
1346 4th Avenue North	01-2340-01510-000	1,100.00	Dutch Elm Removal
825 7th Ave North	01-1120-00010-000	1,800.00	Dutch Elm Removal
1129 5th Ave South	01-2140-00521-000	1,775.00	Dutch Elm Removal
1433 12th Ave South	01-0020-01190-000	900.00	Dutch Elm Removal
1226 7th St North	01-2220-00950-000	1,580.00	Dutch Elm Removal
723 14th St South	01-0540-00930-000	2,400.00	Dutch Elm Removal
1621 Broadway	01-2100-00070-000	1,850.00	Dutch Elm Removal
4370 54 St South	01-7000-00830-000	450.00	Tree Planting
5555 Sunflower Lane S	01-7000-01730-000	225.00	Tree Planting
4764 47 Ave South	01-8030-01270-000	125.00	Tree Planting
4709 48 Ave South	01-8030-01310-000	225.00	Tree Planting
2525 33 Ave South	01-2283-00055-000	240.00	Mowing
3660 Cordova Loop	01-8568-00610-000	165.00	Mowing
722 19th St North	01-0100-02260-000	165.00	Mowing
726 19th St North	01-0100-02250-000	115.00	Mowing
730 19th St North	01-0100-02240-000	115.00	Mowing
1645 1st Street North	01-1890-00600-000	520.00	Mowing
3800 56th Ave South	01-8511-01130-000	2,840.00	Mowing
6125 24th Street South	01-6350-00580-000	725.00	Mowing
1530 Broadway North	01-0380-00070-000	140.00	Mowing
421 23rd Street South	01-0740-02040-000	495.00	Mowing
1006 10th Street North	01-0440-02370-000	240.00	Mowing
3180 42nd Street South	01-5110-00103-000	290.00	Mowing
6202 59th Avenue South	01-8449-05920-000	240.00	Mowing
1413 3rd Avenue North	01-0780-00030-000	445.00	Mowing
1108 7th Avenue South	01-2400-00390-000	165.00	Mowing

826 18th Street South	01-1700-00080-000	420.00	Mowing
3042 22nd Street South	01-1405-00030-000	140.00	Mowing
1021 10th Street North	01-0440-02550-000	230.00	Mowing
1740 52nd Street South	01-5050-01280-000	290.00	Mowing
3858 10th Street North	01-2335-00047-000	190.00	Mowing
2402 Broadway North	01-3060-00040-000	570.00	Mowing
4239 39 1/2 Avenue South	01-6600-00711-000	140.00	Mowing
820 11th Street North	01-1140-00100-000	240.00	Mowing
1817 Broadway North	01-2100-00230-000	240.00	Mowing
1810 3rd Street North	01-2100-02180-000	470.00	Mowing
720 6th Ave North	01-2382-01600-000	135.00	Mowing
1414 8th Street South	01-1400-02010-000	190.00	Mowing
822 18th Street South	01-1700-00090-000	240.00	Mowing
7361 20th Street South	01-8571-00980-000	215.00	Mowing
3582 55 Street South	01-8496-00400-000	190.00	Mowing
300 8 Street South	01-2240-03500-000	200.00	Snow Removal
1112 9 St North	01-0440-00690-000	75.00	Snow Removal
2414 7 Ave North	01-3300-01181-000	290.00	Snow Removal
609 10 Street North	01-2382-01820-000	75.00	Snow Removal
1617 South University Dr	01-2040-05860-000	275.00	Snow Removal
714 7 Street North	01-2280-00130-000	75.00	Snow Removal
1024 9 Ave South	01-2400-02460-000	140.00	Snow Removal
302 21 Ave North	01-1100-00510-000	75.00	Snow Removal
823 8 Ave North	01-1130-00190-000	75.00	Snow Removal
1645 1 Street North	01-1890-00600-000	75.00	Snow Removal
1023 9 Ave South	01-2400-01970-000	85.00	Snow Removal
1021 10 Street North	01-0440-02550-000	75.00	Snow Removal
1545 3 Ave North	01-2340-01010-000	75.00	Snow Removal
808 University Dr N	01-1620-00430-000	75.00	Snow Removal
1042 University Dr N	01-1640-01320-000	75.00	Snow Removal
925 1 Street North	01-3260-00510-000	75.00	Snow Removal
517 23 Ave North	01-2080-00580-000	75.00	Snow Removal
823 10 Street North	01-1130-00140-000	75.00	Snow Removal
914 12 Street North	01-2900-00080-000	90.00	Snow Removal
2628 Atlantic Dr S	01-0067-00304-000	130.00	Snow Removal
2822 Dakota Park Circle S	01-0519-00707-000	75.00	Snow Removal
902 12 Street North	01-2900-00140-000	75.00	Snow Removal
1108 14 Ave North	01-2220-03430-000	90.00	Snow Removal
1402 15 Street South	01-2040-02830-000	150.00	Snow Removal
5461 38 Street South	01-8422-00011-000	382.50	Snow Removal
1702 7 Ave North	01-1850-00103-000	370.00	Snow Removal
1118 9 Street North	01-0440-00680-000	150.00	Snow Removal
6191 Silver Leaf Dr S	01-7740-02500-000	310.00	Snow Removal
1432 1 Ave North	01-2340-03480-000	85.00	Snow Removal
3006 20 Street South	01-2350-00709-000	100.00	Snow Removal

