

FARGO CITY COMMISSION AGENDA  
Tuesday, September 7, 2021 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://www.FargoND.gov/streaming). They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, August 23, 2021).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. 1st Reading of an Ordinance Relating to Classification of Ordinance Violations (registration card to be carried).
- 2. Applications for Games of Chance:
  - a. Jeremiah Program Fargo-Moorhead for a raffle on 10/22/21.
  - b. 4 Luv of Dog Rescue for a raffle on 10/23/21.
  - c. Bio Girls, Inc. for a raffle on 11/16/21.
  - d. Lend a Hand Up for a raffle and raffle board on 9/25/21.
  - e. NDSU Foundation for a raffle and raffle board on 10/9/21.
  - f. North Dakota Dental Foundation for a raffle on 9/17/21.
- 3. Change Order No. 1 for an increase of \$31,049.00 and associated time extension for Project No. SR-21-A1.
- 4. Negative Final Balancing Change Order No. 2 in the amount of -\$2,109.50 for Project No. TR-20-A1.
- 5. Bid advertisement for Project No. PR-21-E.
- 6. Addition of Project No. TP-21-B1 to the 2021 Capital Improvement Plan.
- 7. Release of Permanent Easement as identified in Document No. 887241.
- 8. Installation of protective barriers within the reception areas of City Hall.
- 9. Agreement for Services with Nigel Helley.
- 10. Agreement for Services with Colby Youngquist.
- 11. Agreement for Services with Brianna King.
- 12. Sole Source Procurement with High Plains Technology for the purchase of the IBM i P9 computing system (SSP21148).
- 13. Change Order No. 3 for an increase of \$35,990.00 for the Mid America Steel Demolition.

Page 24. Sole Source Procurement with EnviroTech Services for the purchase of IceSlicer for the 2021/2022 winter (SSP21147).

15. Request to extend the snow removal equipment services contracts with Glacier Snow Management, Turf Tamers, Industrial Builders and Master Construction for the 2021-2022 winter season (RFP20148).
16. Bid award for squad car setups (RFP21141).
17. Contract and bond for Project No. SW21-01.
18. Bills.
19. Change Order No. 3 for an increase of \$28,260.00 for Improvement District No. BN-20-L1.
20. Change Order No. 1 for an increase of \$11,360.44 for Improvement District No. BN-21-H1.
21. Change Order No. 3 for an increase of \$4,600.36 for Improvement District No. PR-21-G1.
22. Bid award for Improvement District No. BN-21-E1.
23. Contracts and bonds for Improvement District Nos. AN-21-A1 and BN-21-K1.

#### **REGULAR AGENDA:**

24. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at [FargoND.gov/VirtualCommission](https://FargoND.gov/VirtualCommission)).**
25. **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**
  - a. Asleson Farms Fourth Addition (3523 41st Street South); approval recommended by the Planning Commission on 8/3/21:
    1. Zoning Change from MR-2, Multi-Dwelling Residential to LC, Limited Commercial.
    2. 1st reading of rezoning Ordinance.
  - b. Amber Valley West Sixth Addition (5675 26th Avenue South and 2501 55th Street South); approval recommended by the Planning Commission on 8/3/21:
    1. Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential.
    2. 1st reading of rezoning Ordinance.
    3. Plat of Amber Valley West Sixth Addition.
  - c. Public comment on the 2022 preliminary budget and recommended tax levies.
26. COVID-19 Update.
27. Update on the Wildlife Management Program Study Group.
28. Update on the Police Department's body-worn cameras and demonstration.

- Page 29.
29. Resolution Authorizing the Sale of the Old Health Building located at 401 3rd Avenue North.
  30. Recommendation to approve the TischlerBise Economic Impact Study and Model Development Scope of Work.
  31. Recommendation to receive and file an Ordinance Relating to Change in Form of Government (i.e. Council or Ward System form of government).
  32. 1st reading of an Ordinance Relating to Classification of Ordinance Violations (yielding and stopping while operating a bicycle).
  33. Applications for property tax exemptions for improvements made to buildings:
    - a. Rich and Kate Lea, 2408 26 1/2 Avenue South (5 year).
    - b. Alexa Johnson, 1337 8th Avenue South (5 year).
    - c. Scott Hoaby, 2307 26th Avenue South (5 year).
  34. Appointment to the Planning Commission.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 at least 48 hours before the meeting to give our staff adequate time to make arrangements.

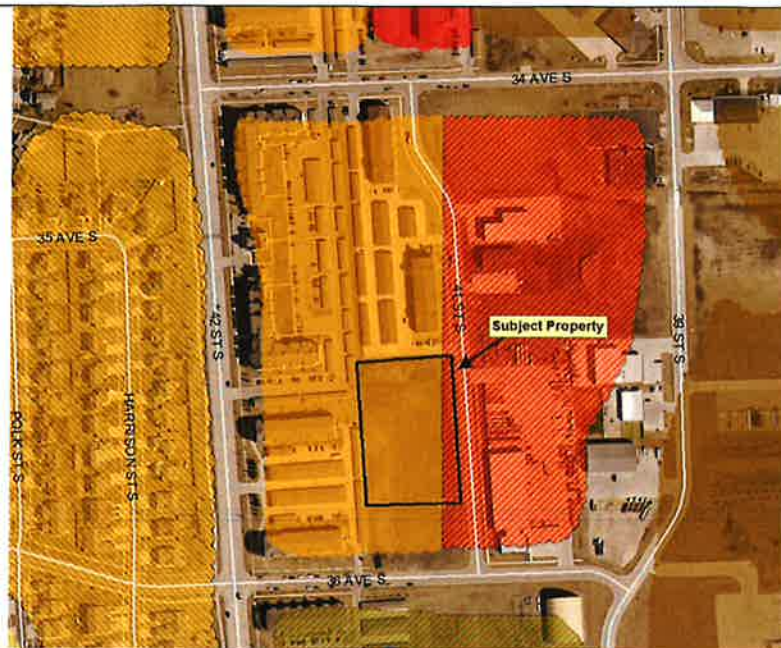
Minutes are available on the City of Fargo website at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).

25a

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Asleson Farms Fourth Addition	<b>Date:</b>	7/27/2021
		<b>Update:</b>	9/2/2021
<b>Location:</b>	3523 41 <sup>st</sup> Street South	<b>Staff Contact:</b>	Adam Martin, assistant planner
<b>Legal Description:</b>	Lot 2, Block 1, Asleson Farms Fourth Addition		
<b>Owner(s)/Applicant:</b>	JNB Properties LLC/Nick Dietrich	<b>Engineer:</b>	n/a
<b>Entitlements Requested:</b>	<b>Zoning Change</b> (from MR-2, Multi-Dwelling Residential, to LC, Limited Commercial)		
<b>Status:</b>	City Commission Public Hearing: September 7, 2021		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Commercial
<b>Zoning:</b> MR-2, Multi-Dwelling Residential	<b>Zoning:</b> LC, Limited Commercial
<b>Uses Allowed:</b> MR-2 allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children, group living, parks and open space, religious institutions, safety services, schools, and basic utilities	<b>Uses Allowed:</b> LC allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service.
<b>Maximum Lot Coverage Allowed:</b> 35%	<b>Maximum Lot Coverage Allowed:</b> 55%
<b>Maximum Density:</b> 20 units per acre	

<b>Proposal:</b>
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> <li>1. A <b>Zoning Change</b> from MR-2, Multi-Dwelling Residential, to LC, Limited Commercial, for the property described as Lot 2, Block 1, Asleson Farms Fourth Addition, located at 3523 41<sup>st</sup> Street South.</li> </ol> <p>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.</p> <p><b>Surrounding Land Uses and Zoning Districts:</b></p> <ul style="list-style-type: none"> <li>• North: MR-2, Multi-Dwelling Residential, with multi-dwelling residences.</li> <li>• East: LI, Limited Industrial, with Contractor Yard and Office uses.</li> <li>• South: LC, Limited Commercial, with Retail Sales and Service uses.</li> <li>• West: MR-3: Multi-Dwelling Residential, with multi-dwelling residences.</li> </ul> <p><b>Area Plans:</b></p> <p>According to the 2003 Southwest Future Land Use Plan, the subject property falls into both the "Medium/High Density Residential" and the "Commercial or Medium/High Density Residential" land use designations. The proposed LC, Limited Commercial zoning district falls within the "Commercial" land use category. Thus, staff finds the proposed zoning district to be appropriate for the subject property.</p>



Legend		
2003 Southwest Future Land Use Plan		
Commercial	Office or Commercial	Office or Commercial or Medium/High Density
Commercial or Medium/High Density	Office or Medium/High Density Residential	Park/Open Space
Commercial or Medium/High or Park/Open Space	Industrial	Public
Commercial or Park/Open Space	Low/Medium Density Residential	Public or Commercial
Either Industrial or Commercial	Low/Medium Density or Medium/High Density	Public or Low/Medium Density
	Medium/High Density Residential	Public or Office
	Medium/High Density or Park/Open Space	Storm Water
	Office	

### Schools and Parks:

**Schools:** The subject property is located within the Fargo School District, specifically within the Kennedy Elementary, Discovery Middle and Davies High schools.

**Neighborhood:** The subject property is located within the Pointe West neighborhood.

**Parks:** Pointe West Park, located at 3331 42<sup>nd</sup> Street SW, is approximately 800 feet northwest of the subject property, and provides amenities of playground for ages 5-12, and soccer fields.

**Pedestrian / Bicycle:** The subject property is not connected to bike facilities. An off-road multi-use trail is located approximately 400 feet west of the subject property, along the west side of 42<sup>nd</sup> Street South, which is a component of the metro area bikeways system.

### Staff Analysis:

#### ZONING

Section 20-0906. 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 zoning map error in regards to the subject property. The property owner applied for a plat of Asleson Farms Fourth Addition, which was presented to the Planning Commission in February 2021. At that time, the property immediately south of the subject property was rezoned from MR-2, Multi-Dwelling Residential, to LC, Limited Commercial to accommodate a proposed dance studio. The applicant is requesting to rezone the subject property to provide a better transition of land uses between the industrial uses to the east and the residential uses to the west. Staff finds that the requested zone change is justified by a change in conditions at this location since the previous zoning classification was established. (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?

