

FARGO CITY COMMISSION AGENDA

Monday, July 21, 2025 - 5:00 p.m.

Executive Session at 4:00 p.m.

Roll Call.

PLEASE NOTE: The Board of City Commissioners will convene in the City Commission Chambers at 4:00 p.m. and retire into Executive Session in the Red River Room for the purposes of discussing negotiation strategy, to provide negotiating instructions to the City's attorney or other negotiator regarding various and separate pending or potential contracts for the sale of land by the City located west of the landfill, said separate contracts being between the City and Galvanizers, Inc.; WMF Properties, LLC; Hazer Ventures LLC; Thor Investments, LLC; and ARD Properties, LLC; regarding litigation pertaining to 501 Main Avenue and to discuss negotiating strategy or provide negotiation instructions to its attorney, and to receive its attorney's advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity; and regarding reasonably predictable and/or threatened litigation by Northdale Oil, Inc. and its affiliate Eastdale, LLC, and to discuss negotiating strategy or provide negotiating instructions to its attorney or other negotiator regarding the reasonably predictable or threatened litigation, and to receive its attorney's advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity. Discussing these matters in an open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City; thus, an Executive Session for these matters is authorized pursuant to North Dakota Century Code § 44-04-19.1 subsections 2, 5 and 9.

Regular Meeting at 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, July 7, 2025).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file an Ordinance Amending Article 11-04 of Chapter 11 of the Fargo Municipal Code Relating to Automobiles and Personal Property.
- 2. 2nd reading, waive reading and final adoption of an Ordinance Amending Sections 21-0601, 21-0602, 21-0603, 21-0604 and Enacting Sections 21-0601.1 and 21-0605 of Article 21-06 of Chapter 21 of the Fargo Municipal Code Relating to Flood Plain Management; 1st reading, 7/7/25.
- 3. 2nd reading, waive reading and final adoption of an Ordinance Amending Ordinance No. 5464 Pertaining to Zoning of The Pines at the District Seventh Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 7/7/25.

4. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 7/7/25:
 - a. Enacting Section 8-1322 of Article 8-13 of Chapter 8 of the Fargo Municipal Code relating to Traffic Code.
 - b. Amending Section 1-0305(C)(7) and adding Section 1-0305(C)(14) of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
5. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 7/7/25:
 - a. Amending Sections 8-1006 and 8-1006.2 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to Parking Regulations.
 - b. Repealing Section 8-1025 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to Parking Regulations.
 - c. Repealing Sections 18-0505, 18-0506, 18-0507, 18-0508, 18-0509, 18-0510, 18-0511, 18-0512 and 18-0513 of Article 18-05 of Chapter 18 of the Fargo Municipal Code Relating to Public Ways and Places.
6. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 7/7/25:
 - a. Amending Sections 10-0322 and 10-0322.1 of Article 10-03 of Chapter 10 of the Fargo Municipal Code Relating to Harassment and Harassment - Hate Crime.
 - b. Amending Section 10-0103 of Article 10-01 of Chapter 10 of the Fargo Municipal Code Relating to Sale of Tobacco to Individuals Under Twenty-One (21) Years of Age and Use and Possession by Individuals Under 21 Years of Age Prohibited.
 - c. Amending Section 8-0610 of Article 8-06 of Chapter 8 of the Fargo Municipal Code Relating to Rotary Traffic Islands.
 - d. Amending Section 08-0313 of Article 08-03 of Chapter 8 of the Fargo Municipal Code Relating to Careless Driving and Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
 - e. Amending Section 8-0309 of Article 8-03 of Chapter 8 of the Fargo Municipal Code Relating to Driving while License Suspended or Revoked - Impoundment of License Plates and Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
 - f. Enacting Section 10-0502 in Article 10-05 of Chapter 10 of the Fargo Municipal Code Titled Proof of Identification in Licensed Premises.
 - g. Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
 - h. Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
 - i. Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
7. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Prairie Crossing Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 7/7/25.
8. Resolution Establishing the Wildlife Management Program for the 2025-2026 season.
9. Resolution Concluding the Sustainability and Resiliency Committee Effective December 31, 2025 and waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Repealing Article 5-04 of Chapter 5 of the Fargo Municipal Code Relating to Fargo Police Advisory and Oversight Board.

