

FARGO CITY COMMISSION AGENDA
Monday, April 21, 2008 - 5:00 P.M.

CITY COMMISSION MEETINGS ARE BROADCAST LIVE ON TV FARGO (Channel 99). They are rebroadcast at 7 p.m. each Thursday and again at 8:00 a.m. each Saturday following the meeting and are also included in our video archive at www.cityoffargo.com/commission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, April 7, 2008).

* * * Consent Agenda - Approve the Following * * *

- a. 1st reading of an Ordinance Relating to Civil Service.
- b. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 4/7/08:
 - (1) Rezoning Certain Parcels of Land Lying in Keeney & Devitts 2nd Addition and Adjacent Areas to the City of Fargo.
 - (2) Rezoning Certain Parcels of Land Lying in the Southwest Quarter of the Northwest Quarter of Section 14, Township 138 North, Range 49 West, Cass County, North Dakota.
 - (3) Relating to Non-Conforming Uses and Non-Conforming Structures.
- c. 2nd reading, waive reading and final adoption of an Ordinance Relating to Licensing of Re-roofing Contractors; 1st reading, 3/24/08 (delay until 5/5/08).
- d. Notice of Appeal from Decision of Local Governing Body filed by Fred and Earlyne Hector vs. the City of Fargo.
- e. Receive and file Year to Date-Budget to Actual report for March 2008.
- f. Site Authorizations for Games of Chance:
 - (1) Red River Human Services Foundation at The Hub and The Northern.
 - (2) Plains Art Museum at The Bowler, Prairie Rose Inn and Big Top Bingo.
 - (3) Jon Greenley Amvets Post #7 at the Amvets.
- g. Applications for Games of Chance:
 - (1) Knights of Columbus #6570 for a calendar raffle through 6/30/08.
 - (2) Handi-Wheels Transportation, Inc. for a raffle on 5/31/08.
 - (3) Order of the Eastern Star of North Dakota Grand Chapter for a raffle on 6/10/09; Public Spirited Resolution.
- h. Request for Proposals for the disposition of property at 1012 9th Street North.
- i. NRI High School Build Project at 316 11th Street North.
- j. Forgiveness of Housing Rehab Program assistance of \$10,000 at 1545 13½ Street South due to a demonstrated hardship.

- k. Amendment to the limited franchise agreement with Cass County Electric adding area annexed by the City on 3/24/08.
- l. Fire Department budget adjustment in the amount of \$3,839.25 for haz mat training.
- m. Application filed by Corwyn and Debra Mulvaney for a five-year exemption from taxation for improvements made to a building at 1141 7th Street North.
- n. Appoint Ryan Huber, Jesse Nicholas and Joshua Brottlund as special police officers for NDSU.
- o. Resolution authorizing the 2008-2009 City of Fargo Deer Management Program.
- p. Change Orders for the libraries and Clapp Park Senior Center:
 - (1) G-5 for an increase of \$868,00 for the Main Library
 - (2) M-3 for an increase of \$4,918.70 for the Main Library.
 - (3) G-5 for an increase of \$8,548.00 for the Dr. James Carlson Library.
 - (4) G-6 for an increase of \$5,156.00 for the Clapp Park Senior Center.
 - (5) M-2 for an increase of \$2,474.50 for the Main Library.
 - (6) G-4 for an increase of \$24,900.00 for the Main Library.
- q. Change Orders for the Police Department Remodeling Project:
 - (1) G-1 for an increase of \$5,060.95.
 - (2) M-1 for an increase of \$2,470.00.
 - (3) E-1 for an increase of \$1,624.00.
 - (4) E-2 for an increase of \$1,389.00.
- r. Bid awards for water main repair materials.
- s. Recycling Agreement with Minnkota Recycling.
- t. Agreement for Special Improvements with Rommesmo Family LLP for Prairie Grove Addition.
- u. Agreement Regarding Special Assessments with Prairie Grove, LLC/Rommesmo Family Limited Partnership.
- v. Agreement Regarding Special Assessments for the "Frontier Quarter" (52nd Ave. Project).
- w. Right of Entry Agreement on the "Frontier Quarter" and School District property together with Farm Cash Rental Agreement (52nd Ave. Project).
- x. Purchase Agreement with Sunset Memorial Gardens regarding right-of-way acquisition.
- y. Project Concept Report for Riverwood Addition Shared Use Path Project.
- z. Corps of Engineers Project Management Plan for the Red River Feasibility Study of upstream retention options.
- aa. Emergency repairs at Storm Lift No. 8 (Project No. 5828).
- bb. Contract with GoodPointe Technology in the amount of \$174,444 for Pavement Management System Street Condition Survey Update.

- cc. Bid concurrence for Project No. 5163-7 and bid awards for Project Nos. 5801, 5802, 5812-01 and SW 08-01.
- dd. Contracts and bonds for Project Nos. 5809 and 5816.
- ee. Bills.
- ff. Final Balancing Change Orders for Improvement Districts: No. 1 for a decrease of \$11,954.42 for No. 5694; No. 1 for a decrease of \$13,297.76 for No. 5697.
- gg. Bid awards for Improvement District Nos. 5384 and 5760.
- hh. Create Improvement District Nos. 5385, 5746, 5775, 5783, 5797 and 5824.
- ii. Contracts and bonds for Improvement District Nos. 5314-12 and 5785.

* * * Regular Agenda * * *

- 1. Recommendation to appoint Ruth Bachmeier as Public Health Director.
- 2. Human Relations Commission update on activities.
- 3. Public Hearings - 5:15 p.m.:
 - a. Application filed by CNH America, LLC for a Payment in Lieu of Tax for an expansion to their facility at 3401 1st Avenue North.
 - b. Application filed by Old Broadway Corporation to transfer the Just One Class "CD" alcoholic beverage license to 64 Broadway.
 - c. Petition for a zoning change from GI, General Industrial to LI, Limited Industrial on the south 180 feet of the north 364 feet of the east 410 feet of Lot 6, Arndts-Devener Subdivision.
 - (1) Continued from the 4/7/08 Regular Meeting.
 - (2) Denial recommended by the Planning Commission on 3/12/08.
 - (3) 1st reading of rezoning Ordinance.
 - d. Special Assessment List for New Construction of City Ordered Sidewalks (Improvement District No. 5716).
 - e. Special Assessment List for Reconstruction of City Ordered Sidewalks (Improvement District No. 5717).

Special assessment lists for the following Improvement Districts, all having been approved by the Special Assessment Commission on 3/19/08; set the interest rate at 1% per annum over the net rate on bonds financing said projects:

- f. Railroad Crossing Safety, Quiet Zone and Incidentals Improvement District No. 5243.
- g. Storm Sewer and Incidentals No. 5497.
- h. Concrete Curb and Gutter, Asphalt Pavement and Incidentals No. 5592.
- i. Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalks and Incidentals No. 5668.
- j. Street Reconstruction and Incidentals No. 5680.
- k. Sanitary Sewer, Water Main, Storm Sewer and Incidentals No. 5689.

- l. Seal Coat and Incidentals No. 5709.
- m. NDSU – 17th Avenue North Street Replacement No. 5723.
- n. Asphalt Alley Paving and Incidentals No. 5753.
- o. P.C. Concrete Alley Paving and Incidentals No. 5756.

4. Proposed Skyway use policy.

AFTER ADJOURNMENT: The Board will meet in Executive Session to review litigation items.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 241-1310 or TDD 241-8258. Please contact us at least three business days in advance of public meetings to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo Web site at www.cityoffargo.com/commission