

## FARGO CITY COMMISSION AGENDA

Tuesday, May 27, 2025 - 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, May 12, 2025).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Certificate of Completion, Tax Increment Revenue Note of 2025 (Tax Increment Financing District No. 2023-03) and Private Placement Memorandum with HN 8th Street, LLC.
- 2. Receive and file the following Ordinances:
  - a. Repealing and Re-Enacting Article 21-01 of Chapter 21 of the Fargo Municipal Code Relating to the International Building Code.
  - b. Repealing and Re-Enacting Article 21.2-01 of Chapter 21.2 of the Fargo Municipal Code Relating to the International Existing Building Code.
  - c. Repealing and Re-Enacting Chapter 21.3 of the Fargo Municipal Code Relating to the International Energy Conservation Code.
  - d. Repealing and Re-Enacting Sections 9-0701 and 9-0704 of Article 9-07 of Chapter 9 of the Fargo Municipal Code Relating to Fire Protection and Prevention.
  - e. Repealing and Re-Enacting Article 30.1-01 of Chapter 30.1 of the Fargo Municipal Code Relating to the International Fuel Gas Code.
  - f. Amending Section 30-0106 of Article 30-01 of Chapter 30 of the Fargo Municipal Code Relating to the International Mechanical Code.
  - g. Repealing and Re-Enacting Article 31-01 of Chapter 31 of the Fargo Municipal Code Relating to the International Property Maintenance Code.
  - h. Repealing and Re-Enacting Article 21.1-01 of Chapter 21.1 of the Fargo Municipal Code Relating to the International Residential Code.
- 3. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of the following Ordinances:
  - a. Ordinance Amending Section 25-1507 (F) of Article 25-15 of Chapter 25 of the Fargo Municipal Code, Relating to Alcoholic Beverages.
  - b. Ordinance Amending Section 25-1512 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
- 4. 1st reading of an Ordinance Amending Section 12-0105(E), of Article 12-01, of Chapter 12, of the Fargo Municipal Code, Relating to Running At Large Prohibited - Habitually At Large; an Ordinance Amending Section 12-0117, of Article 12-01, of Chapter 12, of the Fargo Municipal Code, Relating to Potentially Dangerous and Dangerous Dogs; and an Ordinance Amending Section 1-0305, of Article 1-03, of Chapter 1, of the Fargo Municipal Code, Relating to Classification of Ordinance Violations.

5. 1st reading of an Ordinance Amending Section 8-1425 of Article 8-14 of Chapter 8 of the Fargo Municipal Code Relating to Traffic Code.
6. 1st reading of an Ordinance Amending Section 1-0305(C)(2) & (5) of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
7. 1st reading of an Ordinance Amending Section 25-1512, of Article 25-15, of Chapter 25, of the Fargo Municipal Code, Relating to Licenses - Termination, Suspension, Revocation, and Sanctions.
8. Site Authorizations for Games of Chance:
  - a. American Gold Gymnastics at The Box.
  - b. Fargo Park District Foundation at Edgewood Tavern.
  - c. Fargo Park District Foundation at KingPinz Social.
  - d. Fargo Post 2 Baseball Club at El Zagal.
  - e. Fargo Post 2 Baseball Club at Herd and Horns.
  - f. North Dakota Horse Park Foundation at Boss' Pizza & Chicken.
  - g. North Dakota Horse Park Foundation at Newman Outdoor Field.
  - h. North Dakota Horse Park Foundation at North Dakota Horse Park.
9. Applications for Games of Chance:
  - a. Dakota Medical Foundation for a raffle on 6/6/25.
  - b. El Zagal Provost for a sports pool from 9/28/25 to 1/4/26.
  - c. Fargo Masonic Advisory Board for a raffle on 8/13/25.
  - d. FM AM Rotary for a sports pool from 9/8/25 to 12/29/25.
10. Agreement for Special Improvements with County 20 Storage & Transfer, Inc. (Special Improvement District No. BN-25-F1).
11. Direct the City Attorney to modify Fargo Municipal Code Section 25-1506 to allow Alcoholic Beverage License Class "FA-Golf" to receive Class E Permits.
12. Memorandum of Offers to Landowner for Permanent Easement Agreement and Temporary Easements with the City of West Fargo.
13. Encroachment Agreement (Parking Lot) with Fargo Public School District located at 801 17th Avenue North.
14. Memorandum of Understanding with the Cities of West Fargo and Moorhead for SMART Traffic Signal System.
15. Non-Exclusive Right of Way Occupancy Agreements with Gateway Infrastructure, LLC and Ubiquity North Dakota, LLC.
16. Amendment No. 2 with Bolton & Menk in the amount of \$86,389.50 for Improvement District No. BN-25-A0.
17. Amendment No. 3 with Bolton & Menk in the amount of \$118,569.75 for Improvement District No. BN-25-A0.
18. Change Order No.1 in the amount of \$178,690.10 for Improvement District No. PR-25-E1.