The development is served with city services (water, sewer, streets, police/fire protection, etc.). The City Engineer and other applicable review agencies have reviewed this proposal. No deficiencies to provide the necessary public services, facilities and programs to this development have been identified.

**(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 evidence that would suggest this proposal 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, staff has received and responded to one inquiry about the project, and has received no letters of opposition.

**(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 purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. The 2003 Southwest Future Land Use Plan identified the subject property as suitable for either medium to high-density residential or commercial development. The requested zone change would create the opportunity for commercial development through the LC, Limited Commercial, zoning district. Staff believes this proposal is in keeping with adopted plans and the existing zoning of adjacent properties. Additionally, the Fargo Go2030 Comprehensive Plan supports infill development within areas that are already developed, serviced with utilities. The promotion of infill development is the number two ranked priority of Go2030. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City. **(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 Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading and move to approve the proposed zoning map amendment from MR-2, Multi-Dwelling Residential, to LC, Limited Commercial, as the proposal satisfactorily complies with the Go2030 Fargo Comprehensive Plan, 2003 Southwest Future Growth Plan, Standards of Article 20-0906(F) (1-4) of the LDC and all other applicable requirements of the LDC."

**Planning Commission Recommendation: August 3<sup>rd</sup>, 2021**

On August 3, 2021, by a vote of 7-0 with 4 Commission seats vacant, the Planning Commission moved to accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed zoning map amendment from MR-2, Multi-Dwelling Residential, to LC, Limited Commercial, as the proposal satisfactorily complies with the Go2030 Fargo Comprehensive Plan, 2003 Southwest Future Growth Plan, Standards of Article 20-0906(F) (1-4) of the LDC and all other applicable requirements of the LDC.

**Attachments:**

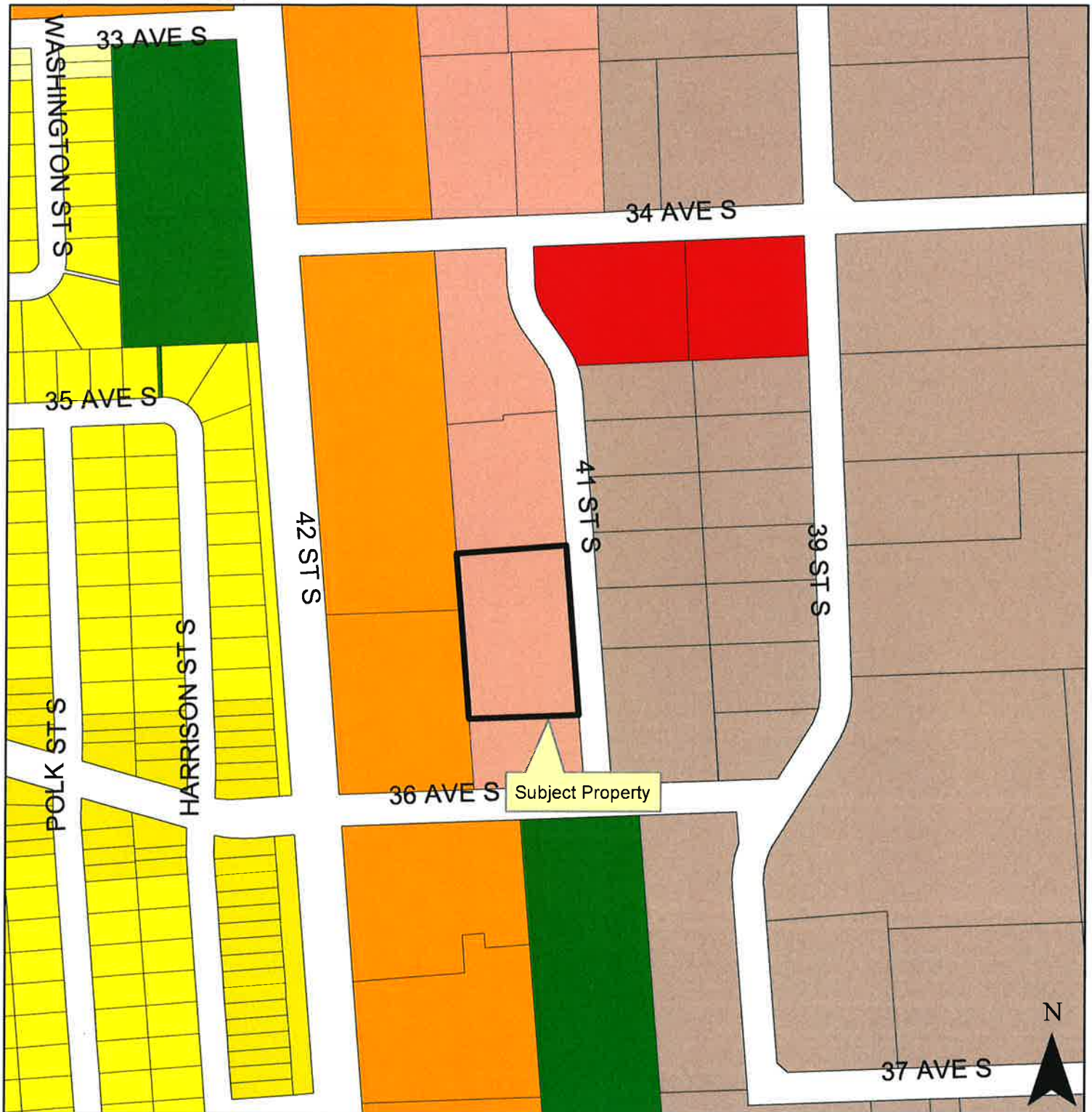
1. Zoning map
2. Location map



# Zone Change (MR-2 to LC)

## Asleson Farms Fourth Addition

3523 41st Street South



### Legend

AG	DMU	GC	GO	LC	MR-1	MR-2	MR-3	MHP	NC	D/I	UMU	City Limits
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Fargo Planning Commission

August 3, 2021



## Zone Change (MR-2 to LC)

### Asleson Farms Fourth Addition

3523 41st Street South





OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

25a2

AN ORDINANCE REZONING CERTAIN  
PARCELS OF LAND  
LYING IN ASLESON FARMS FOURTH 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 Asleson Farms Fourth Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on August 3, 2021; and,

WHEREAS, the rezoning changes were approved by the City Commission on September 7, 2021,

NOW, THEREFORE,

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

Section 1. The following described property:

Lot Two (2), Block One (1) of Asleson Farms Fourth Addition to the City of Fargo,  
Cass County, North Dakota;

is hereby rezoned from "MR-2", Multi-Dwelling Residential, District to "LC", Limited Commercial, 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. \_\_\_\_\_

1  
2  
3 Section 3. This ordinance shall be in full force and effect from and after its passage and  
4 approval.  
5  
6

7  
8 (SEAL)

\_\_\_\_\_  
Timothy J. Mahoney, M.D., Mayor

9 Attest:

10  
11 \_\_\_\_\_  
12 Steven Sprague, City Auditor

First Reading:  
Second Reading:  
Final Passage:

256

City of Fargo Staff Report			
<b>Title:</b>	Amber Valley West Sixth Addition	<b>Date:</b> <b>Update:</b>	7/28/2021 9/2/2021
<b>Location:</b>	5675 26 <sup>th</sup> Avenue South and 2501 55 <sup>th</sup> Street South	<b>Staff Contact:</b>	Donald Kress, planning coordinator
<b>Legal Description:</b>	Lots 1 and 2, Block 1, Amber Valley West First Addition and Lot 2, Block 1, Amber Valley West Fifth Addition to the City of Fargo, Cass County, North Dakota		
<b>Owner(s)/Applicant:</b>	Galleria on Veteran's, LLC; Amber Valley West Investments, LLC / Christianson Companies; Lowry Engineering	<b>Engineer:</b>	Bolton & Menk
<b>Entitlements Requested:</b>	<b>Major Subdivision</b> (Replat of Lots 1 and 2, Block 1, Amber Valley West First Addition and Lot 2, Block 1, Amber Valley West Fifth Addition to the City of Fargo, Cass County, North Dakota) and <b>Zone Change</b> (from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential within the boundaries of this plat);		
<b>Status:</b>	City Commission Public Hearing: September 7, 2021		
<b>Existing</b>		<b>Proposed</b>	
<b>Land Use:</b> Commercial; undeveloped		<b>Land Use:</b> Commercial; Residential	
<b>Zoning:</b> LC, Limited Commercial with a C-O, Conditional Overlay		<b>Zoning:</b> LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential	
<b>Uses Allowed:</b> LC – Limited Commercial. Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, <del>off premise advertising signs</del> , commercial parking, retail sales and service, self service storage, <del>vehicle repair</del> , limited vehicle service. <b>with Conditional Overlay Ordinance No. 4754 which restricts some uses and provides site and building design guidelines</b>		<b>Uses Allowed:</b> LC – Limited Commercial. Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, <del>off premise advertising signs</del> , commercial parking, retail sales and service, self service storage, <del>vehicle repair</del> , limited vehicle service. <b>with Conditional Overlay Ordinance No. 4754 which restricts some uses and provides site and building design guidelines</b>  MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children or adults, group living, parks and open space, religious institutions, safety services, schools, and basic utilities.	
<b>Maximum Lot Coverage Allowed:</b> 55%		<b>Maximum Density Allowed (Residential):</b> 24 dwelling units per acre <b>Maximum Lot Coverage Allowed:</b> 55%	

**Proposal:**

The applicant requests two entitlements:

1. A minor subdivision, entitled **Amber Valley West Sixth Addition**, which is a replat of Lots 1 and 2, Block 1, Amber Valley West First Addition and Lot 2, Block 1, Amber Valley West Fifth Addition to the City of Fargo, Cass County, North Dakota
2. A zoning change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential

*NOTE: A conditional use permit (CUP) to allow for an Alternative Access Plan for reduced parking on Lot 2, Block 1, of the proposed Amber Valley West Sixth Addition was approved by the Planning Commission at their August 3<sup>rd</sup>, 2021 hearing. The Planning Commission is the decision making body for CUP's. The CUP does not become effective unless the plat and zone change are approved by City Commission. A summary of the CUP is provided below.*

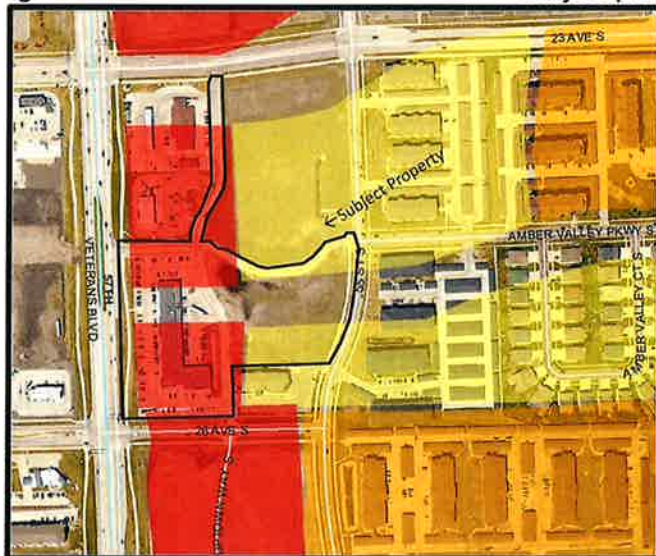
This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

**Surrounding Land Uses and Zoning Districts:**

- North: LC; commercial development and stormwater detention basin
- East: MR-3; multi-dwelling residential development
- South: LC; commercial development
- West: City of West Fargo; commercial development

**Area Plans:**

The subject property is located within the Southwest Area Plan as contained within the Urban Fringe and Extraterritorial Area of the City of Fargo land use plan. This plan designates the subject property as Commercial land uses abutting Veterans Boulevard and Low/Medium Density Residential land uses on the eastern portion of the tract. The proposed zoning is LC, Limited Commercial and MR-3, Multi-Dwelling Residential. The LC zoning will be in the area designated as "Commercial" while the MR-3 zoning will be in the area designated "Low/Medium Density Residential." While the proposed MR-3 zoning is of somewhat greater density than "Low/Medium Density Residential," staff believes the intent of the growth plan is implemented by providing a mix of Commercial and Residential. Staff also contends that Low/Medium Density Residential and Medium/High Density Residential have an overlap of allowable zoning districts. Additionally, though the density of the proposed senior residence—20 units per acre—would fall into the MR-2, Multi-Dwelling Residential zone, Planning staff recommended the MR-3 zone as it matches the zoning east across 55<sup>th</sup> Street South from the subject property.





**Schools and Parks:**

**Schools:** The subject property is located within the West Fargo School District and is served by Freedom Elementary, Liberty Middle and Sheyenne High schools.

**Neighborhood:** The subject property is located in the Amber Valley neighborhood

**Parks:** Urban Plains Park (3020 51<sup>st</sup> Street South) is located approximately 0.5 miles southeast of the subject property and offers two playgrounds, recreational trails, a small shelter and a wedding gazebo. The park also has three larger shelters that can be reserved.

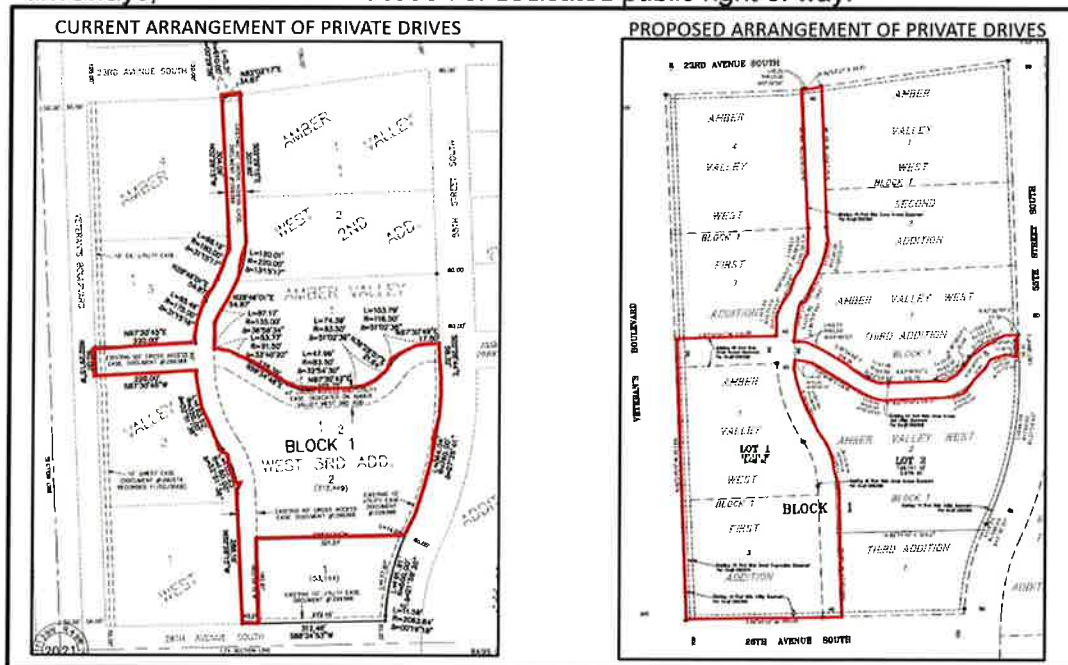
**Pedestrian / Bicycle:** There is a 10-foot wide multi-use trail along the east side of the subject property that is within the 55<sup>th</sup> Street South right of way. This trail is part of the metro area trail system.

**Staff Analysis:**

The applicant proposes to replat Lots 1 and 2, Block 1, Amber Valley West First Addition and Lot 2, Block 1, Amber Valley West Fifth Addition to create a two-lot subdivision, Amber Valley West Sixth Addition. The changes from the current plat, uses, and zoning are indicated in the chart below.

Current Lot and Block	Use	Zoning	Proposed Lot and Block	Proposed Use	Proposed Zoning
Lot 1 and 2, Block 1, Amber Valley West 1 <sup>st</sup>	Strip shopping center	LC with a conditional overlay	Lot 1, Block 1, Amber Valley West 6 <sup>th</sup>	Strip shopping center	LC with a conditional overlay
Lot 1, Block 1 Amber Valley West 5 <sup>th</sup>	Undeveloped	LC with a conditional overlay	Lot 2, Block 1, Amber Valley West 6 <sup>th</sup>	Multi-dwelling senior residence	MR-3

The replat will relocate the private driveways that are currently part of Lot 1, Block 1, Amber Valley West 5<sup>th</sup> Addition and make them part of the proposed Lot 1, Block 1, Amber Valley West Sixth Addition. These are private driveways, so this is not a vacation of dedicated public right of way.



The applicant proposes to develop Lot 2, Block 1 with a senior residence, which has the following features

- Available to ages 62 years and older;
- It is not an assisted living facility--no services are provided to the residents;
- The living units are individually owned by the residents.

#### CONDITIONAL USE PERMIT—ALTERNATIVE ACCESS PLAN

At the August 3<sup>rd</sup>, 2021 Planning Commission hearing, the Planning Commission approved a conditional use permit (CUP) to allow an alternative access plan for Lot 2, Block 1 of the proposed Amber Valley West Sixth Addition. The CUP allows a reduction of 25 percent in the total number of spaces required for this land use by the LDC. The applicant provided a traffic study which supports the proposed reduction in parking; this study was been reviewed by the City's traffic engineer.

The CUP includes the following conditions:

- A minimum of 88 parking stalls to be provided on site.
- Bicycle parking facilities, such as bike racks or bike lockers, shall be provided on-site.
- The Conditional Use Permit will cease if the land use changes from a senior residence.
- Expansion of any proposed or existing use will trigger a reevaluation of off-street parking requirements on site.

#### Zoning

Section 20-0906. 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 subject property is currently zoned LC, Limited Commercial with a C-O, conditional overlay. The applicant proposes to rezone Lot 2, Block 1 of the proposed subdivision to MR-3, Multi-Dwelling Residential, to accommodate a senior housing residence. The MR-3 zoning is consistent with the multi-dwelling residential zoning across 55<sup>th</sup> Street South from the subject property. Lot 1, Block 1 will remain zoned as LC and the conditional overlay will carry over. The conditional overlay will not apply to the MR-3 zoned Lot 2, Block 1. **(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. The subject property fronts on existing, developed public rights-of-way which 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 comments or inquiries. 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 subject property is located within the Southwest Area Plan as contained within the Urban Fringe and Extra-territorial Area of the City of Fargo land use plan. This plan designates the subject property as Commercial land uses abutting Veterans Boulevard and Low/Medium Density Residential land uses on the eastern portion of the tract. The proposed zoning is LC, Limited Commercial and MR-3, Multi-Dwelling Residential. The LC zoning will be in the area designated as "Commercial" while the MR-3 zoning will be in the area designated "Low/Medium Density Residential." While the proposed MR-3 zoning is of somewhat greater density than "Low/Medium Density Residential," staff believes the intent of the growth plan is implemented by providing a mix of Commercial and Residential. Staff also contends that Low/Medium Density Residential and Medium/High Density Residential have an overlap of allowable zoning districts. Additionally, though the density of the proposed senior residence—20 units per acre—would fall into the MR-2, Multi-Dwelling Residential zone, Planning staff recommended the MR-3 zone as it matches the zoning east across 55th Street South from the subject property. 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)**

### **Subdivision**

The LDC stipulates that the following criteria are met before a minor plat can be approved:

1. **Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

The proposed zoning is LC, Limited Commercial with a C-O, conditional overlay on Lot 1, Block 1 which will accommodate the existing commercial development, and MR-3, Multi-Dwelling Residential on Lot 2, Block 1, which will accommodate the proposed senior residential development. The subdivision complies with the Southwest Area Plan as contained within the Urban Fringe and Extra-territorial Area of the City of Fargo land use plan, which applies to the subject property. 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, Planning staff has received no comments or inquiries. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

2. **Section 20-0907.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.**

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note 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)**

### **Staff Recommendation:**

Suggested Motion: "To accept the findings and recommendations of the Planning Commission 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 approve the proposed: 1) zone change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential and 2) **Amber Valley West Sixth Addition** subdivision plat as presented; as the proposal complies with the Southwest Area Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC.