1001 College Street N	01-1640-01180-000	120.00	Snow Removal
2017 7 Street North	01-3020-00240-000	80.00	Snow Removal
924 8 Street North	01-1130-00700-000	110.00	Snow Removal
1218/1220 11 1/2 ST N	01-2220-05070-000	100.00	Snow Removal
1445 3 AVE N	01-2340-01270-000	75.00	Snow Removal
2640 54 Ave S	01-8386-00660-000	75.00	Snow Removal
2114 26 1/2 AVE S	01-0505-00870-000	75.00	Snow Removal
903 10 ST N	01-1130-00900-000	120.00	Snow Removal
1239 12 ST N	01-2220-05000-000	85.00	Snow Removal
1641 8 ST N	01-0380-02930-000	75.00	Snow Removal
3582 55 St S	01-8496-00400-000	115.00	Snow Removal
1402 17 ST S	01-2040-02060-000	150.00	Snow Removal
1502 3 AVE N	01-2340-01992-000	75.00	Snow Removal
2201 18 ST S	01-1450-00451-000	742.50	Snow Removal
3201 Broadway	01-3540-00012-000		
		1,052.08	Snow Removal
1145 10 ST N	01-0440-00890-000	250.00	Snow Removal
912 12 AVE N	01-0440-00850-000	75.00	Snow Removal
230 20 AVE N	01-1110-00070-000	130.00	Snow Removal
1446 9 ST N	01-2220-01960-000	75.00	Snow Removal
1436 Main Ave	01-0700-00495-000	820.00	Snow Removal
610 42 ST N	01-0470-00835-010	427.50	Snow Removal
2501 58 AVE S	01-5930-00101-000	75.00	Snow Removal
716 1 ST N	01-1760-00410-000	75.00	Snow Removal
1363 2 ST N	01-1360-01990-000	150.00	Snow Removal
1202 8 AVE N	01-1120-01050-000	75.00	Snow Removal
1015 9 AVE N	01-1140-00360-000	75.00	Snow Removal
1414 3 AVE N	01-2340-01880-000	150.00	Snow Removal
1341 3 AVE N	01-2340-01530-000	75.00	Snow Removal
5651 36 AVE S	01-8609-00400-000	200.00	Snow Removal
4709 48 AVE S	01-8030-01310-000	85.00	Snow Removal
3858 10 ST N	01-2335-00047-000	75.00	Snow Removal
1401 13 1/2 ST S	01-2040-03110-000	500.00	Snow Removal
1417 11 AVE S	01-0020-00380-000	75.00	Snow Removal
513 21 ST N	01-3300-00650-000	225.00	Snow Removal
6196 Martens Way	01-5720-00350-000	90.00	Snow Removal
2727 34 AVE S	01-0518-00691-000	75.00	Snow Removal
2729 34 AVE S	01-0518-00695-000	75.00	Snow Removal
316 15 ST N	01-2340-00920-000	75.00	Snow Removal
819 8 AVE N	01-1130-00180-000	75.00	Snow Removal
314 20 ST N	01-3300-01920-000	150.00	Snow Removal
824 9 AVE N	01-1130-00300-000	160.00	Snow Removal
1042 17 ST N	01-0100-00920-000	125.00	Snow Removal
1024 8 ST S	01-0780-02160-000	115.00	Snow Removal

1746 50 ST S	01-5050-00623-000	75.00	Snow Removal
1811 49 ST S	01-5050-00283-000	75.00	Snow Removal
4249 Russet Ave S	01-8400-00450-000	90.00	Snow Removal
1365 10 AVE N	01-1640-00940-000	75.00	Snow Removal
910 University Dr N	01-1620-00580-000	75.00	Snow Removal
1220 11 AVE N	01-0440-01860-000	115.00	Snow Removal
1921 58 AVE S	01-5260-00270-000	75.00	Snow Removal
916 College ST N	01-1620-00690-000	75.00	Snow Removal
2102 Main Ave	01-0740-00070-000	100.00	Snow Removal
1705 11 AVE N	01-0100-00230-000	80.00	Snow Removal
1325 2 AVE S	01-0700-01020-000	75.00	Snow Removal
415 14 ST S	01-0700-02130-000	75.00	Snow Removal
417 14 ST S	01-0700-02140-000	75.00	Snow Removal
1404 33 ST S	01-1390-01913-000		
		1,943.75	Snow Removal
111 32 AVE N	01-3560-00240-000	170.00	Snow Removal
1442 8 AVE S	01-0540-01005-000	150.00	Snow Removal
1445 1 AVE N	01-2340-02660-000	100.00	Snow Removal
816 11 ST N	01-1140-00090-000	75.00	Snow Removal
1018 17 ST N	01-0100-00990-000	75.00	Snow Removal
2580 54 AVE S	01-8386-00720-000	75.00	Snow Removal
4783 Woodhaven Dr S	01-7500-00860-000	95.00	Snow Removal
702 29 ST N	01-2020-00160-000	135.00	Snow Removal
1755 Park Blvd S	01-2840-01300-000	105.00	Snow Removal
1146 Oak St N	01-1160-01340-000	140.00	Snow Removal
902 9 ST N	01-1130-00780-000	120.00	Snow Removal
811 1 AVE S	01-2240-01210-000	75.00	Snow Removal
817 29 ST N	01-0480-02760-000	85.00	Snow Removal
1701 Whitestone Cir S	01-2840-01420-000	160.00	Snow Removal
4766 Townsite Place S	01-7001-00261-000	75.00	Snow Removal
86 35TH AVE NE	01-1003-00880-000	75.00	Snow Removal
4901 45 ST S	01-8493-00100-000	276.67	Snow Removal
222 40 Street South	01-8413-00010-000	555.00	Snow Removal

Any person aggrieved may appeal from the action of the Board of City Commissioners by filing with the City Auditor, prior to August 24, 2020, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Board of City Commissioners should not be confirmed.

City Auditor's Office
(July 29 & August 5, 2020 - Legals)

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY



DATE: AUGUST 24, 2020

SUBJECT: ARTS AND CULTURE COMMISSION APPOINTMENTS

The terms of Denese Odegaard, Mark Johnson and Arlette Preston on the Arts and Culture Commission expired on June 1, 2020. All three have resigned their positions on the Board.

Brad Bachmeier, Ann Arbor Miller and Monika Browne-Ecker have expressed interest in serving on the Arts and Culture Commission; therefore, I am recommending that they be appointed for three-year terms ending June 1, 2023.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: To approve the appointments of Brad Bachmeier, Ann Arbor Miller and Monika Browne-Ecker to the Arts and Culture Commission for three-year terms ending June 1, 2023.

mmappt20acc

From: noreply@cityoffargo.com
Sent: Thursday, July 02, 2020 12:35 PM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government
Attachments: Monika Browne-Ecker Resume.pdf

Name:

[Monika Browne-Ecker]

Mailing Address:

[1350 N Broadway St, 102]

City:

[FARGO]

State:

[North Dakota]

Zip:

[58102]

Work Phone:

[7014900088]

Home Phone:

[BLANK]

E-mail:

[monikabrowne4@gmail.com]

Which boards or commissions would you like to be considered for?

[Arts & Culture Commission]

Briefly state why you would like to be on this panel:

[I'm a performing artist with Theatre B, a local nonprofit, where I'm also the Operations Manager. I believe that as an active artist and an immigrant helping the arts and culture develop in Fargo has been my pursuit and a goal. Fargo has been my artistic home for years and my home in the USA. I want to see it grow into a more robust regional center that attracts people to apply for jobs and start families here. Fargo should be the place where our college graduates want to stay to invest in themselves and the community. Art and culture is the best way to ensure that job opportunities become life opportunities; they encourage people to plant themselves in a place for a long time. I want to be on this panel to help develop proper funding and legislation to support arts and culture as I know their direct influence on growing a community.]

