

FARGO CITY COMMISSION AGENDA
Monday, December 1, 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 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, November 24, 2008).

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

- a. Receive and file Ordinance Relating to Parking Tickets.
- b. Addendum #2 to the City's contract with Duncan Solutions for citation management services.
- c. Memorandum of Agreement with the Cass County Commission and the Cass County Social Services Board granting \$9,000 to assist with operations at the Gladys Ray Shelter.
- d. Fiscal services agreement with Red River Regional Dispatch Center effective January 1, 2009.
- e. Agreement with Cass County for hazardous spill containment and technical rescue.
- f. Fire Department budget adjustment in the amount of \$290,000 for Self-Contained Breathing Apparatus (Assistance to Firefighters Grant Award #EMW-2008-FO-04210).
- g. Health Department budget adjustment in the amount of \$9,330 and contract with the North Dakota Department of Health relating to family planning services (CFDA #93.217 and 93.116).
- h. Grant Amendment with the North Dakota Department of Health to increase funding to the school component of the Community Health Grant at Hope High School in the amount of \$1,299 (Tobacco Prevention and Control).
- i. Police Department budget adjustment in the amount of \$9,000 and grant agreement with the ND Highway Patrol for enforcing underage drinking laws (CFDA #16.727).
- j. Contract for bailiff services for 2009.
- k. Appoint Murray J. Ridler as a special police officer for NDSU.
- l. Applications for 5-year property tax exemptions for improvements made to buildings:
 - (1) Matthew and Laura Devik, 726 7th Street North.
 - (2) Todd Kankelfritz, 1545 7th Street South.
- m. Application filed by Fargo Moorhead Curling Club for raffles at the Curling Club from 11/17/08 to 6/30/09.

- n. Name change of the liquor license held by Brent C. Olson d/b/a TBD to Brent C. Olson, d/b/a Norman's Prime Steaks and Seafood.
- o. Bid award concurrence for Project No. 5725.
- p. Purchase Agreements and Temporary Construction Easements for the following:
 - (1) Arnold W. Larson and Charmeon Larson for Improvement District No. 5656.
 - (2) Leon and Karen Backer for Improvement District No. 5729.
 - (3) Arnold W. Larson and Charmeon Larson for Improvement District No. 5799.
 - (4) County 20 Storage & Transfer, Inc. for Improvement District No. 5799.
- q. Purchase Agreement with Matrix Properties Corporation for Improvement District No. 5803.
- r. Relinquishment of Easement in Lot 1, Block 1, 47th Street North Addition and Lot 1, Block 1, Fayland Industrial First Addition.
- s. Engineering Services contract with Moore Engineering for Improvement District No. 5530-5.
- t. Engineering Services contract with KLJ for the amount of \$71,000 for Improvement District No. 5601.
- u. Contract Amendments for the following Projects:
 - (1) Houston Engineering in the amount of \$46,500 for No. 5574.
 - (2) Merrick & Company in the amount of \$16,393.99 for No. 5768.
- v. Contract Amendments for the following Improvement Districts:
 - (1) Moore Engineering in the amount of \$59,500 for No. 5073-01.
 - (2) Houston Engineering in the amount of \$28,116 for No. 5073-05.
 - (3) URS Corp. in the amount of \$179,370 for No. 5073-07.
 - (4) KLJ in the amount of \$36,000 for No. 5073-08.
 - (5) Ulteig Engineers in the amount of \$192,590 for No. 5073-09.
- w. Final Balancing Change Order No. 1 for an increase of \$792.68 for Project No. 5647.
- x. Bills.
- y. Change Orders for the following Improvement Districts:
 - (1) No. 1 for an increase of \$50,929.45 and a time extension for No. 5746.
 - (2) No. 1 for an increase of \$12,017.55 for No. 5845.
 - (3) Final Balancing Change Order No. 1 for an increase of \$35,732.16 for No. 5781.
 - (4) Final Balancing Change Order No. 1 for an increase of \$159,143.61 for No. 5668.

* * * Regular Agenda * * *

- 1. Recommendation to change the letter of credit policy to a flat 50% of the engineer's estimate of project cost effective January 1, 2009.
- 2. Recommendation to appoint John Bye to the Historic Preservation Commission.
- 3. Recommendation to appoint Chuck Carney to the City Hall-Auditorium Commission.
- 4. Public Hearings - 5:15 p.m.:

- a. Transfer of a Class "FA" Alcoholic Beverage License from Brinker International Corp., d/b/a Chili's Grill and Bar at 4000 13th Avenue South to ERH Dining IV, LLC d/b/a Chili's Grill and Bar.
 - b. Petition requesting a zoning change from SR-3, Single-Dwelling to SR-4, Single-Dwelling on Lots 1 through 20 and Lots 23 through 36, Block 6, Maple Valley Addition (6007 through 6293 35th St. S., odd numbers only).
 - (1) Approval recommended by the Planning Commission on 11/12/08.
 - (2) 1st reading of rezoning Ordinance.
 - c. Petition requesting a zoning change from SR-2, Single-Dwelling to LC, Limited Commercial on Block 4, Laurence Yunker 1st Addition (2900 Broadway North).
 - (1) Approval recommended by the Planning Commission on 11/12/08.
 - (2) 1st reading of rezoning Ordinance.
 - d. Petition requesting a zoning change from NC, Neighborhood Commercial to LC, Limited Commercial with a Conditional Overlay on the south 51 feet of Lots 1, 2, 3, 4 and 5; the south 51 feet of the south 101 feet of the west 8.4 feet of Lot 6; the southern 70 feet of the east 16.6 feet of Lot 6; all of Lot 7; and the west 8.4 feet of Lot 8, Block SS of Erskines Addition (1117 and 1155 13th Avenue South).
 - (1) Continued from the 10/20/08 and 11/17/08 Regular Meetings.
 - (2) Approval recommended by the Planning Commission on 11/12/08.
 - (3) 1st reading of rezoning Ordinance.
 - e. Determine jurisdiction for an appeal from a Board of Adjustment decision to approve construction of a building at 12th Avenue North.
 - f. Petition for a Text Amendment to the Land Development Code to amend Article 20-0302 Planned Unit Development of the Fargo Municipal Code (Land Development Code) to expand the standards currently eligible for modification.
 - (1) Approval recommended by the Planning Commission on 11/12/08.
5. Consider Purchase Agreement and Quit Claim Deed with Fred M. Hector, Jr. and conditions for approval.

** 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