<b>Planning Commission Recommendation</b>
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<p>At the August 3<sup>rd</sup>, 2021 Planning Commission hearing, by a vote of 7 to 0 with four Commission seats vacant, the Planning Commission moved to accept the findings and recommendations of staff and recommended approval to the City Commission of the proposed: 1) zone change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential and 2) <b>Amber Valley West Sixth Addition</b> subdivision plat as presented; as the proposal complies with the Southwest Area 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 to approve the 1) the conditional use permit (CUP) to allow an alternative access plan for Lot 2, Block 1 of the proposed Amber Valley West Sixth Addition as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the LDC, with the following conditions:</p>
---

- |   |
|---|
| <ul style="list-style-type: none"> <li>• A minimum of 88 parking stalls to be provided on site.</li> <li>• Bicycle parking facilities, such as bike racks or bike lockers, shall be provided on-site.</li> <li>• The Conditional Use Permit will cease if the land use changes from a senior residence.</li> <li>• Expansion of any proposed or existing use will trigger a reevaluation of off-street parking requirements on site.</li> </ul> |
|---|

<b>Attachments:</b>
---------------------

- |   |
|---|
| <ol style="list-style-type: none"> <li>1. Location Map</li> <li>2. Zoning Map</li> <li>3. Preliminary Plat</li> </ol> |
|---|



# Zone Change (LC with a C-O, conditional overlay to LC with a C-O and MR-3), Plat (Minor), CUP

2501 55th Street S;  
5675 26th Avenue S

## Amber Valley West Sixth Addition

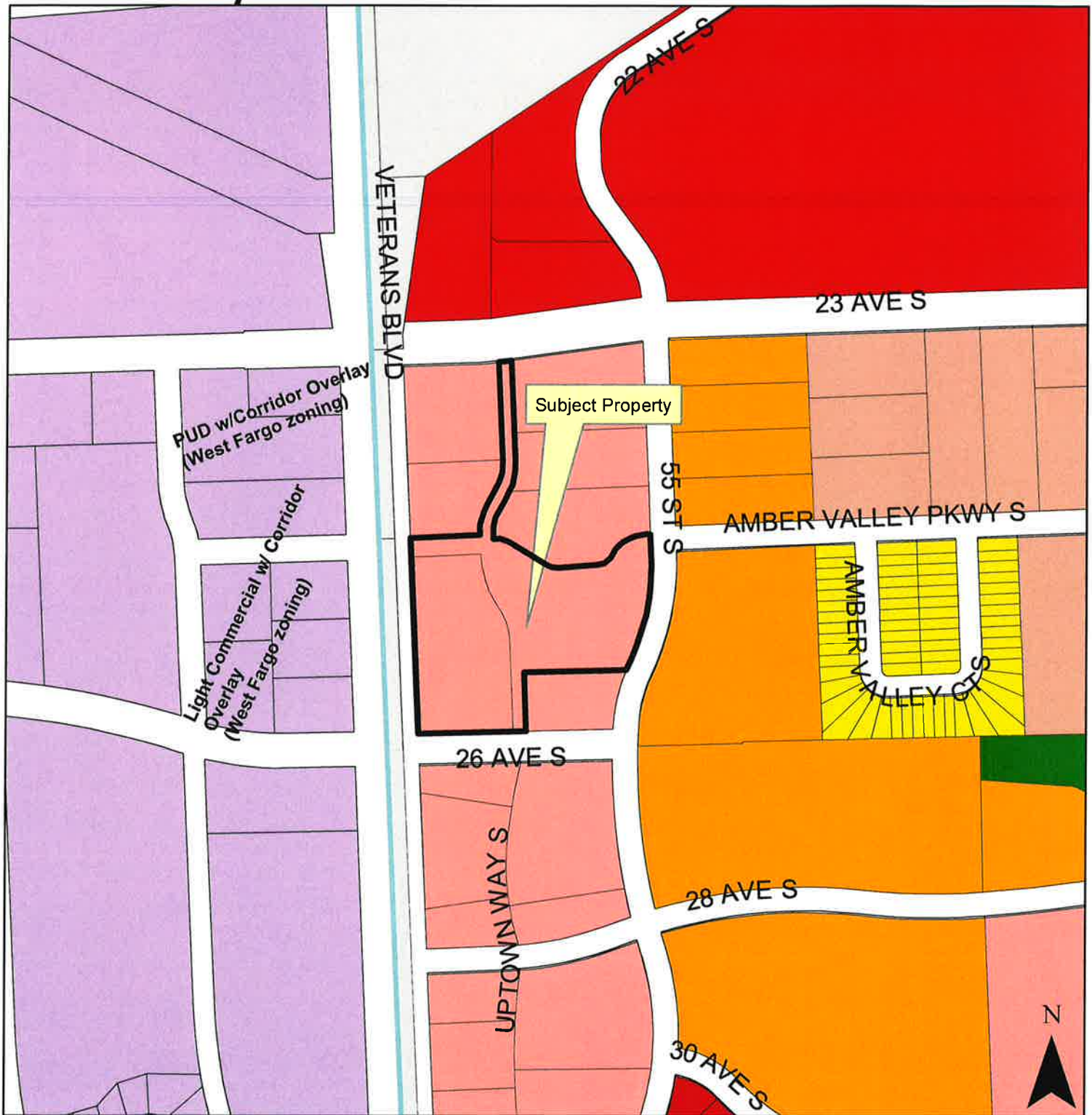




# Zone Change (LC with a C-O, conditional overlay to LC with a C-O and MR-3), Plat (Minor), CUP

2501 55th Street S;  
5675 26th Avenue S

## Amber Valley West Sixth Addition



**Legend**



500

Feet



OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

2562

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND  
LYING IN AMBER VALLEY WEST SIXTH 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 the proposed Amber Valley West Sixth Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on August 3, 2021; and,

WHEREAS, the rezoning changes were approved by the City Commission on September 7, 2021,

NOW, THEREFORE,

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

Section 1. The following described property:

Lot Two (2), Block One (1) of Amber Valley West Sixth Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "LC", Limited Commercial, District, with a "C-O", Conditional Overlay, District, as established by Fargo Municipal Ordinance No. 4754, to "MR-3", Multi-Residential, District, removing the "C-O", Conditional Overlay, District, from said property.

Section 2. The following described property:

Lot One (1), Block One (1) of Amber Valley West Sixth Addition to the City of Fargo, Cass County, North Dakota;

that is currently zoned "LC", Limited Commercial, District, subject to the existing "C-O", Conditional Overlay, District, as established by Fargo Municipal Ordinance No. 4754, will



OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

1 hereby retain the base zoning of "LC", Limited Commercial, District, and retain the existing  
2 "C-O", Conditional Overlay, District.

3  
4 Section 3. The City Auditor is hereby directed to amend the zoning map now on file in his  
5 office so as to conform with and carry out the provisions of this ordinance.

6 Section 3. This ordinance shall be in full force and effect from and after its passage and  
7 approval.  
8  
9

10 (SEAL)

\_\_\_\_\_  
Timothy J. Mahoney, M.D., Mayor

11 Attest:  
12  
13


14 \_\_\_\_\_  
Steven Sprague, City Auditor

First Reading:  
Second Reading:  
Final Passage:

250

**TO: BOARD OF CITY COMMISSIONERS**

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**FROM: MAYOR TIMOTHY J. MAHONEY** 

**DATE: SEPTEMBER 2, 2021**

**RE: 2022 PRELIMINARY BUDGET PUBLIC HEARING**

The Board of City Commissioners approved the Preliminary Budget for 2022 on August 9, 2021. A public hearing, which is required by the North Dakota Century Code, is scheduled on September 7, 2021 at 5:15 p.m.

The purpose of the public hearing is to allow public comment on the preliminary budget and recommended tax levies.

The City Commission will consider the Final Budget for 2022 on September 20, 2021.

# STEPS IN THE BUDGETARY PROCESS

July 26	The Mayor's Preliminary Budget Presentation
July 26 – August 5	Initial Review and Comment by Commissioners
August 1	Distribution of Entire Preliminary Budget Document to Commissioners
August 9	Receive, Approve & File Preliminary Budget, Set Public Hearing Date
August 10	Final Deadline to Submit Preliminary Budget Information to Cass County
August 31	Cass County Sends Consolidated Budget Data and Property Owner Notification Mailings
September 7	Public Hearings on Property Tax and Preliminary Budget
September 20	Approve Final Budget and Tax Levies
October 7	North Dakota Century Code Deadline for Budget Approval



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**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: JIM GILMOUR, STRATEGIC PLANNING DIRECTOR**

A handwritten signature in dark ink, appearing to be "JG", is written over the name "JIM GILMOUR" in the "FROM" line.

**DATE: SEPTEMBER 1, 2021**

**SUBJECT: 401 3rd AVENUE NORTH – OLD PUBLIC HEALTH BUILDING**

The Riverfront Renewal Plan encourages additional private development within the area of the plan. One of the activities included in the plan was to sell the old Public Health building for development at that site or to encourage development at an adjacent site. At least one development group is interested in the site.

Earlier this year, the Finance Committee recommended the City proceed with requesting proposals for the sale of the property.