How many hours per month could you volunteer as a panel member?

[Potentially up to 15 but I can be flexible.]

Please list any past experience you have with city government here or in other cities:

[I worked as a legal assistant in the Myhre Law Office in valley city, ND (about 45 minutes west of Fargo). Our office served as the City Attorney. I gained direct knowledge of municipal processes and legislation as the main assistant to the city portfolio in our office. I also served on the Bridges Arts Council. I volunteer and participate in many events in the FM community.]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in:

[Thanks to my work at Theatre B as Operations Manager and member of the artistic ensemble, and my prior job at the Myhre Law Office in Valley City, ND, I have a background in arts administration and working with city governments, and I'm an active artist in the FM area. I'm very familiar with municipal processes and audience development.]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.

Kember Anderson

From: noreply@cityoffargo.com
Sent: Monday, June 22, 2020 11:45 AM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government

Name:

[Ann Arbor Miller]

Mailing Address:

[1349 7th St. S.]

City:

[Fargo]

State:

[North Dakota]

Zip:

[58103]

Work Phone:

[(701) 388-8870]

Home Phone:

[(701) 388-8870]

E-mail:

[annarbormiller@gmail.com]

Which boards or commissions would you like to be considered for?

[Arts & Culture Commission]

Briefly state why you would like to be on this panel:

[I'm interested in getting involved in my community in a new and more formal way. My professional background (photographer, arts educator, and marketing/communications) and personal areas of interest (neighborhoods, community engagement, public spaces) feel aligned with the Arts & Culture Commission's purpose and mission. The monthly time commitment and appointment's duration also feel manageable.]

How many hours per month could you volunteer as a panel member?

[2-6 hours per month]

Please list any past experience you have with city government here or in other cities:

[I have not previously served on city boards or commissions here or elsewhere. Many years ago I held a part-time marketing/communications position with the Fargo Public Library. In addition, I've worked with library staff to facilitate past exhibitions of The World in Fargo-Moorhead at the main library.]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in:

[I am a visual storyteller and arts educator. My photographic training is rooted in photojournalism and documentary image-making. I've spent more than 25 years working in journalism, communication, media, and the arts. I studied journalism and French at The University of Montana and later earned a Master of Arts degree from Ohio University's School of Visual Communication. My photographs have been exhibited regionally over the past two decades. I helped co-found The World in Fargo-Moorhead, a community project celebrating the lives of foreign-born residents through portraits and personal stories. In addition to freelance photography assignments, I work part-time as a teaching artist with students of all ages at Plains Art Museum. This is newer role for me. I lead gallery tours and guide students through hand-building ceramic projects. I also serve a liaison between the teaching artist cohort and the museum's Education Department leadership. I previously served a 3-year term on the Board of Directors for The Arts Partnership, which is helping bring a public art project called The Photoville FENCE to Metro in the fall. I was recently selected to serve as a regional juror for The FENCE. To view samples of my photographic work and gain a sense of my interests, visit my Instagram page at: <https://www.instagram.com/annarbormiller/>. Thank you for your consideration. - Ann]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.

From: noreply@cityoffargo.com
Sent: Wednesday, June 07, 2017 11:09 AM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government

Name:

[Brad Bachmeier]

Mailing Address:

[8417 25th St. S.]

City:

[Fargo]

State:

[North Dakota]

Zip:

[58104]

Work Phone:

[218-477-5989]

Home Phone:

[701-293-2035]

E-mail:

[bachmeierpottery@msn.com]

Which boards or commissions would you like to be considered for?

[Arts and Culture Commission]

Briefly state why you would like to be on this panel:

[I've served on several non-profit arts boards, such as The Arts Partnership and The Rourke Art Museum and have a vested interest in specifically developing Public Art opportunities, programs and works for Fargo.]

How many hours per month could you volunteer as a panel member?

[8-12]

Please list any past experience you have with city government here or in other cities:

[I actually served as an advisor for this Public Arts Commission upon it's inception. Served on the Board of Directors and as President of The Arts Partnership. I also currently serve as an appointee of the Governor on the North Dakota Council on the Arts.]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in:

[Professor of Art 10 yrs. Professional artist 24 yrs. Have created numerous Public Art works ranging from \$20-\$90,000 budget projects.]

If you have a resume you would like to submit, please paste it below.

[BRAD BACHMEIER-Teaching Artist Vitae Education MFA Ceramics, University of North Dakota, Grand Forks, August 2008, GPA 4.0 BS in Art Education K-12, Cum Laude, concentrations in ceramics and painting, major GPA 3.75, Minnesota State University Moorhead (MSUM), May 1993 Solo or Two Person Art Exhibits Rehfeldt's Gallery "Sticks and Stones": Sioux Falls, SD, 16 Rourke Art Museum "Confluence": Exhibit with painter Zhimi Guan, Moorhead, MN, 14 Bismarck Arts and Galleries Association "Vast and Grounded: Exhibit with painter Mick Dunn, 13 The Art Center: "Sticks and Stones", solo ceramic exhibit in conjunction with workshop, Jamestown, ND 12 Rourke Art Museum: "Building a Decade", exhibit of ceramic vessels and sculpture, celebrating the 10th Annual exhibit with the Rourke Art Museum and Gallery, 10 South Dakota Museum of Art: South Dakota State University, 09 "Co-Existence", two person show with painter Chris Vance, Brookings, SD Rourke Art Museum: "Ceramic Evolution", exhibit of ceramic works featuring 2 monumental size pieces. 4'x4' vessel and 2.5'x6' vessel, 09 Dakota Prairie Museum: Aberdeen, South Dakota, "Ceramic Evolution", Exhibit of evolution of work through the past decade, 09 Rourke Art Museum: "Permanent Impressions", exhibit of ceramic works, Moorhead, MN, 08 Dickinson State University: Kleinfelter Gallery, Dickinson, ND, "Clay Carnival" Exhibit featuring a wide range of ceramic techniques and processes, Fall 08 UND Art Gallery: "A Ceramic Humanity", MFA Graduate Exhibit, Grand Forks, ND, 08 Rourke Art Gallery: "A Ceramic Humanity," exhibit of ceramic works, Moorhead, MN, 07 Rourke Art Museum: "Revelations," exhibit of ceramic works, Moorhead, MN, 06 Third Street Gallery: "Revelations," exhibit of ceramic works, Grand Forks, ND, 06 Bismarck Art and Galleries Association: "Embers," low-fire works, Bismarck, ND, 05 James Memorial Gallery: "Zen Candy," raku fired