10. Applications for Games of Chance:
 - a. EagleRidge Legacy Fund, Inc. for a raffle on 7/24/25.
 - b. El Zagal Shrine Temple for a calendar raffle from 1/1/26 to 6/30/26.
 - c. Fargo South High School for a raffle from 9/5/25 to 5/15/26.
 - d. Healthcare Equipment Recycling Organization (HERO) for a raffle on 9/26/25.
 - e. Lend a Hand Up for a raffle on 8/13/25.
 - f. Red River Zoo for a raffle on 8/22/25.
 - g. Tri-City United Soccer Club for a raffle on 8/12/25.
 - h. YWCA Cass Clay for a raffle on 9/4/25.
11. Gaming Site Authorization for Fargo Youth Hockey Association at Bar 209.
12. Pledged securities as of 6/30/25.
13. Memorandum of Understanding between Fargo Dome Authority and NDSU.
14. Second Amendment to the 2005 Agreement with the City of West Fargo (Improvement District No. PR-25-I1).
15. Final Balancing Change Order No. 1 in the amount of \$28,173.98 for Improvement District No. BN-24-C1.
16. Change Order No. 3 in the amount of \$4,730.00 for Improvement District No. BN-24-B1.
17. Bid award to Paras Contracting, Inc. in the amount of \$954,313.30 for Improvement District No. BR-25-H1.
18. Create Improvement District No. BN-25-C and adopt Resolution of Necessity (New Paving and Utility Construction).
19. Permanent Easement (Alley) with James R. and Leighann N. Knopp (Project No. AN-19-A1).
20. Permanent Easement (Alley) with Michael L. and Barbara A. Stenberg (Project No. AN-19-A1).
21. Permanent Easement (Alley) with Harold and Lila D. Unruh (Project No. AN-19-A1).
22. Permanent Easement (Alley) with Randy and Wendy Iwerks (Project No. AN-19-A1).
23. Bid award to Cobalt Coatings in the amount of \$72,450.00 for Project No. TR-25-E1.
24. Memorandum of Offer to Landowner, Permanent Easement (Street and Utility) and Easement (Temporary Construction Easement) with M&P Holdings LLLP (Improvement District No. BN-25-C1).
25. Items from the FAHR Meeting:
 - a. Request a reduction of one full-time regular position of Home Health Aide.
 - b. Donation in the amount of \$1,564.56 to the Red River Valley SWAT team to cover entry fees, per diem and lodging for the Superior Sniper Competition.
 - c. Grant Award and Acceptance for the FY24 State and Local Cybersecurity Grant Program under CFDA #97.137 in the amount of \$202,680.00 and related budget adjustments.
26. Bid award to Achievelt for Strategy Management Software and Consultant Services (RFP25146).

27. Notice of Grant Award from the ND Department of Health and Human Services for State Aid to Local Public Health.
28. Notice of Grant Award from the ND Department of Health and Human Services for Increasing Immunization Rates (CFDA #93.268).
29. Notice of Grant Award from the ND Department of Health and Human Services for State Aid Regional Environmental Health Services.
30. Fargo Public School District and Fargo Cass Public Health Contract for Services.
31. Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs 2025-2029 HUD Consolidated Plan including 2025 HUD Action Plan and Budget, and Amendments to the 2023 Action Plan and 2024 Action Plan.
32. Bid award to OK Tire for tires and tire services (RFP25161).
33. Bid award to Northdale Oil, Inc. for fuel purchasing in the 1st and 2nd Quarters of 2026 and execute the Forward Fuel Contract (RFP25203).
34. Contract with Compass Minerals Inc. for Bulk Highway Deicing Salt (RFP25165).
35. Amendment No. 2 to State Contract No. 283 (Paratransit Software) with Via Mobility LLC.
36. Resolutions Authorizing the Issuance and Sale of \$20,000,000 City of Fargo Sales Tax and Sewer Revenue Bonds for (a) Clean Water State Revolving Fund (CWSRF) and (b) Drinking Water State Revolving Fund (DWSRF).
37. Bills.

REGULAR AGENDA:

38. Introduction and swearing in of Fire Chief Gary Lorenz.

PUBLIC HEARINGS - 5:05 pm:

39. **PUBLIC HEARING – WITHDRAWN** - Hearing on a dangerous building located at 2826 12th Street South.
40. **PUBLIC HEARING** – Annexation of 87.89 acres, more or less located in a part of Section 10 and Section 15, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota (4370 52nd Avenue North; 4300, 5001 and 5115 County Road 81; 4821-4943 43rd Street North; 4349 and 4350 48th Avenue North); continued from the 6/23/25 and 7/7/25 Regular Meetings.
41. **PUBLIC HEARING** – Northdale First Addition (4300 County Highway 81 North); approval recommended by the Planning Commission on 2/4/25; continued from the 6/23/25 and 7/7/25 Regular Meetings:
 - a. Zoning Change from AG, Agricultural to LI, Limited Industrial with a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of Northdale First Addition.

42. **PUBLIC HEARING** - Vacation Plat of a portion of 50th Avenue North and 43rd Street North right-of-way adjacent to Lots 7-12, Block 4 and Lots 6-11, Block 2, North 81-20 Subdivision and Lot 1, Block 2, North 81-20 Second Subdivision (5001 County Road 81; 4821-4943 43rd Street North; 4349 48th Avenue North).
43. **PUBLIC HEARING** - Community Development Block Grant (CDBG) and HOME Programs 2024 Consolidated Annual Performance and Evaluation Report (CAPER).
44. **PUBLIC HEARING** – Application filed by Corvent Medical, Inc. for a property tax exemption for a project to be located at 4837 Amber Valley Parkway South which the applicant will use for the general storage and handling of medical device mechanical ventilator components and finished goods.
45. **PUBLIC HEARING** – Application for transfer of a Class “FA” Alcoholic Beverage License from Mexican Village II, LLP d/b/a Mexican Village to Golden Empire Inc. d/b/a Phoenix Buffet at 3155 45th Street South.
46. **PUBLIC HEARING** – Application for transfer of a Class “FA-RZ” Alcoholic Beverage License from Toasted Frog, LLC d/b/a Toasted Frog to The Toasted Frog Fargo Part 2 LLC d/b/a The Toasted Frog at 305 Broadway North.
47. Construction update.
48. Broadway street closure reconsideration.
49. Commissioner Piepkorn requests that the Commission direct staff to develop an event street closing policy that includes recouping associated City costs to facilitate the closure.
50. Commissioner Piepkorn requests that staff review parking revenues associated with the parking garages.
51. Commissioner Piepkorn requests the City Attorney investigate the possibility of recovering funds provided to Faith For Hope and Presentation Partners.
52. Recommendations for appointments to the following Boards and Commissions:
 - a. Human Rights Commission.
 - b. Liquor Control Board.
53. Liaison Commissioner Assignment Updates.
54. **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).**

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.