**RECOMMENDED MOTION:**

Adopt a resolution authorizing the sale of the old Public Health Building at 401 3rd Avenue North.

Attachment



COMMISSIONER \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING SALE OF PROPERTY**

[401 3rd Avenue North – City Building and Parking]

**WHEREAS**, the city of Fargo is the owner of real property located at 401 3rd Avenue North [hereinafter the “Subject Property”]

**WHEREAS**, the Subject Property is the former public health building and parking, and the building is now vacant.

**WHEREAS**, it is the wish and desire of the Board of City Commissioners that the Subject Property be sold so that the property brings about new development.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF CITY COMMISSIONERS,**

1. The Subject Property is no longer required for a public purpose and, therefore, should be offered for public sale;
2. The Strategic Planning Director is hereby authorized to dispose of the above-described property by way of public sale;
3. Notice of the sale, together with the conditions and limitations to be placed on the sale, shall be published in the City’s official newspaper once each week for two consecutive weeks with the last publication being at least ten (10) days prior to the date of the sale and said notice shall seek sealed proposals containing both a firm price offered by the proposer along with a proposal for a use of the property.
4. The Strategic Planning Director shall coordinate the opening of the proposals and make a recommendation to the City Commission.
5. The City Commission will select the successful proposal, which selection will be a conditional approval that will be subject to the City and the selected proposer agreeing upon terms of an agreement that will be approved by the City Commission before execution of the agreement.

The motion for the adoption of the foregoing resolution was duly seconded by COMMISSIONER \_\_\_\_\_, and upon roll call vote, the following voted in favor thereof: COMMISSIONERS \_\_\_\_\_. The following were absent and not voting: \_\_\_\_\_, and the following voted against the same: \_\_\_\_\_, whereupon the resolution was declared duly passed and adopted.



**CITY OF FARGO**  
**REQUEST FOR PROPOSALS**  
*Issued: September 8, 2021*

**Request for Development Proposals – Sale of 401 3rd Avenue North**

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**I. PURPOSE**

The City of Fargo is seeking proposals from qualified developers, development groups and/or investment groups to utilize City-owned property at 401 3rd Avenue North to bring about development in the downtown. The City intends to sell the property. Acceptance of the proposal is subject to the conditional approval of the City Commission, negotiation of terms of an agreement by which the successful proposer and the City will be bound and final approval of said agreement by the City Commission.

**II. DEVELOPMENT GOALS**

The City's development goals include:

- High quality construction of structure(s,) preferably with a mix of uses (commercial and residential), in the core of the downtown.
- A scale of development with consideration to the surrounding development.

**III. DESCRIPTION OF THE PROPERTY**

- **Address:** 401 3rd Avenue North.
- **Property description:** The property is a two story building constructed in 1962, with an addition in 1994. There are 20,320 square feet above grade and finished space in the basement. Building plans are available for review.
- **Lot Size:** 28,000 square feet.
- **Zoning:** Downtown Mixed-Use (DMU). Note that within the DMU zoning district there are no height restrictions or building setback requirements.
- **Renaissance Zone:** The property is located in the Renaissance Zone, and the developer can expect to qualify for Renaissance Zone incentives.
- **Opportunity Zone:** The property is located in an Opportunity Zone, and the project may attract investment by Opportunity Zone Funds.
- **Availability of property:** The property will be available immediately after the sale is complete.

**IV. SUBMITTAL INSTRUCTIONS**

- Written proposals, enclosed in a sealed envelope, must be received on or before **November 10, 2021 at 4:00 p.m.**, at the following address:

City Auditor/Fargo City Hall  
225 4th Street North  
Fargo, ND 58102  
Attn: Jim Gilmour  
Re: Sale of 401 3rd Avenue North

- **Proposal:** The intent of the RFP is to assess and evaluate each respondent's capabilities, qualifications and conceptual development schematic. Proposals will be evaluated based on the criteria outlined in this RFP. The proposal shall include:
  - **Cover letter:** A letter signed by a principal or authorized representative who can make legally binding commitments on behalf of the entity or entities.
  - **Project schematic:** A description (narrative) as well as preliminary schematic plans and renderings of the proposed redevelopment concept. At minimum, schematic plans should depict the overall development plan inclusive of details such as building sizes, square footage of specific components, number of parking spaces, materials and design style, circulation patterns, loading/service provisions and a description of the timing for any phased improvements.
  - **Identification of entity/entities:** Proposals shall outline a description of each entity/entities involvement in the project. A profile of relevant experience shall be included specific to projects completed, location, type of development, project cost, financial capacity, project status and funding sources.
  - **Requested incentives:** Describe if Renaissance Zone or other incentives are required to implement the proposed development.
  - **Timeline:** A proposed process and schedule to complete the project.
  - **Purchase Price:** A proposed purchase price.

V. **TERMS/CONDITIONS**

- The City reserves the right to reject any or all proposals.

VI. **SELECTION CRITERIA**

The City will evaluate proposals based on the following factors and criteria:

- Proposed development is consistent with the downtown plan.
- Good design and quality of the project.
- Large amount of private investment.
- Purchase price.
- Ability of the developer to implement the project.
- Financial feasibility of development.
- Implementation to begin within one year and be complete within three years.
- Experience with related projects and past project history.

VII. **ATTACHMENTS**

- Location map.



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September 7, 2021

**To: Board of City Commissioners**  
**Fr: Michael Redlinger, Assistant City Administrator**  
**Re: Approve TischlerBise Economic Impact Study & Model Development Scope of Work**

**Background:** In April 2021, TischlerBise was identified as a vendor with specialized expertise in economic development analysis for municipal governments that utilize economic development and redevelopment incentives. TischlerBise assists local governments by creating studies and impact models that evaluate short-, medium-, and long-term economic impacts and return on investment scenarios for projects a city may support with economic development incentives. TischlerBise was requested to develop a scope of work for an Economic Impact Study and Model specifically suited to Fargo's needs and interests.

**Finance Committee Recommendation:** On August 27, 2021, the Finance Committee received a presentation from City staff regarding the proposed scope of work from TischlerBise. The Finance Committee unanimously approved the proposed scope and recommends approval. A copy of the scope is attached for reference.

**Study Tasks:** At the City's request, TischlerBise developed four (4) tasks in the scope that will form their team's project approach. These tasks include:

- **Task 1:** Project Initiation – Establishing a baseline of City of Fargo data and land use information for the study.
- **Task 2:** Preparation of a White Paper on Economic Development Incentives. This will be a comparative analysis of the City of Fargo's economic development incentives and how these compare to other cities (with an emphasis on Midwest cities).
- **Task 3:** Develop Economic Impact Model – The development of a modeling tool to evaluate the performance of Fargo's tax incentives.
- **Task 4:** Implement Economic Impact Model – A training session for City staff on the functionality and features of the model.

**Integration with Other City of Fargo Study Work:** In the solicitation of the TischlerBise proposal, City staff specifically requested that the TischlerBise Economic Impact Model *complement*, and *integrate*, with the Fiscal Impact Model and long-range planning analysis being performed by Baker Tilly. The City Commission will receive a report on the Baker Tilly land use and property tax revenue model at a later date. The City desires to see the TischlerBise and Baker Tilly studies work in tandem, and guide the Tax Exempt Review Committee's policy work.

Additionally, other City studies, including the Core Neighborhood Master Plan; Growth Plan Update; and the Regional Housing Study (in progress) will be provided to TischlerBise for review and integration into their analysis.

**Recommended Action:** Upon the unanimous recommendation of the Finance Committee, approve the TischlerBise Economic Impact Study & Model Development scope of work.



Attachments: 8/27/21 Finance Committee Report of Action  
TischlerBise Project Approach and Scope of Work

REPORT OF ACTION**FINANCE COMMITTEE**

**Project:** TischlerBise Economic Impact Study & Model Development Scope of Work

**Type:** Professional Services

**Location:** N/A

**Date of Hearing:** August 27, 2021

<u>Routing</u>	<u>Date</u>
City Commission	9/7/2021
Project File	N/A

The Finance Committee received a presentation from City staff regarding a proposed scope of work from TischlerBise to study short-, medium-, and long-term economic impacts and return on investment for development projects that receive incentive support from the City of Fargo. TischlerBise was identified in April 2021 as a firm with specialized expertise in economic development analysis for municipal governments that utilize development and redevelopment incentives.

City staff coordinated with TischlerBise on the development of a proposed scope of work to analyze the City's economic development incentives to ensure alignment with policy goals and desired outcomes. The City also expressed interest in a comparative analysis of development incentives offered by other cities, and the performance of these incentives relative to those offered by Fargo.

On August 27, 2021, the Finance Committee approved the proposed TischlerBise scope of work, a copy of which is attached for reference. At the City's request, TischlerBise developed four (4) tasks in the scope that will form their team's project approach. These tasks include:

- **Task 1:** Project Initiation – Establishing a baseline of City of Fargo data and land use information for the study.
- **Task 2:** Preparation of a White Paper on Economic Development Incentives. This will be a comparative analysis of the City of Fargo's economic development incentives and how these compare to other cities (with an emphasis on Midwest cities).
- **Task 3:** Develop Economic Impact Model – The development of a modeling tool to evaluate the performance of Fargo's tax incentives.
- **Task 4:** Implement Economic Impact Model – A training session for City staff on the functionality and features of the model.

In the solicitation of this proposal, City staff requested that the TischlerBise Economic Impact Model complement the fiscal impact study and long-range planning analysis being performed by Baker Tilly. Specifically, it is noted in the TischlerBise Task 3 scope that "Model results are intended to complement the fiscal impact work being prepared by Baker Tilly and will quantify the extent to which incentivized development projects are consistent with various strategic planning goals and integrate with other City plans and programs."

In this regard, the TischlerBise and Baker Tilly studies, together with the work of the Tax Exempt Review Committee to update economic development incentives, will coalesce and guide future policy development and decision making for the City of Fargo.