ceramic exhibit, Williston, ND, 05 Rourke Art Museum: "Zen Candy," raku fired exhibit, Moorhead, MN, 05 Jamestown Art Center: "Zen Candy," raku fired ceramic exhibit, Jamestown, ND, 04 Northern State University: "Concisely Confused Raku," Aberdeen, SD, 04 Jacques Art Center: "Wings of Fire," two-person exhibit, Aitkin, MN, 04 Lake Region Heritage Center: "Zen Candy," raku fired exhibit, Devils Lake, ND, 04 Rourke Art Gallery: "Horsing Around," exhibit of ceramic works, Moorhead, MN, 04 Cultural Center: "Formed by Fire," three-person show, New York Mills, MN, 03 Minot State University: "Zen Candy," raku ceramic exhibit, Minot, ND, 03 Rourke Art Gallery: "Dakota Zen," raku ceramic exhibit, Moorhead, MN, 03 Rourke Art Gallery: "Color and Contrast," raku ceramic exhibit, Moorhead, MN, 02 Creative Arts Studio Gallery: "Recent Raku," ceramic exhibit, Fargo, ND, 01 Rourke Art Gallery: "Smoke and Fire," ceramic exhibit, Moorhead, MN, 01 The Barn Art Center: "Smoke and Fire," Willmar, MN, 00 Group Art Exhibits Workhouse Arts Center, Clay International: Lorton VA, 16 Art 50! ND Council on the Arts Traveling Exhibit: Eight ND Venues, 2016-18 Potter's Council National Juried Exhibit: Providence, RI, 15 Idaho Falls 7th Annual National Juried Exhibit: 15 U.S. National Parks Artist-In-Residence Exhibit: Invitational at Lapasoda Museum, AZ 15 Under the Dakota Sky: Invitational exhibit of North Dakota Council on the Arts at the ND Heritage Center, Bismarck, ND celebrating 125 yrs. of Statehood, 15 It's Only Clay, National Juried Exhibit: Watermark Art Center, Bemidji, MN 15 Arts 64: Buchanan Center for the Arts, Monmouth, IL, 14 Contemporary Indigeneity: Great Plains Art Museum, University of Nebraska Lincoln, 14 Gateway to Imagination: Farmington Museum, Farmington, NM, 14 Hodo Hotel Group Art Exhibit: Fargo, ND 14 SPARK: National Art Education Association Exhibit, San Diego, CA 14 Red River Reciprocity Ceramics Exhibit: Plains Art Museum, 2014 Area Faculty Exhibit: Kaddatz Gallery, Fergus Falls, MN, 2014 MSUM Annual Faculty shows: Roland Dille Center for the Arts Gallery, 2007-2016 FMVA Preview Exhibits: Plains Art Museum, Fargo ND 10-16 50 States Fire Up: American Clay Invitational: Margaret Harwell Art Museum, Popular Bluff, MO, 12 Visions in Clay: National Juried Exhibit, LH Horton Gallery, Stockton, CA, 11 River 2 River: Regional exhibit in conjunction with Iowa Clay Conference, 11 2D/3D National Figurative Exhibit: Delta College Gallery, CA, 11 From the Red River Valley: Invitational exhibit, Joliet College, Chicago, IL, 11 The Ceramic Community: Invitational exhibit, Rourke Art Gallery, Moorhead, MN, 11 MSUM Faculty/Student Invitational show: In conjunction with MN Community College Symposium, 2010 Textural Structures: SD Museum of Art, Select works from the permanent collection, 10 20X20X20, National Compact Juried Exhibit: Louisiana State University, 10 Raku, The Polaroid of Ceramics: National Juried Ceramic Show, The Meyers Gallery, Santa Ana California, 2010 Lake Region Arts Council: University and College Ceramics Dept. Group ceramic exhibit, 10 Ceramic Centennial: UND Art Gallery, Grand Forks, ND, 09 Minneapolis Uptown Art Fair: Top 10 nationally rated art fair, summer, 09 Minneapolis, MN Arts Dakota: Juried traveling exhibition of ND artists works, Multi-year exhibit organized by the North Dakota council on the Arts, 08- Des Moines Art Show: Top 5 national juried outdoor show, 08 Real Big Art Show: FMVA member exhibit, Heritage Hjemkomst Center, Moorhead, MN, 07 NICHE Awards Finalists Exhibit: Philadelphia Convention Center, 07 Minnesota State Community & Technical College: Annual Exhibit, Waage Art Center, Fergus Falls, MN, 07 University of North Dakota Campus: Graduate school fine art exhibit, Grand Forks, ND, 06 Art Fair on the Square: Top 10 U.S. Art Fair, Madison, WI, 05, 06, 11 Art on the Plains: Regional juried art exhibit, Plains Art Museum, Fargo, ND, 04-06 Midwestern Invitational Exhibit: Rourke Art Museum, Moorhead, MN, 08, 01-04 FMVA Annual Group Exhibit: Moorhead, MN, 05, 06 Grand Cities Art Fest: Featured Artist: Grand Forks, ND, 04 Jamestown Art Show: Annual regional exhibit, Jamestown, ND, 03 Kaddatz Gallery: Juried group exhibit, Fergus Falls, MN, 02 Teaching/Presentation Experience Currently: Tenured Associate Professor of Art Education, Minnesota State University Moorhead, 2008- Workshop Presenter: Art Educators of Minnesota (AEM) Annual Conference: Sessions on Art Therapy, 16 Panel Moderator: MSUM Center for Entrepreneurship, Panel of working artists speaking on the Business and Marketing of Art, 16 Colloquium Speaker: Minnesota State University Moorhead School of Visual Arts, presentation open to students and public "The Journey, Making a Career in the Arts", 15 Workshop Presenter: AEM Conference: Sessions on Art Careers and Business and Marketing for Artists/Teachers, 15 Artist in Residence: Petrified National Forest, Arizona, 14 Workshop Presenter: Minot State University "NotStock" Raku and wheel-throwing, 14 Gallery Walk Host/Speaker: Plains Art Museum, Fargo, ND Red River Reciprocity Exhibit, 14 Artist in Residence: Lewis and Clark State Park, Lake Sakakawea, ND, 2013 Keynote Speaker and Workshop Presenter: Dakotah Prairie Museum, All Dakotah HS Art Exhibition and Competition, 14 Creativity Workshop: Presented for national team of Microsoft technical writers at the Center for Creativity, Fargo, ND, 13 Guest Speaker: "The Business of Art", MSUM Professional Practices Course, 10-13 Tenure and Promotion Awarded: Associate Professor of Art Education: MSUM, 12 Workshop Instructor: "Hand-building w/Templates and Textures", The Art Center, Jamestown, ND, 12 Visiting Artist Workshop: "Throwing Large", Hawaii Potter's Guild, Waikiki, 12 Minnesota State High School League Visual Arts Presenter: Region 6, Hawley MN, 11 Keynote Speaker, All Dakota High School Fine Arts Exhibition & Workshops: "Making Art a Career", Dakotah Prairie Museum, Aberdeen, S.D., 10 Workshop Instructor: MN Community College Symposium, "Raku Refined" hands-on firing workshop sessions, hosted by MSUM, 10 Guest Artist/Demonstrator: Jamestown Community Ceramic Center, Grand Opening, Jamestown, ND, Summer 09 Workshop Instructor: Dickinson State University, Dickinson, ND "Ceramic Forming and Primitive firing techniques" 08 Guest Lecturer: The Business of Art/Professional Preparation, North Dakota State University, 08 Assistant Professor of Art Education: Full-time,