19. Bid award to Paras Contracting, Inc. in the amount of \$1,012,083.13 for Improvement District No. BR-25-G1.
20. Contract and bond for Improvement District No. PR-25-H1.
21. Bid award to KPH, Inc. in the amount of \$553,003.00 for Project No. UR-24-C1.
22. Bid award to Key Contracting, Inc. in the amount of \$178,772.00 for Project No. UR-24-I1.
23. Bid award to Key Contracting, Inc. in the amount of \$40,892.00 for Project No. UR-25-D1.
24. Bid advertisement for Project No. NR-25-D.
25. Items from the FAHR Meeting:
  - a. Receive and file General Fund - Budget to Actual through 4/30/25.
  - b. Exempt Purchase with Andritz Separation in the amount of \$1,549,344.00 for rehabilitation of four belt filter presses (exempt request).
  - c. Resolution (Adoption of City of Fargo Inter-fund Loan Policy) and Resolution (Approving Inter-fund Borrowing for Financing of 700 NP Avenue Parking Garage Project).
26. Notice of Grant Award from the ND Department of Health and Human Services for Sun Safety.
27. Purchase of Service Agreement with Mapleton Public School District.
28. Set June 23, 2025 at 5:15 p.m. as the date and time for a Public Hearing on a dangerous building located at 1102 1st Avenue South.
29. Resolution approving Plat of Valley View Eleventh Addition.
30. Resolution approving Plat of EagleRidge Plaza Addition.
31. Addendum - 2 Metro Street Crimes Unit to the Agreement for the Joint Exercise of Peace Officer Duties.
32. Auction Contract with Steffes Group, Inc. for Professional Online Auction Services (RFP25125).
33. ND Department of Transportation Amendment to Contract No. 38231169 for additional transit capital funds (CFDA #20.526).
34. Piggyback purchase through ND State Contract with North Central Bus & Equipment, Inc. in the amount of \$336,830.00 for the purchase of two paratransit vehicles and Bus Order Agreement (PBC25178).
35. Bid award to Industrial Builders, Inc. in the amount of \$1,026,995.00 for the GTC Deck Overlay Project (ITB25179).
36. Bid award to Micronics Engineered Filtration Group, Inc. in the amount of \$45,500.00/year for sludge press filter belts (RFP25158).

37. Change Order No. 8 in the amount of \$317,649.00 for Project No. WW1701 (Phase IIB Expansion).
38. Change Order No. 3 in the amount of \$52,666.40 for Project No. WA2152.
39. Change Order No. 13 in the amount of \$125,628.11 for Project No. WA2402.
40. Bid award to BC Excavating, Inc. in the amount of \$1,295,335.35 for Project No. WA2502.
41. Submittal of the West Central Regional Water District Water Provider Questionnaire.
42. Extension to the Water Tower Lease Agreement with Sprint Spectrum Realty Company, LLC (T-Mobile) in the amount of \$24,334.08 for Water Tower No. 6 until 12/31/25.
43. BlueConduit Platform-As-A-Service Agreement with Abernethy Schwartz Partners, LLC (d/b/a BlueConduit) for services related to the lead service line replacement project.
44. Bills.

#### **REGULAR AGENDA:**

45. Presentation on Strong Towns Fargo.

#### **PUBLIC HEARINGS - 5:15 pm:**

46. **PUBLIC HEARING** – Application for a Class “GH” Alcoholic Beverage license from Adibon A&E Fusion d/b/a A&E Fusion Cuisine to be located at 1407 1st Avenue North.
47. **PUBLIC HEARING** - Application for a Class “W” Alcoholic Beverage License for Q Nail & Spa LLC d/b/a Q Nail & Spa to be located at 1650 45th Street South, Suite 104.
48. **PUBLIC HEARING** - Application for transfer of ownership of a Class “AB” Alcoholic Beverage License for Ka-Rick, Inc. d/b/a Rick’s Bar located at 2721 Main Avenue.
49. **PUBLIC HEARING** - Application for transfer of ownership of a Class “AB” Alcoholic Beverage License for M&M Liquors, Inc. d/b/a Speck’s Bar and Off Sale located at 2611 Main Avenue.
50. **PUBLIC HEARING** - Application for a Class “GH” Alcoholic Beverage License for Tropical Spice Caribbean Cuisine, LLC d/b/a Tropical Spice Caribbean Cuisine to be located at 3132 Broadway North.
51. **PUBLIC HEARING** – Application to transfer a Class “FA” Alcoholic Beverage License from Cairo Restaurant & Bar, LLC d/b/a Cairo Restaurant and Nightclub to Bar209Fargo, LLC d/b/a Bar 209 to be located at 3788 55th Avenue South.
52. Recommendation for approval of the Public Safety Sales Tax Utilization Plan for 2025 and 2026.
53. Recommendation for appointment to the Library Board.
54. Liaison Commissioner Assignment Updates.

55. **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](http://FargoND.gov/VirtualCommission)).

**PLEASE NOTE:** The Board of City Commissioners will convene in the City Commission Chambers at the end of the Regular Agenda and prior to adjournment of the regular City Commission meeting and retire into Executive Session in the Red River Room for the following purposes:

1. For purposes of discussing economic development records and information, pursuant to N.D.C.C. §44-04-18.4 subsection 5 and for purposes of discussing negotiation strategy, to provide negotiation instructions to the City's attorney or other negotiator regarding a potential contract regarding economic development. Discussing such negotiation and strategy in an open meeting would have a negative fiscal effect on the bargaining position of the City of Fargo. An Executive Session for this matter is authorized pursuant to North Dakota Century Code § 44-04-19.1 subsection 9 and North Dakota Century Code § 44-04-19.2 subsection 1,
2. For 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; Scannell Properties, LLC; Thor Investments, LLC; and ARD Properties, LLC. Discussing such negotiations, strategy and pricing in an open meeting would have a negative fiscal effect on the bargaining position of the City of Fargo. An Executive Session for this matter is authorized pursuant to North Dakota Century Code §44-04-19.1 subsection 9.

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).