**MOTION:**

On a motion by Mahoney, seconded by Piepkorn, the Finance Committee voted unanimously to approve the TischlerBise scope of work for the Economic Impact Study & Model Development and route to the City Commission for approval.

COMMITTEE:	Present	Yes	No	Unanimous
				X
				Proxy
Tim Mahoney, Mayor	X			
Dave Piepkorn, City Commissioner	X			
Bruce Grubb, City Administrator	X			
Mike Redlinger, Assistant City Administrator	X			
Kent Costin, Director of Finance	X			
Steve Sprague, City Auditor	X			
Tim Mahoney, Finance Committee Chair				

## Project Approach and Scope of Work

### Project Approach

Informed land use and economic development decisions require different types of information and the balancing of multiple objectives, including fiscal and economic impacts. Because revenue structures, tax rates, and local government level of service vary from one local government to another, the results of one jurisdiction's fiscal and economic analysis cannot be applied to another jurisdiction without empirical validation.

It is our understanding that the City of Fargo is interested in determining the short-, medium, and long-term economic impacts and return on investment for major development projects, namely those projects going receiving economic development incentives. Additionally, the City is interested in examining economic development incentive programs essential to development/ redevelopment being utilized by other communities, with an emphasis on midwestern cities.

An important consideration relative to this assignment is that all of the fiscal and economic impact models developed by TischlerBise are developed from the ground up, with the specific needs and desires of the client considered before beginning the development of the application. This includes a thorough understanding of the types of the analyses the City believes the model will be used for, as well as the intended audience. As part of this assignment, TischlerBise will develop, or calibrate, the economic impact model around current development projects representative of a "typical" projects.

The economic impact model designed for this assignment will be developed in a user-friendly environment, using Microsoft Excel and Visual Basic. The result is a powerful and flexible application that allows the user to decide the level of detail, as well as sophistication, reflected in the model. In addition, new modules could easily be integrated into the model at a later date. The model structure is also transparent and will allow users to clearly see the methodology, data, and algorithms utilized in order to verify the correct application of the data, thereby avoiding "black box" concerns.

During the development of the economic impact model, likely users of the model will be surveyed for their input into the design of the model including user interface, worksheet design for individual departments, desired outputs, etc. Since the models we develop contain proprietary information, we ask that clients enter into a standard license agreement, the terms of which can be negotiated with the City.

### Work Scope

#### TASK 1: PROJECT INITIATION

During this task, we will meet with City staff to establish lines of communication, review and discuss project goals and expectations related to the project, and review (and revise, if necessary) the project schedule. The purpose of this initial discussion is outlined below:

- Obtain and review current demographics and other land use information for the City
- Review and refine work plan and schedule



- Assess additional information needs and required staff support
- Identify and collect data and documents relevant to the analysis, including budgets, and relevant planning documents
- Discuss current use of economic incentives.
- Identify any relevant policy issues

**Discussion of Model Design.** As part of the Project Initiation activities, TischlerBise will meet with relevant City staff to discuss several items. The first is agreement on the idealized structure and potential applications of the economic impact model. The second item for discussion relates to the three different “look back” projects that will be used to develop and calibrate the model. TischlerBise recommends evaluating recent or proposed development projects. These real-world examples will ensure that the model has full capabilities as it is designed.

**Data Needed from the City.** Several pieces of information will be requested from the City. However, our experience allows us to identify alternate sources of information where data is not readily available.

- Base year City demographic data (population, employment, housing units, etc.).
- GIS data sets (to be determined in this Task).
- Any relevant studies related to fiscal/economic conditions in the City
- Information related to the development project for use in calibrating the economic impact model.

**Meetings:**

One (1) meeting with relevant City staff to discuss issues related to methodology and project expectations.

**Deliverables:**

See Task 3.

**TASK 2: PREPARE WHITE PAPER ON ECONOMIC DEVELOPMENT INCENTIVES**

In this task, TischlerBise will work with City staff to develop parameters that will guide the preparation of the White Paper. This will include a discussion of current use of economic development in the City, as well as peer communities the City would like included. TischlerBise will also augment this task with our extensive national economic consulting experience.

The White Paper prepared by TischlerBise will include an analysis of various economic incentives used by cities across the country, with an emphasis on the Midwest. The analysis will evaluate the effectiveness of each incentive type, provide case studies, discuss where authority comes from (home rule, statutory, etc.), applicability to the City of Fargo, and whether the City would need legislation to implement.

**Deliverable:**

White Paper Discussing Use of Economic Development Incentives from Across the United States.

### **TASK 3: DEVELOP ECONOMIC IMPACT MODEL**

TischlerBise will develop an economic impact module that reflects economic activities such as job creation, income generation, and local industry spending—reflecting direct, indirect, and induced economic impacts. It is likely that the primary source of multipliers will be from IMPLAN using, which will facilitate analysis of economic impacts on Fargo as a whole. This information may be supplemented with primary research on local economic conditions such as average salaries by type of industry, consumer spending, and estimates of leakage and displacement (expenditures that would have occurred locally without the new investment).

Factors in this analysis include, but are not limited to, location of residence of workers in the City; average spending by local companies on goods and services as well as assumptions about location of spending; the extent to which new business development is net new economic activity in the City; and the percentage of expenditure that is “leaked” to surrounding jurisdictions. Model results are intended to complement the fiscal impact work being prepared by Baker Tilly and will quantify the extent to which incentivized development projects are consistent with various strategic planning goals and integrate with other City plans and programs.

#### ***Meetings:***

Conference calls as needed.

#### ***Deliverables:***

Economic Impact Model.

### **TASK 4: IMPLEMENT ECONOMIC IMPACT MODEL**

**User Documentation.** The User Documentation developed by TischlerBise will include a training manual that discusses the use and technical aspects of the model. The manual provides the information needed to operate and maintain the model. For example, the manual will discuss modification of direct/indirect and induced factors, how the formulas work, and the creation of custom formulas.

**Implementation.** In this subtask, TischlerBise will conduct an onsite training sessions with appropriate City staff. City staff will be trained on the structure of the model, data inputs, and encourage various “hands on” applications and related questions. In addition to this training session, TischlerBise will be available for technical assistance.

#### ***Meetings:***

One (1) meeting to deliver and train City staff on the functionality, user features, and outputs of the model.

#### ***Deliverables:***

Economic Impact Model and User’s Manual.

## Timeline of Proposed Work Program

The following table provides our proposed project schedule for the City's assignment. The schedule is inclusive of all tasks, meetings, and deliverables outlined in the Scope of Work. As indicated below, we estimate a project schedule of approximately 4 months.

PROJECT SCHEDULE - ECONOMIC IMPACT MODEL			
Tasks	Target Completion Date	Meetings	Deliverables
Task 1: Project Initiation	September, 2021	1	See Task 3
Task 2: Prepare White Paper on Economic Development Incentives	September - November, 2021	0	White Paper Discussing Use of Economic Development Incentives from Across the United States
Task 3: Develop Economic Impact Model	October - December, 2021	0	Economic Impact Model
Task 4: Implement Economic Impact Model	December, 2021 - January, 2022	1	Economic Impact Model and User's Manual

## Cost Proposal

The following figure provides our fixed fee cost proposal.

PROPOSED FEE - ECONOMIC IMPACT MODEL					
Project Team Member:	Bise	Herlands	McAweeney	Total	
Hourly Rate*	\$250	\$210	\$195	Hours	Cost
Task 1: Project Initiation	8	8	0	16	\$3,680
Task 2: Prepare White Paper on Economic Development Incentives	16	48	32	96	\$20,320
Task 3: Develop Economic Impact Model	24	60	48	132	\$27,960
Task 4: Implement Economic Impact Model	3	16	0	19	\$4,110
Expenses:					\$4,300
<b>TOTAL</b>	<b>51</b>	<b>132</b>	<b>80</b>	<b>263</b>	<b>\$60,370</b>



(31)

**Office of the City Attorney****City Attorney**  
Erik R. Johnson**Assistant City Attorney**  
Nancy J. Morris

September 1, 2021

Board of City Commissioners  
City Hall  
225 4<sup>th</sup> Street North  
Fargo, ND 58102RE: Change of form of government (i.e. council or "ward" system) – enabling ordinance –  
proposed Fargo Municipal Code §1-0109

Dear Commissioners,

As I reported at your August 23<sup>rd</sup>, 2021, meeting, Fargo's Home Rule Charter empowers the city electorate to alter the City's form of government from a "commission" form to another form of government; however, the City's charter provisions must be implemented by ordinance and Fargo does not currently have an ordinance setting forth the procedures to be followed. The enclosed ordinance would, if enacted, establish the process by which a question may be presented to the City electorate for city-wide vote. Your July 12<sup>th</sup>, 2021, motion specifically proposed a city-wide vote the question of whether Fargo's form of government should be converted to that of a "city council" form with four wards; however, state law permits a number of possible forms of government (i.e. council, modern council, city manager, with variables as to number of council members, etc.) and this draft ordinance includes flexibility for proposals of any of those optional forms. The enclosed ordinance establishes a process similar to that for any home rule charter amendment and, in addition, one generally consistent with the process outlined by state statute.

**Suggested Motion:** I move to receive and file An Ordinance Enacting Section 1-0109 of Article 1-01 of Chapter 1 of the Fargo Municipal Code Relating to Change in Form of Government and to place the ordinance on for first reading at the next regularly-scheduled city commission meeting.

Please feel free to contact me if you have any questions or concerns.

Regards,

Erik R. Johnson

Enclosure





OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ENACTING SECTION 1-0109 OF ARTICLE 1-01 OF  
CHAPTER 1 OF THE FARGO MUNICIPAL CODE  
RELATING TO CHANGE IN FORM OF GOVERNMENT

WHEREAS, the electorate of the City of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Century Code; and

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purpose; and

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

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

Section 1. Enactment.