tenure track, MSUM, Fall of 08- Ceramics Adjunct Faculty: MSUM, 06, 07 Business and Marketing Panelist: NOVAC visual artist workshop, Grand Forks, ND, 06 Art Department Chairperson/Art Instructor: Fargo North High School, 01-08 Workshop Instructor: Wheel throwing, primitive firing, and business practices, Minot State University, 05 Artist in Residence: Bismarck State University, ND Arts Quest: "Raku and alternative firing methods," 05 Workshop Instructor: Valley City State University, ND "Wheel-throwing, raku firing," 05 Workshop Instructor: Northern State University, Aberdeen, SD, "Clay forming and raku firing techniques," 04 Workshop Instructor: Jamestown Arts Center, ND "Horse-hair raku," 04 Workshop Presenter: University of North Dakota, Grand Forks, ND, 04 Workshop Instructor: The Granary Rural Cultural Center, "Clay forming techniques and raku firing," Groton, SD, 02 Art Instructor: Ben Franklin Junior High, Fargo, ND, 98-00 Art Instructor: Litchfield Middle School and Lake Ripley Elementary School, MN, 93-98 Community Education Instructor: Ceramics, adult education program, Litchfield, MN, 93-98 Community Education Instructor: Ceramics, Moorhead Community Education, 91-92 Management/Leadership MSUM College of Arts & Humanities: College level curriculum committee: 11-13, 16- Art Therapy Minor, Program Coordinator: MSUM, 15- City of Fargo, ND: Public Arts Taskforce Advisor, 14- North Dakota Council on the Arts: Governor appointed Board of Directors, 13- Juror: Bismarck Art and Galleries Association Annual Exhibit, 13 Rourke Art Museum: Board 11-13, President, 13-14 Juror: Jamestown Art Center Annual Art Exhibit, 13 The Arts Partnership (FM Area Arts Council): Elected to Executive Board 09-11, Chair of the Executive Board and Executive Committee, 12-13 Juror: MState Student Art Exhibition, Moorhead, MN 12 Search Committee Chair, Rourke Art Museum/Gallery: Executive Director search, 11 College of Arts & Humanities Curriculum Council: MSUM, 11-13 Cultural & Public Arts Committee: Co-Chair, Ad-Hoc committee of The Arts Partnership, 13 Founding Board Member: Davies High School Booster Club, 11-12 Juror: Bismarck Art & Galleries Association Regional HS art exhibition, Bismarck, ND, 11 Rourke Art Museum/Gallery: Elected to Board of Directors, 10 Public Relations Committee Chair: MSUM Dept. of Art & Design, 2009- MTLE Committee: MN Board of Teaching, test development conference, Minneapolis, 10 Juror: Minnesota State HS League, Region six, New York Mills, MN, 10 MN Board of Teaching, Visual Arts Testing Content Advisory Committee, 09- External Advisory Board: MSUM College of Art and Humanities, 08 Lead Curriculum Writer: Advanced Placement Studio Courses, Fargo Public Schools, 07 Mailloux Gallery and Museum: Curator of North Dakota's only functioning professional art gallery in a high school, Fargo, ND, 07-08 Planning Board Plains Art Museum: Community Arts Center, Fargo, ND, 05-present North Dakota Council on the Arts Visual Arts Education Taskforce: 04-06 FMVA: Founding board member of professional regional artists organization, 04-06 Visual Arts Curriculum Council Representative: Fargo Public Schools (FPS), 03-08 Visual Arts Study Committee: Fargo Public Schools, 03-08 Visual Arts Committee Chair: Saving N.D. Roundtable, Forum Communications, 02 Art Department Chair: Fargo North High School, 01-present Visual Arts Committee Chair and Juror: Taste of the Valley, Fine Art Exhibit, Hjemkomst Center, Moorhead, MN, 01 Visual Arts Steering Committee Member and Juror: Downtown Community Partnership, Fargo, ND, 02-06 Grant Review Board Panelist: Individual Artists Grants, SMAHC, 95-97 Select - Commissions/Collections White House, First Lady of the United States Office, Michelle Obama: National Governor's Association commission, Washington, D.C. Plains Art Museum: Fargo, ND Microsoft Corporation permanent collection: Redmond, WA Edith Sanford Cancer Center: Sioux Falls, S.D., Large-scale, site specific ceramic tile relief sculpture installation Bell State Bank Corporate Headquarters: Large-scale, site-specific relief tile installation for boardroom, other work throughout building Offutt School of Business, Concordia College: Site-specific monumental size, ceramic relief sculpture telling the life and legacy story of building name-sake, Ron Offutt Sanford Heart Hospital: Site-specific ceramic relief sculpture wall hangings, Sioux Falls, SD Camp Grafton, United States Army Base: Devils Lake ND, Monumental size, site-specific brick relief sculpture National High School Coaches Hall of Fame: Created ceramic awards, 2014- North Dakota State University Athletic Department: Annual Award Sculptures, 2015- Jean Drumm permanent collection: Minneapolis, MN South Dakota Museum of Art: Permanent Collection, Brookings, SD ND Governor's Mansion Permanent Collection: Bismarck, ND Dakota Prairie Art Museum: Aberdeen, SD University of North Dakota Permanent Art Collection: Grand Forks, ND MN State Community and Technical Colleges permanent collection: Moorhead, MN Permanent Regional Art Collection: West Acres Mall, Fargo, ND Fargo Public Schools: Large scale brick relief sculpture, Fargo North High, ND Ulteig Engineers Corporate Office: Permanent collection, Fargo, ND Jamestown Art Center: Permanent collection, Jamestown, ND Rourke Art Museum: Permanent collection, Moorhead, MN Donaldson Hotel: Site specific pieces for historically significant building, Fargo, ND The Granary Rural Cultural Center: Permanent Collection, Groton, SD Watermark Art Center, Ceramics Collection, Bemidji, MN Grants City of Fargo 1st ever Public Art Grant: Site-specific monumental brick sculpture for Madison skate/bike park in Golden Ridge Subdivision, Fargo, ND, 2016 Professional Development Grant: North Dakota Council on the Arts (NDCA), 2014 Special Project Grant: North Dakota Council on the Arts (NDCA), North Dakota ceramic arts documentation project, 06 Fargo Public Schools Foundation Grant: Brick relief sculpture project, 05 FM Area Foundation Grant: Brick relief sculpture project, 05 Professional Development Grant: NDCA, 00 National Education Grant: Southern Poverty Law Center, Teaching Tolerance Program: K-12 multi-cultural district wide ceramics curriculum development, 98 Career Artist Grant: Southwest Minnesota Arts and Humanities Council, 97 Awards/Honors Best of Show: It's Only Clay national juried exhibit: Watermark Art Center, Bemidji, Mn, 15 International Art & Craft Design Award of Excellence: One

