

FARGO CITY COMMISSION AGENDA  
**Tuesday**, January 19, 2016 – 5:00 P.M.

Executive Session at 4:15 p.m.

Roll Call.

**PLEASE NOTE:** The City Commission will convene on Tuesday, January 19, 2016 at 4:15 p.m. and retire into Executive Session in the River Room for the purpose of attorney consultation pursuant to N.D. Cent. Code § 44-04-19.1(2) in the pending litigation matter Edward P. Ferguson and Lavanna M. Ferguson v. City of Fargo.

5:00 P.M. Regular Meeting

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

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, January 4, 2016).
- E. CONSENT AGENDA – APPROVE THE FOLLOWING:**
  - 1. 2nd reading, waive reading and final adoption of Ordinances Rezoning Certain Parcels of Land in the following Additions; 1st reading 1/4/16:
    - a. Stern's Subdivision of Auditor's Lot 2 and Huntington's Addition.
    - b. FSOC Addition.
    - c. Urban Plains Center Addition and Encore Addition.
  - 2. Purchase of Service Agreements with the North Dakota Department of Health:
    - a. In the amount of \$55,000.00 for HIV counseling, testing and referral program (CFDA #93.940).
    - b. In the amount of \$16,000.00 to direct Tuberculosis screening activities (CFDA #93.117).
    - c. In the amount of \$20,000.00 for Ryan White Part B Program/Case Management for People Living with HIV/AIDS (CFDA #93.917).
  - 3. Service Agreements with Centre, Inc. and Alternative Corrections, Inc. for electronic monitoring services/home detention services through December 31, 2016.
  - 4. Land Purchase Agreement with Cass County Joint Water Resource District for the sale of Lot 2, Block 1, FSOC Addition.

5. Site Authorizations for Games of Chance:
  - a. North Dakota Association for the Disabled, Inc. at Hennessy's Irish Pub from 2/1/16 to 6/30/16 (Amended).
  - b. West Fargo Hockey Association at the Holiday Inn on 3/19/16.
6. Applications for Games of Chance:
  - a. Fargo Moorhead Derby Girls for a raffle on 1/30/16.
  - b. North Central Turf Grass Association for a raffle on 2/25/16.
  - c. Dakota Medical Foundation (Lend A Hand) for a raffle on 2/26/16.
  - d. Muskie's, Inc. F-M Chapter for a raffle on 2/11/16.
7. Tax exemptions for improvements made to buildings:
  - a. Douglas and Carma Holmstrom, 2422 27th Avenue South (3-year).
  - b. Jason and Julie Johnson, 1206 9th Street South (5-year).
  - c. David and Cathy Manzey, 1714 10th Street South (5-year).
  - d. Craig Warren Barke, 1844 4th Street North (5-year).
  - e. Steven and Eileen Carroll, 43 18th Avenue North (5-year).
  - f. Larry Grieger, 733 1st Street North (5-year).
  - g. Bessiephine Askew, 2106 5th Avenue South (5-year).
  - h. Terry and Kathleen Egerdahl, 1018 21st Street South (5-year).
  - i. Dennis Riegel, 1506 13 ½ Street South (5-year).
  - j. Damean Rosemore, 1341 7th Avenue North (5-year).
  - k. Gary and Sharon Secor, 1433 8th Street South (5-year).
8. Access Agreement with the Park District in connection with Project No. FM-15-J0.
9. Lease agreements with Swanston Equipment Company for the use of two Bobcats (one for Buildings and Grounds, and one for the Fire Department) for 12 months for a total of \$6,000.00.
10. Community Acknowledgement Form with regard to the LOMR application for the Moorhead Country Club.
11. Change Orders for Project No. WA1301: No. 1 for an increase of \$30,682.00 for General Construction; No. 2 for an increase of \$198,983.68 for Mechanical Construction and No. 3 for a decrease of \$27,868.00 for Electrical Construction.
12. Community Development Block Grant Storefront Rehab project at 406-412 Broadway.
13. Contract time extension for Project No. FM-14-03 to 6/15/16.
14. Bills.
15. Magellan Pipeline lowering for Improvement District No. BN-15-N1 at a cost of \$169,100.00.
16. Change Orders for Improvement District No. PN-15-A1: No. 2 for an increase of \$5,877.20; No. 3 for an increase of \$11,364.00 and No. 4 for an increase of \$13,776.80.

**F. REGULAR AGENDA:**

17. State Water Commission request for cost reimbursement for FM Diversion flood project costs totaling \$3,998,879.00.

18. Recommendation from the Community Development Committee for allocation of the 2016 Social Services Fund and the 2016 Art Fund.
19. Commissioner Piepkorn wishes to reconsider the City Commission's action taken on September 28, 2015 denying the CUP application for the off-premise sign at 3151 Seter Parkway South.
20. Public Hearings - 5:15 p.m.:
  - a. Application filed by DFI Black Building, LLC for tax exemption for a project the applicant will use in the operation of leasing of commercial space including office and retail located at 110 and 114 Broadway.
  - b. Zoning change from SR-3, Single-Dwelling Residential to MR-3, Multi-Dwelling Residential on part of Lots 21 and 22, Block 3, Island Park Addition (716 4th Street South).
    - (1) Approval recommended by the Planning Commission on 12/1/15.
    - (2) 1st reading of rezoning Ordinance.
  - c. Amity South At Cottagewood First Addition; approval recommended by the Planning Commission on 6/2/15 (3801 and 4101 51st Avenue South):
    - (1) Zoning change from MR-3, Multi-Dwelling to MR-3, Multi-Dwelling with a PUD, Planned Unit Development Overlay.
    - (2) 1st reading of rezoning Ordinance.
    - (3) Planned Unit Development Master Land Use Plan for a Residential Land Use.
    - (4) Plat of Amity South at Cottagewood First Addition.
21. Communication from Dennis Kooren asking the Board to support repeal of the Kline-Miller Amendment known as Multiemployer Pension Reform Act of 2014.
22. Recommendation from the Public Works Projects Evaluation Committee to approve the 2016 Capital Improvement Plan.
23. Mayor Mahoney is recommending a hiring process for the City Administrator position which he outlined as the second option in his December 31, 2015 letter to the Board.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 241-1310 or TDD at 241-8258. 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 web site at [www.cityoffargo.com/commission](http://www.cityoffargo.com/commission)