Section 1-0109 of Article 1-01 of Chapter 1 of the Fargo Municipal Code is hereby enacted to read as follows:

**1-0109. Changing form of government.--**

- A. Changes to the city's form of government may be initiated by resolution approved by a majority vote of the governing body of the city or may be initiated by petitions bearing the signatures of qualified voters of the city equal to at least fifteen (15) percent of the number of voters who voted for mayor in the most recent city election at which that office was filled.
- B. If any change as specified in subsection A is initiated by resolution, the governing body shall submit the question to the electors of the city at any regular or special city election as specified in the resolution.
- (c) If any change as specified in subsection A is initiated by petitions bearing the signatures of qualified electors of the city equal to at least fifteen (15) percent of the number of voters who voted for mayor in the most recent city election at which that

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

office was filled, the form and procedures shall be, in all respects, in accordance with the provisions for initiative as set forth in Article 4 of the City of Fargo Home Rule Charter.

- (d) The resolution or petition initiating a change in the form of government shall unambiguously state the question to be submitted to the electors and the question shall be in substantially the following form:

Shall the City of Fargo change its organization under the [council (Chapter 40-08, N.D.C.C.); modern council (Chapter 40-04.1, N.D.C.C.); or commission (Chapter 40-09, N.D.C.C.)] form of government and become a city under the [council (Chapter 40-08, N.D.C.C.); modern council (Chapter 40-04.1, N.D.C.C.); or commission (Chapter 40-09, N.D.C.C.)] form of government with a [specified number]-member governing body?

- (e) To the extent that the change in the form of government being proposed will, if approved by the city electors, also require one or more revisions to the City's Home Rule Charter so that the charter will be consistent with the form of government being proposed, then the resolution or petition initiating such change shall also specify such revisions to the home rule charter and, in such case, the question to be submitted to the electors shall be in substantially the following form:

Shall the City of Fargo change its organization under the [council (Chapter 40-08, N.D.C.C.); modern council (Chapter 40-04.1, N.D.C.C.); or commission (Chapter 40-09, N.D.C.C.)] form of government and become a city under the [council (Chapter 40-08, N.D.C.C.); modern council (Chapter 40-04.1, N.D.C.C.); or commission (Chapter 40-09, N.D.C.C.)] form of government with a [specified number]-member governing body and with changes to the City's Home Rule Charter, accordingly, as stated in the [resolution of the City's governing body proposing or the petition initiating] the change in the form of government dated as of \_\_\_\_\_, 20\_\_?

- (f) If the initiated change in the form of government proposes becoming a modern council (Chapter 40-04.1, N.D.C.C.), the question to be submitted to the electors shall also specify whether the candidates will be elected by wards or at large.

- (g) If a change in the form of government is approved by the electors, the new governing body shall be elected at the next regular city election, unless otherwise specified in the resolution or petition. After the first election of the new governing body, the terms of office for the members of the governing body must be arranged so that one-half (½) of the members, as nearly as practicable, are elected biennially at regular city elections.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

- 1 (h) The proposed amendment shall be published in the official newspaper of the city at  
2 least 60 days prior to the election at which the matter will be decided.  
3 (i) Any question submitted to the electors of the city relating to subsection A requires  
4 an affirmative vote by a majority of the qualified electors of the city voting on the  
5 question for passage.  
6 (j) This section is adopted pursuant to the City of Fargo's Home Rule Charter. To the  
7 extent any provision in this section conflicts with state law, such provision in this  
8 section shall supersede any state law in conflict with this section.

6 Section 2. Effective Date.

7 This ordinance shall be in full force and effect from and after its passage and  
8 approval.

9 \_\_\_\_\_  
10 Timothy J. Mahoney, M.D., Mayor

11 (SEAL)

12 Attest:

First Reading:  
Second Reading:  
Final Passage:

13 \_\_\_\_\_  
14 Steven Sprague, City Auditor  
15  
16  
17  
18  
19  
20  
21  
22  
23

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

52

AN ORDINANCE ENACTING SECTION 08-1220 OF  
ARTICLE 08-12 OF CHAPTER 8 OF THE FARGO MUNICIPAL CODE RELATING TO  
OVERTAKING AND PASSING A BICYCLE, AMENDING 8-1424 AND 8-1411 OF  
ARTICLE 8-14 OF CHAPTER 8 OF THE FARGO MUNICIPAL CODE RELATING TO  
YIELDING AND STOPPING WHILE OPERATING A BICYCLE ON A ROADWAY AND  
OBEDIENCE TO TRAFFIC-CONTROL DEVICES, AND AMENDING  
SECTION 1-0305 OF ARTICLE 1-03 OF CHAPTER 1 OF THE FARGO  
MUNICIPAL CODE RELATING TO CLASSIFICATION OF ORDINANCE VIOLATIONS

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in  
accordance with Chapter 40-05.1 of the North Dakota Code; and,

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City  
shall have the right to implement home rule powers by ordinance; and,

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said  
home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict  
therewith and shall be liberally construed for such purposes; and,

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to  
implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

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

Section 1. Enactment.

8-1220. – Overtaking and passing a bicycle

Overtaking and passing a bicycle. The driver of a vehicle shall leave a safe distance when  
overtaking and passing a bicycle proceeding in the same direction on a roadway and shall maintain

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

1 clearance until safely clear of the overtaken bicycle. "Safe distance" as used in this section means  
2 no less than three feet [0.91 meters] clearance.

3 Section 2. Amendment.

4 8-1424. ~~Reserved~~ - Yielding and stopping while operating a bicycle on a roadway.

- 5 1. An individual operating a bicycle who is approaching a stop sign at an intersection with a  
6 roadway having three or more lanes for moving traffic shall come to a complete stop before  
7 entering the intersection.
- 8 2. An individual operating a bicycle who is approaching a stop sign at an intersection where  
9 a vehicle is stopped in the roadway at the same stop sign shall come to a complete stop  
10 before entering the intersection.
- 11 3. An individual operating a bicycle who is approaching a stop sign at an intersection with a  
12 roadway having two or fewer lanes for moving traffic shall reduce speed and, if required  
13 for safety, stop before entering the intersection. After slowing to a reasonable speed or  
14 stopping, the individual shall yield the right - of - way to any vehicle in the intersection or  
15 approaching on another roadway so closely as to constitute an immediate hazard during the  
16 time the individual is moving across or within the intersection, except that an individual,  
17 after slowing to a reasonable speed and yielding the right - of - way if required, cautiously  
18 may make a turn or proceed through the intersection without stopping.
- 19 4. An individual operating a bicycle who is approaching an intersection shall yield the right -  
20 of - way to any vehicle that already has entered the intersection.
- 21 5. When an individual operating a bicycle and a vehicle enter an intersection from different  
22 roadways at approximately the same time, the operator of the vehicle or bicycle on the left  
23 shall yield the right - of - way to the vehicle or bicycle on the right.
6. If the individual operating a bicycle is involved in a collision with a vehicle in the  
intersection or junction of roadways after proceeding past a stop sign without stopping or  
past a steady red traffic - control light, the collision is deemed prima facie evidence of the  
individual's failure to yield the right of way.

19 Section 3. Amendment.

20 8-1411. - Obedience to traffic-control devices.



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ORDINANCE NO. \_\_\_\_\_

- 1 A. Any person operating a bicycle shall obey the instructions of official traffic-control  
2 signals, signs, and other control devices applicable to vehicles, unless otherwise  
3 directed by a police officer, or except as to special regulations in this article.  
4  
5 B. Whenever authorized signs are erected indicating that no right or left or U-turn is  
6 permitted, no person operating a bicycle shall disobey the direction of any such signs,  
7 but where the rider dismounts from the bicycle to make any such turn, he shall then  
8 obey the regulations applicable to pedestrians.

9 Section 4. Amendment.

10 1-0305. Classification of ordinance violations.

11 \* \* \* \*

- 12 C. Violations of the following ordinances are noncriminal offenses and shall require payment  
13 of a fee as follows:

14 \* \* \* \*

- 15 4. For a violation of the following ordinances a fee of \$40.00.

16 Section 8-0105 (driving wrong way on one-way street), section 8-0106 (obey  
17 temporary traffic sign/barrier), section 8-0303(B) (parent/guardian allow  
18 unlicensed/under 16 to drive), section 8-0303(C) (owner allowing unlicensed/under  
19 16 to drive), section 8-0305(B) (current license required), section 8-0306 (violation  
20 of restricted license), section 8-0316 (permit unauthorized person to drive), section  
21 8-0403 (disobey traffic control device (barricade)), section 8-0405 (traffic control  
22 signals), section 8-0407 (flashing signals), section 8-0506 (impeding traffic), article  
23 8-06 (regulating turning movements), section 8-1010 (motor vehicle left  
unattended—brakes to be set, engine stopped, and keys removed), section 8-1011  
(drive or park on private property), section 8-1018 (taking on or discharging  
passengers), section 8-1111 (vehicle required to stop at railroad crossing), section  
8-1201 (following too closely), sections 8-1202 thru 8-1218(D) (general rules of  
the road), section 8-1220 (overtaking and passing a bicycle), section 8-1301(C)

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(driving over fire hose), section 8-1301(D) (driving through/around barricade), section 8-1305 (driving vehicle on sidewalk), section 8-1306 (improper backing), 8-1308 (helmet required—operator/passenger), section 8-1309 (number of riders on motorcycle limited), section 8-1310 (clinging to a vehicle or allowing same), section 8-1313 (unlawful riding on vehicle), section 8-1315 (unlawful towing), section 8-1316(A) (operating motor vehicle with view obstructed by load/passengers), section 8-1316(B) (passenger obstructing driver's view), section 8-1319 (unlawful operation of motor vehicle private property), section 8-1321 (use of seat belts required), section 8-1804 (driving through school patrols), section 8-1415 (right-of-way emerging from alley or driveway), section 8-1417 (parking restriction).

\* \* \* \*

Section 5. Penalty.

A person who violates section 8-1220 is guilty of a noncriminal offense, punished by a \$40.00 fee, which may not be suspended.

Section 6. Effective Date.