Americans awarded, 15 Excellence in Creative Research Award: MSUM, 13 FM Visions, Featured Artist: Coffee table book, Twin Lights Publishers, Randa Bishop photographer, 12 Spectrum Glaze Company: National advertisement feature, ClayTimes & Ceramics Monthly publications, 11-12 20X20X20, National Compact Juried Exhibit: Honorable Mention Award, Louisiana State University, 10 3D Excellence Award: Artsplash, Sioux City IA, 10 National Cover Contest Award: MN Clay Co. Catalog Front Cover, Minneapolis, MN, 09 North Dakota Governor's Award in Arts Education: Bi-annual honor for significant and sustained contributions to the arts and education in North Dakota, Bismarck, ND 09 Distinguished Creative Exhibition: The first time in the history of the University of North Dakota that this award has been given to a visual arts graduate. Grand Forks, ND, 09 Best in Category: Grand Cities Art Fest, Grand Forks, ND Honorable Mention: Midwestern Exhibit, Rourke Art Museum, 08 3rd Place in Ceramics: Artbuzz International Art Collection Book Competition, 08 Cambridge Who's Who Executive & Professional Registry: 07 NICHE AWARD: National Ceramic Award in wheel-thrown ceramics category, by the Rosen Group, American Craft Council, and the Philadelphia Buyer's Market, Philadelphia, PA, 07 Merit Award: Artsplash, Sioux City, IA, 07 Merit Award: Minnesota State Community and Technical College Show, Fergus Falls, MN, 07 Best of Show-Ceramics: Fargo Street Fair, 04-06 Best of Show: Park Point Fine Art Fair, Duluth, MN, 06 Best of Show: Heritage Hjemkomst Fine Art Exhibit, Moorhead, MN, 06 Cambridge Who's Who American Teachers: Student nominated award, 06,03 Best of Show: Artsplash, Sioux City, IA, 05 Best of Show: Bismarck Capital Affair, 05 Merit Award: Edina Art Fair, 05 Best in 3D Category, Bucksinner Award: ND Roughrider International, Williston, ND, 05 Best of Show Purchase Award: ND Roughrider International, Williston, ND, 05 Best of Show: Grand Cities Art Fest, Grand Forks, ND, 04 Second Place: Taste of the Valley Fine Art Exhibit, Moorhead, MN, 04 Best of Show-Overall: Fargo Street Fair, 04 Teacher of the Year: Fargo North High School Student Council, 03 Best of Show: Kaddatz Gallery Exhibit, Fergus Falls, MN, 02 Best of Show: Yankee Doodle Art Fair, Eagan, MN, 01 Best of Show: Lincoln Ave. Fine Arts Festival, Fergus Falls, MN, 01 Third Place Award: Fine Arts Exhibit, Heritage Hjemkomst Center, Moorhead, MN, 01 Third Place Award: Lincoln Ave. Fine Arts Festival, Fergus Falls, MN, 00 Workshops/Conferences/Training Non-Profit Board Strategic Planning for ND Council on the Arts: Creation in Common, Bismarck, ND, 16 Art Educators of Minnesota: Annual conference, 09,11,13-16 National Art Education Association Annual Conference: 02,05,09,11,13-14 Alternative Fired Surfaces: Edina Art Center, Minneapolis, 13 Non-Profit Board Academy Training: West Central Initiative, Fergus Falls, 13 Non-Profit Fund-raising and Development: Workshop with Lori Jacobwith, Fargo, ND, 12 International Arts & Humanities Symposium: Waikiki, Hawaii, 2012 Teacher Performance Assessment Consortium Seminar: St. Paul, MN, 2011 Minnesota State Teacher License Examination Visual Arts Test Development: Pearson Publishing Training, 2010 National Art Education Association Annual Conference: Minneapolis, MN, 09 Artist Career Training Workshop: A.C.T. On-line Course, 07 Arts Business Institute (Philadelphia): Business and marketing workshop, Fargo, ND, 07 Advanced Placement Studio Art: High School AP Art Certification, Philadelphia, 07 Art Business and Marketing: Springboard for the Arts, by NOVAC, Grand Forks, 06 Art Business and Marketing: Robert Burrridge Workshop, Moorhead, MN, 06 Rick Foris raku workshop: Luverne, MN, 01 Steve Branfam raku workshop: Luverne, MN, 00 Paul Soldner raku workshop: Racine, WI, 99 Svend Bayer, "Throwing Large Forms": New London, MN, 98 Richard Bresnahan, "Of the Land": Pottery workshop, Red Lake Falls, MN, 98 Raku Refire Workshop: Luverne, MN, 97, 98, 05 Gallery Representation Rourke Art Gallery and Museum, Moorhead, MN Uptown Gallery, Fargo, ND Rehfeldt's Gallery, Sioux Falls, SD Underbrush Gallery, Fargo, ND In the Media Gate City Bank: Community Involvement, television commercial, Fargo, ND 16 Inspired Home Magazine: "Of Sticks and Stones" Article/images, p.68, May, Fargo, ND 16 Fargo Monthly: "Throwing Clay" Article and images, June 2016 Design and Living Magazine: Article and images p.76, Fargo, ND, Dec. 14 Fargo Forum: "ArtWorks", article on working artists, 13 Advocate Newspaper: Article on MSUM Art Education student involvement in Make-A-Wish project for local youth, Fall of 12 Inspired Home Magazine: SPARK article featuring ceramic works, March/April 12 MSUM Arts & Humanities News Publication: Faculty news article featuring exhibits and accomplishments, 11-12 MN State Arts Board, State of the Arts: "Building a Decade Exhibit" was reviewed, 11 Prairie Public Television: "A Prairie Mosaic" Television show, artist interview and demonstration, fall 2010 Culture Pulse Publication: Brick Relief Sculpture Article, Fargo, ND, Fall 10 KVLV TV 11: Feature Story, raku firing with Steve Poitras on Valley Live Today morning program, Winter, 09 North Dakota Quarterly: Fall 09 Arts Pulse: ND governor's award article, by The Arts Partnership, Fargo, ND, Spring, 09 Briar Cliff Review: Semi-Annual publication by Briar Cliff University, Sioux City, IA, 08 Art Buzz: 2008 International Art Collection Book High Plains Reader: January, 08 Art Gallery section: "Brad Bachmeier: Earthy and Otherworldly Considerations" article "Becoming a Potter": Featuring interviews with 12 national potters, by Gaylen Peterson, 07 Area Woman Magazine: Winter 2007 Galleries section, "Ceramic Humanities," 07 Alumnews: Alumni feature, Minnesota State University Moorhead bi-annual magazine, 07 NICHE magazine: 2007 coverage of national award winners House and Garden Television (HGTV): "That's Clever" TV segment, May/June, 07 Briar Cliff Review: Semi-Annual publication by Briar Cliff University, Sioux City IA, 06 Clay Times: Gallery section, June 05 House to Home Magazine: "Bachmeier's Beauties," article, Fargo-Moorhead, 04 Minnesota Monthly Magazine: 4 Midwestern Artisan Potters article featuring: Warren McKenzie, Richard Bresnahan, Chris Holmquist, Brad Bachmeier, 02 Craft Connection Publication: Minnesota Highlights Section, 01, 02 Fargo Moorhead Magazine: Featured artist, "Smoke and Fire" exhibit, 01 FM Today Magazine: "Smoke

