

FARGO CITY COMMISSION AGENDA

Monday, June 24, 2024 - 5:00 p.m.

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

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, June 10, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Resolution Establishing the Board of City Commissioners as the Finance Committee of the City of Fargo.
- 2. Applications for Games of Chance:
 - a. El Zagal Shrine Temple for a calendar raffle 1/1/25-6/30/25.
 - b. El Zagal Shrine Temple for a calendar raffle 7/1/25-12/31/25.
 - c. Fargo Masonic Advisory Board for a raffle on 8/14/24.
 - d. ND Grand Chapter OES for a raffle on 6/5/25.
 - e. ND Grand Chapter OES for a raffle on 6/5/25.
 - f. North Dakota Solid Waste and Recycling Association for a raffle on 10/23/24.
- 3. Gaming Site Authorization for Sharehouse Inc. at Speck's Bar.
- 4. Permanent Easement with Keith A. Ernst and Linda Vogle, as Trustees of the Fred M. Hector, Jr. Revocable Trust (Project No. DR-21-A1).
- 5. Bid advertisement for Project No. DR-21-A.
- 6. Bid advertisement for Project No. UR-24-A.
- 7. Negative Final Balancing Change Order No. 2 in the amount of -\$80,644.44 for Project No. BP-23-02.
- 8. Contract and bond for Project No. UR-24-H1.
- 9. Developer Agreement with EagleRidge Development, LLC for Selkirk Place Second Addition.
- 10. Consent to Construction with Furst Stolz Development, LLC for property located at 4102 19th Avenue North.
- 11. Memorandum of Offer to Landowner for Permanent Easements (Street and Utility) and (Utility) with Cornerstone Bank (Improvement District No. PR-24-A1).

12. Bid award to Master Construction Co Inc. in the amount of \$120,032.00 for Improvement District No. AN-24-B1.
13. Change Order No. 1 for a time extension to the interim completion date for Phase 1 of Improvement District No. BR-24-E1.
14. Change Order No. 2 for a time extension to the interim completion dates for Phase 1A and Phase 1B for Improvement District No. BR-24-A1.
15. Contract and bond for Improvement District BN-23-G1.
16. Create Improvement District No. BR-23-G (Paving and Utility Rehab/Reconstruction).
17. Set July 8, 2024 at 5:15 p.m. as the date and time for a Public Hearing on a dangerous building located at 1011 University Drive North.
18. Purchase of Service Agreement with Fargo Public School District.
19. Purchase of Service Agreement with Mapleton Public School District.
20. Purchase of Service Agreement with Kindred Public School District.
21. Notice of Grant Award from the ND Department of Health and Human Services for boosting immunization rates through LPHUs (CFDA #93.268).
22. Notice of Grant Award from the ND Department of Health and Human Services for LPHU Tobacco Prevention and Control Program.
23. Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) 2024 Action Plan, Proposed Amendments to the 2023 HUD Action Plan, Proposed Amendments to the 2020-2024 HUD Consolidated Plan and Proposed Amendments to the Citizen Participation Plan.
24. Purchase Agreement with Red River Properties, LLP.
25. Direct the City Attorney to prepare amendments to Fargo Municipal Code, Section 11-0907 – Relating to Penalty for Littering of Public Places by Contractors.
26. Change Order No. 3 from PKG Contracting, Inc. for Time Extension from May 31, 2024 to June 01, 2025 for Project No. WW1701.
27. Task Order No. 23, Amendment No. 1 with Apex Engineering Group in the amount of \$715,250.00 for Project No. WW1701.
28. Bid award to CC Steel, LLC in the amount of \$5,660,000.00 for Project No. WA2451.
29. Bills.

REGULAR AGENDA:

30. Recommendation for appointments to the following Commissions:
 - a. Special Assessment Commission.
 - b. Planning Commission.

31. Municipal Airport Authority Annual Report and Request for 2025 Mill Levy.

PUBLIC HEARINGS - 5:15 pm:

32. **PUBLIC HEARING** – CONTINUE to 7/8/24 - Hearing to consider a Renewal Plan and Developer Agreement with JS2L Partners, LLP for the Tax Increment Financing District No. 2024-01 (600 block of 4th Street North); continued from the 6/10/24 Regular Meeting.
33. **PUBLIC HEARING** – CONTINUE to 7/22/24 - Application for a Class “CW” Alcoholic Beverage License for PKPham Inc d/b/a The Nail Company to be located at 2911 45th Street South; continued from the 5/28/24 Regular Meeting.
34. **PUBLIC HEARING** – CONTINUE to 7/22/24 - Application for a Class “F” Alcoholic Beverage License for Martini Blu at the Grotto LLC d/b/a Martini Blu at the Grotto to be located at 3233 45th Street South.
35. **PUBLIC HEARING** – Hearing on a dangerous building located at 909 4th Street North.
36. **PUBLIC HEARING** – Hearing on a dangerous building located at 1449 4th Avenue South.
37. **PUBLIC HEARING** – Selkirk Place Second Addition (6655 Selkirk Drive South); approval recommended by the Planning Commission on 6/4/24:
- a. Zoning Change from AG, Agricultural and GC, General Commercial to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, SR-4, Single-Dwelling Residential, and SR-5, Single Dwelling Residential.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of Selkirk Place Second Addition.
38. **PUBLIC HEARING** - Rocking Horse Farm Seventh Addition (5155 59th Street South); approval recommended by the Planning Commission on 5/7/24:
- a. Zoning Change from AG, Agricultural to LC, Limited Commercial with a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of Rocking Horse Farm Seventh Addition.
39. **PUBLIC HEARING** – Chas A. Roberts Addition; approval recommended by the Planning Commission on 6/4/24:
- a. Zoning Change to repeal and re-establish a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance.
40. **PUBLIC HEARING** – Appeal of a Board of Adjustment decision on a variance request at 97 23rd Avenue North to allow an overhead structure (pergola/gazebo) to encroach in the required front setback in the SR-2, Single-Dwelling Residential Zoning District as outlined in Fargo Municipal Code 20-05; denied by the Board of Adjustment on 5/28/24.
41. Flood Project Update:
- a. Recommendation to adopt the Resolution of Necessity to acquire 1502 and 1514 South River Road South (Project No. FM-15-J).
42. Adopt Transit Reorganization Study and approve steps to address employment matters and Interim Joint Powers Agreement (JPA) development for consideration and approval.

43. Recommendation for approval of the items from the FAHR Staff meeting:
 - a. Receive and file General Fund – YTD May 2024 Budget to Actual.
 - b. Increase grant award to Southeast Human Service Center Contract from \$16,635.00 to \$18,463.00.
 - c. Authorize application for the EECGB grant for funding to support sustainability in City operations.
44. Presentation on Homeless Camps in the City of Fargo.
45. Liaison Commissioner Assignment Updates.
46. **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://www.fargoND.gov/VirtualCommission)).**

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

Minutes are available on the City of Fargo website at www.fargoND.gov/CityCommission.