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

\_\_\_\_\_  
Timothy J. Mahoney, Mayor

Attest:

\_\_\_\_\_  
Steven Sprague, City Auditor

First Reading:  
Second Reading:  
Final Passage:  
Publication:



33a

August 17, 2021

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 2408 26 ½ Ave S as submitted by Rich & Kate Lea. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022, 2023, 2024 & 2025.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$775 with the City of Fargo's share being \$130.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Splonskowski".

Mike Splonskowski  
City Assessor

bsb  
attachment

**Application For Property Tax Exemption For Improvements  
To Commercial And Residential Buildings**

North Dakota Century Code ch. 57-02.2  
(File with the local city or township assessor)

**Property Identification**

1. Name of Property Owner	Rich and Kate Lea		Phone No.	7013889605
2. Address of Property	2408 26 1/2 Ave S			
City	FARGO	State	ND	Zip Code 58103
3. Legal description of the property for which the exemption is being claimed,	Lot 11 Block 7 CRARY'S 1ST LOT 11 BLK 7 EXC E 5'			
4. Parcel Number	01050501110000 Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>			
5. Mailing Address of Property Owner	2408 26 1/2 Ave S			
City	Fargo	State	ND	Zip Code 58103

**Description Of Improvements For Exemption**

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary).	See attached	
7. Building Permit No.	NA	8. Year Built 1981
9. Date of Commencement of making the improvement	2015	
10. Estimated market value of property before improvement	\$	230,000
11. Cost of making the improvement (all labor, material and overhead)	\$	59,000
12. Estimated market value of property after improvement	\$	260,000

**Applicant's Certification and Signature**

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.	Digitally signed by Kate Lea Date: 2021.08.14 07:31:39 -05'00'	
Applicant's Signature	Kate Lea	Date 8-14-21

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):	
Assessor's Signature	Date 8-24-2021

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body _____ Date _____

**Submit Via Email**

2015 New Steel Siding and Windows \$30k

2015 New Fence \$5k

2015 New Front Door \$5k

2018 Updated Upstairs Bathroom \$12k

2019 New Entryway, stairs to the downstairs, den, and laundry room flooring \$7k

Total \$59k



CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

336

August 20, 2021

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1337 8 Ave S as submitted by Alexa Johnson. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022, 2023, 2024 & 2025.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$2370 with the City of Fargo's share being \$400.

Sincerely,



Mike Splonskowski  
City Assessor

bsb  
attachment

**Application For Property Tax Exemption For Improvements  
To Commercial And Residential Buildings**  
North Dakota Century Code ch. 57-02.2  
(File with the local city or township assessor)

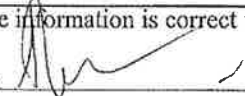
**Property Identification**

1. Name of Property Owner <u>Alexa Johnson</u>	Phone No. <u>701-866-8987</u>
2. Address of Property <u>1337 8th Ave. S</u>	
City <u>FARGO</u>	State <u>ND</u> Zip Code <u>58103</u>
3. Legal description of the property for which the exemption is being claimed. _____ <small>Lot Sixteen, in Block Two, of Darling 's Addition to the City of Fargo, situate in the County of Cass and the State of North Dakota</small>	
4. Parcel Number <u>01-0540-00280-000</u> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner <u>1337 8th Ave. S</u>	
City <u>Fargo</u>	State <u>ND</u> Zip Code <u>58103</u>


**Description Of Improvements For Exemption**

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). <u>see attached</u>	
7. Building Permit No. _____	8. Year Built <u>1910</u>
9. Date of Commencement of making the improvement _____	
10. Estimated market value of property before improvement	\$ <u>80000</u>
11. Cost of making the improvement (all labor, material and overhead)	\$ <u>180,350</u>
12. Estimated market value of property after improvement	\$ _____

**Applicant's Certification and Signature**

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.	
Applicant's Signature <u></u>	Date <u>8/18/21</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): _____	
Assessor's Signature <u></u>	Date <u>8-24-2021</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>	
Approval subject to the following conditions: _____	
Chairman of Governing Body _____	Date _____

**Submit Via Email**

1337 8th Ave South Fargo

NEW (24x24) garage built with (2x6) 50,000 -

NEW Furnace with 18 tons and duct work all new 10,740 -

NEW HOT water heater - this is still 10.00 -

NEW Carpet - 1,700 -

Hardwood Floors Re-done - 5,500 -

NEW Roof gutter Sinks - 7,000 -

NEW Side water & Driveway 9,000 -

NEW Appliances - (5,700) - Frig. stove, Dishwasher, Water

NEW Cabinets - 5,500

NEW Sinks, toilets, bathtubs all new. 5,200 -

ALL NEW plumbing, general LF, 6,900 -

ALL NEW ELEC. Service & wiring - 9,500 -

220 Amp Service to garage!

NEW Front Stair (maintenance free) 3,500 -

ALL NEW (Complete basement and 1st floor)  
5,000 -

Drywall all new up & down 7,000 -

Painting all new trim & doors 5,400 -

Counter tops new 1,500 -

Hardware on all points & Band Sill for 950 -

MISC. Contract labor for projects.

24,000 - 30,000 paid.

basement Driveway & Lane 4,500 -

Egress window basement 3,700 -

NEW Entry house & Garage - 7,500 -

Re glazing porch windows 500 -



August 24, 2021

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 2307 26 Ave S as submitted by Scott Hoaby. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022, 2023, 2024 & 2025.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$610 with the City of Fargo's share being \$105.

Sincerely,

A handwritten signature in cursive script that reads "Mike Splonskowski".

Mike Splonskowski  
City Assessor

bsb  
attachment

# Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

**Property Identification**

1. Legal description of the property for which exemption is claimed Lot 16 Block 3  
Addition 09raf

2. Address of Property 2307 26th Ave S, FARGO 58103

3. Parcel Number 01-2195-00370-000

4. Name of Property Owner SCOTT HOABY Phone No. 310-868-8753

5. Mailing Address of Property Owner same (or alternatively Po Box 33)

**Description Of Improvements For Exemption**

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Two major items on main floor -  
① installation of hardwood flooring, and ② installation of kitchen cabinets

7. Building permit No. Not Applicable 8. Year built (residential property) 1978 (I think)

9. Date of commencement of making the improvements 1-1-2021

10. Estimated market value of property before the improvements \$ ~~145,000~~ 149,300

11. Cost of making the improvement (all labor, material and overhead) \$ Material: \$14,000

12. Estimated market value of property after the improvements \$ 195,700

**Applicant's Certification And Signature**

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Scott Hoaby Date 8/16/21

**Assessor's Determination And Signature**

14. The assessor/county director of tax equalization finds that the improvements described in this application do ☒ do not ☐ meet the qualifications for exemption for the following reason(s): \_\_\_\_\_

Assessor/Director of Tax Equalization Will Scheubach Date 8-31-2021

**Action Of Governing Body**

15. Action taken on this application by the governing board of the county or city: Approved ☐ Denied ☐

Approval is subject to the following conditions: \_\_\_\_\_

Exemption is allowed for years 20\_\_\_\_, 20\_\_\_\_, 20\_\_\_\_, 20\_\_\_\_, 20\_\_\_\_.

Chairperson \_\_\_\_\_ Date \_\_\_\_\_



34

**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: MAYOR TIMOTHY J. MAHONEY**



**DATE: SEPTEMBER 7, 2021**

**SUBJECT: APPOINTMENT TO THE PLANNING COMMISSION**

Melissa Sobolik, who served on the Planning Commission, has resigned her position. Her term would have expired on June 30, 2022.

I am recommending the appointment of Thomas Schmidt to fill the vacancy created by the resignation of Ms. Sobolik. Mr. Schmidt's appointment to the Board will expire on June 30, 2022. Mr. Schmidt's web application is attached for your reference.

Your favorable consideration of this recommendation will be greatly appreciated.

**RECOMMENDED MOTION:** To approve the appointment of Thomas Schmidt to fill the unexpired term of Melissa Sobolik on the Planning Commission for a term ending June 30, 2022.

mmapt21plc-2

**Kember Anderson**

---

**From:** noreply@cityoffargo.com  
**Sent:** Friday, September 20, 2019 3:58 PM  
**To:** Commissions Applications  
**Subject:** New Form Submission: Getting involved in government  
**Attachments:** Thomas Schmidt\_Resume\_Planning Commission.pdf

**Name:**

[Thomas Schmidt]

**Mailing Address:**

[REDACTED]

**City:**

[Fargo]

**State:**

[North Dakota]

**Zip:**

[58102]

**Work Phone:**

[REDACTED]

**Home Phone:**

[REDACTED]

**E-mail:**

[REDACTED]

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

[Planning Commission]

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

[Ever since I moved to Fargo back in 2011 for school, I have fallen in love with this city. The growth this city has seen since then has been tremendous, and it has been a great opportunity to see this first hand. As an architect, I see the world through the eyes of possibility. I'm constantly imagining what this city can become, and what role I can have in providing a voice to that vision. With my background in design and architecture, I believe I have a unique and experienced way of seeing how this city can grow. With the update of our city's land development code about to begin, Fargo has an incredible opportunity to decide what kind of city it wants to become, and it would be an honor to assist in that process by being a member of the planning commission.]

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

[5-8]

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

[No direct experience. As a strong advocate for Fargo, I like to stay current on city government, so I am able to watch nearly all boards/committees when they are streamed online. I'm passionate for Fargo, and would love to get the opportunity to start becoming involved in a community I love.]

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

[I have been a registered architect in the state of North Dakota since July, and have either been going to school for or working in architecture for the last eight years. Architecture inherently has a tremendous impact on our built environment, and I have been fortunate to be able to play a role in that in designing and shaping our community. Being in this field, I have learned a great deal about relevant codes, ordinances, and more when it comes to building and how cities are developed. I have experience with our city's code, zoning, and regulations which would be a tremendous asset for this position. I've also been fortunate enough to work on long range planning projects, which forces one to look ahead to the future of a site or community and figure out how best we should shape it, which is what city planning is at its core. ]

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