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.

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MEMORANDUM

TO: Board of City Commissioners

FROM: Liquor Control Board, Steven Sprague, City Auditor

SUBJECT: Moratorium Recommendations

DATE: August 20, 2020

The Board of City Commissioners passed a moratorium pertaining to the retail sales of alcoholic beverages on March 23; this moratorium was extended on April 20 and again on May 18. On June 1, the City Commission extended the moratorium until August 24, expanded the original moratorium to include mixed drinks, and ended the delivery of alcoholic beverages on June 15, 2020.

There has been considerable interest from the restaurant industry in extending the moratorium provisions for another 90-day period. The industry is experiencing a reluctance from patrons to dine inside although outside dining appears to be steady and to go orders remain strong.

Commissioner Piepkorn has been contacted and is in favor of the moratorium extension.

Recommended Motion:

To extend the moratorium pertaining to the retail sales of alcoholic beverages until November 30, 2020 and approve the attached amended and restated moratorium.

Commissioner _____ moved for the approval of the following RESOLUTION

**RESOLUTION EXTENDING THE
MORATORIUM PERTAINING TO THE RETAIL SALE OF ALCOHOLIC BEVERAGES**

APPROVED JUNE 1, 2020

WHEREAS, On June 1, 2020 the Board of City Commissioners approved a Resolution Amending and Restating the Moratorium Pertaining to the Retail Sale of Alcoholic Beverage; and

WHEREAS, The Board of City Commissioners hereby restates the approved Resolution Moratorium Pertaining to the Retail Sale of Alcoholic Beverages, and amends the same as stated herein.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. **MORATORIUM EXTENDED.** The moratorium approved by Resolution is hereby extended to November 30, 2020.
2. **Mayor Authorized to Implement by Further Order or Orders.** The Mayor of the City is hereby authorized to promulgate and issue one or more executive orders as may be necessary to implement and clarify the terms of this moratorium, under the authority of F.M.C. §10-0318 and hereof, which executive orders may be further ratified or amended by the Board of City Commissioners as may be necessary or appropriate.
3. **Effect of Moratorium – Limitation of Enforcement.** This moratorium as to the enforcement of certain regulations or ordinances of the City shall be serve to instruct, order and limit the police officers and prosecutors of the City or any other law enforcement officers or agents to refrain from enforcing City Ordinances contrary to the terms hereof and to refrain from charging or citing persons, firms or other entities accordingly and, furthermore, said instruction, order and limitation in enforcement shall survive the termination of this moratorium, whether such termination occurs by lapse of time or by affirmative act.
4. **Effective Date and Term.** This extended moratorium shall take effect immediately upon the adoption hereof [the “Effective Date”] and shall extend until 11:59 p.m. on the 30th day of November, 2020, unless it is otherwise terminated or extended by resolution or motion of the Board of City Commissioners of the City of Fargo.

RESOLUTION – FARGO BOARD OF CITY COMMISSIONERS
PAGE 2

Said motion was seconded by Commissioner _____ and, upon call of the roll Commissioners _____ voted “aye”, Commissioners _____ voted “nay” and with Commissioners _____ being absent the Resolution was declared as approved and enacted.

Resolution Extending Moratorium approved on June 1, 2020 is hereby approved this ____ day of August, 2020.

Dr. Timothy J. Mahoney, M.D., Mayor

Attest:

Steven Sprague, City Auditor



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City of Fargo Commissioners,

I write on behalf of the Downtown Community Partnership Board of Directors and the Business Improvement District Advisory Board. We are representatives of downtown Fargo businesses, residents, and ambassadors. We are requesting inclusion in the public comment portion of the Monday, August 24 City Commission meeting to discuss the downtown Fargo business environment.

Broadway is the most walkable stretch of street in North Dakota and is the centerpiece of the downtown Fargo experience. The sidewalks belong to everyone. They are public right of way, governed by City of Fargo policies. All people have a place in downtown Fargo, and this is a treasured aspect of what makes the neighborhood special. Downtown Fargo is our shared neighborhood.

Due to a number of circumstances such as coronavirus needs diverting social services away from the core of downtown, changes in fighting and open container/public drinking ordinances, and a pandemic-induced reduction of commercial and recreational activity downtown, the intersections of Broadway and a number of identified problem areas have become magnets for gatherings that too often include public intoxication, fighting, harassment, and aggressive confrontation.

The situation has escalated to a point that business owners are struggling to make customers feel welcome and safe when their businesses are already suffering economic devastation. We are also hearing from visitors they are not feeling comfortable walking down Broadway, and residents moving out of the downtown neighborhood, not willing to deal with harassment. We have invited those who've reached out to the DCP with concerns to provide public comment at this City Commission meeting.

We are very grateful to our police officers who do so much to keep our neighborhood safe and inviting to all. We also acknowledge that ordinance changes and limited resources have made the job more difficult.



Our work in maintaining a welcoming environment is made possible through a strong partnership with the Gladys Ray Homeless Shelter, Harm Reduction Specialists, and all social service providers. The DCP is an active participant in ensuring all people have access to the resources they need. The DCP supports a day center for homeless in downtown Fargo, a need identified through the community-driven InFocus Downtown Comprehensive Plan. As a community, we desperately need to have a warm, welcoming place for all to find shelter at all hours of the day. It is our responsibility as a successful and strong city.

We also support fully funding our social service providers, including additional mobile outreach units, who operate under a housing-first philosophy and wrap our vulnerable neighbors with support services.

Downtown Fargo is for anyone who wishes to be a part of it, predicated on respect for one another and the community. Thank you for your partnership in creating a better Fargo for all.

Thank you,

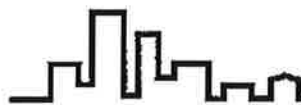
Adrienne Olson

Downtown Community Partnership, Vice Chair, Board of Directors
Business Improvement District, Chair, Advisory Board

Melissa Brandt

President/CEO

 8.20.20



August 10, 2020

To Whom it May Concern....

RE: Bench Removal

LOCATION: Corner of 4th Avenue & Broadway (front of The 400)

Removal of this bench has been much appreciated! We have gone from a crowd gathering on a regular basis, sometimes blocking entrance & exit from the 400 to literally no one to be found. Also, the cleanliness issue has resolved itself. We no longer find garbage strewn about and individuals congregating to eat meals and leave their garbage. For us, this has been a huge positive effect and the tenants that reside at the 400 feel safer. Another positive, that is a direct result of this action, is that we no longer find individuals sleeping in our vestibule. This was an ongoing problem and resulted in numerous calls to the police department.

Please feel free to call me should you have any further questions pertaining to this action.

Sincerely,

Kenneth Schnabel

Community Manager

MetroPlains Management, LLC

(Direct) 701.293.7664 (Fax) 701.241.8426

kschnabel@metroplains.com



This institute is an equal opportunity provider. We do not discriminate against any person because of race, color, sex, national origin, handicap or familial status, age, marital status, or receipt of public assistance as provided under applicable State laws and Section 504 of the Rehabilitation Act of 1973 coordinator available. ND TDD 800.366.6888



40a

My name is Josie Danz

I am a downtown resident and serve on both the DCP board and DNA Board, but I'm here today as a downtown business owner. My business is located at 420 Broadway.

The issue we are here to discuss has evolved over the past several weeks. At one point this conversation was about benches. The varied downtown interests you see represented here tonight are desperate for a solution as to how to assuage problems that we are seeing in the Downtown community that are taking away from quality of life, walkability, and the welcoming atmosphere of the Downtown neighborhood. Individuals representing the downtown community's many different facets are here tonight to ask for the City's help in addressing the heightened problematic behavior we are seeing in our City's core.

The City's answer seemed to be that if it handed over autonomy of the benches to the DCP, the DCP could simply move or remove the benches and that would take care of things.

This is dismissive of the real problems and would simply displace them (what we've noticed since the bench at the corner of the 400 Block has been removed). As a downtown business owner, I can tell you that the problems we are experiencing are not new and are of no fault of the benches. Removing the benches takes away a public amenity that downtown residents, visitors, and all others should have the opportunity to enjoy and while also sending the message that those individuals who use the benches most are not welcome in our downtown community.

I believe it's time to take preventative action rather than reactionary action.

The problems the Downtown community is here to address stem from a trifecta of shortcomings: 1. The lack of proper ordinances in place to respond to problematic behavior, 2. Insufficient services and resources available for individuals who often congregate at the benches, and finally, 3. Inadequate oversight and accountability of several establishments that have proven to be repeat offenders.

I commend the downtown police officers for the service they provide to the Downtown community – they are visible and responsive. However, when they tell me that there are not adequate ordinances in place for them to respond to calls for services in an effective way, that tells me something needs to change.

As a business owner I am here to ask that the City take action in three ways:

First, establish ordinances that address fighting, open container/public intoxication which would allow officers to respond to problematic behavior in a way that curbs the fighting, drunkenness, harassment, theft, and trespassing on private property we're seeing rather than allow such activity to persist.

Second, the City should further fund social services that prioritize housing and offer much need support to those in our community who need it most. I also ask that the city prioritize efforts in moving forward with a Day Center in Downtown that would offer a place for individuals to go for the services and space they need while also offering reprieve from the environments and groups that enable problematic behavior.

Third, I ask that the City require a higher standard of accountability from certain establishments. The LCB has stated that there's no reason they can't have greater oversight, but after years of bringing concern to them about specific establishments and liquor oversight in general – nothing has changed. We have reached a point where if we don't see change soon, the landscape and quality of life of downtown will see lasting negative effects. We have worked too hard to make downtown the destination it is to go backwards to what it once was.

In conclusion, business owners, residents, BID, DCP – we all want the same thing – we want help from the City in finding solutions as to how to manage the problems that we're experiencing - at a noticeably higher level – in our city's core. The solution doesn't lie in benches, but in action that addresses the problems in a way that's preventative rather than punishing and helps all segments of our population rather than tries to displace some for the sake of the rest. We want Downtown to continue to be our community's front porch and be a welcoming place for all. The City's willingness to work with the individuals, organizations, businesses and all those invested in our Downtown neighborhood will allow us to maintain the heart of our city in a way that's safe, inclusive, and treasured by anyone who wishes to be a part of it.

Thank you.