

FARGO CITY COMMISSION AGENDA  
Monday, October 20, 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](http://www.cityoffargo.com/commission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, October 6, 2008).

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

- a. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 10/6/08:
  - (1) Amending the Ordinance Rezoning Certain Parcels of Land Lying in Section 4, Township 138 North, Range 49 West.
  - (2) Rezoning Certain Parcels of Land Lying in the East Half of Section 27, Township 139 North, Range 49 West.
  - (3) Rezoning Certain Parcels of Land Lying in Town Square Village Second Addition.
- b. Consent by the City of Fargo After Consultation to the Serkland Law Firm Representing the Fargo Public School District on Other Matters.
- c. Request from Beyond Shelter, Inc. to access \$120,000 from the City's HOME housing set-aside fund for the Cooper House development.
- d. Receive and file Year to Date – Budget to Actual Report for September 2008.
- e. NDDOT Traffic Safety Contracts for State and Community Highway Safety (CFDA #20.600) and Alcohol Highway Safety (CFDA #20.601).
- f. Recommendation from the Finance Committee to proceed with electronic check conversion and calculation of late fees on the entire unpaid utility bill.
- g. Proposal from MidStates Communications for the Interoperable Communications Equipment.
- h. Bid award for the West Side Fire Station Fiber Optic Cable Placement Project to Moorhead Electric, Inc. in the amount of \$19,345; approve contract and bond.
- i. Applications for 5-year property tax exemptions for improvements made to buildings:
  - (1) Stacy Miller, 812 11th Street North.
  - (2) Dorothy Curry, 914 9th Street South.
  - (3) Rebecca Nelson, 745 2nd Street North.
- j. Applications for Games of Chance:
  - (1) Lewis & Clark PTA for bingo on 10/28/08.
  - (2) Fargo Angels Youth Hockey for a raffle on 12/4/08.

- (3) Red River Nu-Voice Club for a raffle on 4/18/09; Public Spirited Resolution.
- (4) Fargo North Hockey Booster Club for a raffle on 1/31/09.
- k. Agreement to Consider Substitute Easement and Memorandum of Understanding regarding the easement in Lot 1, Block 3, Sheyenne Industrial Center Third Addition.
- l. Purchase Agreement with MBL Properties, LLP for Lot 1, Block 7, Maple Valley Addition for future interchange right-of-way.
- m. Engineering Services Contract Amendment in the amount of \$260,000 for the Southside Flood Control Project (Improvement District No. 5073-08).
- n. Bid award for Project No. 5854.
- o. Bid advertisement for Project No. 5725.
- p. Change Order No. 2 for an increase of \$32,575.13 for Project No. 5812-1.
- q. Final Balancing Change Orders for the following Projects: No. 1 for an increase of \$20,309 for Project No. 5645; No. 1 for an increase of \$18,780.41 for Project No. 5707.
- r. Contract and bond for Project Nos. 5798 and 5846.
- s. Bills.
- t. Final Balancing Change Orders for the following Improvement Districts: No. 1 for an increase of \$713,747.98 for District No. 5364-04; No. 1 for an increase of \$35,997.75 for District No. 5384.
- u. Contract and bond for Improvement District No. 5749-2.

\* \* \* Regular Agenda \* \* \*

- 1. Presentation of the Southwest Metro Transit Study.
- 2. Public Hearings - 5:15 p.m.:
  - a. Transfer of a Class "FA" Alcoholic Beverage License from Timber Lodge Steakhouse, Inc. d/b/a Timber Lodge Steakhouse, 1111 38th Street South, to Timber Lodge Steakhouse Acquisitions, LLC d/b/a Timber Lodge Steakhouse.
  - b. Transfer of a Class "B" Alcoholic Beverage License from Fargo Plaza Liquors, Inc. d/b/a Bottle Barn Liquors, 2301 South University Drive, #7, to KJW Investments, Inc. d/b/a Bottle Barn Liquors.
  - c. Application for a Class "N" Alcoholic Beverage License for Concessions Management, LLC d/b/a Concessions Management, LLC, 5220 30th Avenue South.
  - d. Vacation Plat of 14th Avenue North between 47th Street North and the Sheyenne Diversion North Tieback Levee of Fayland Industrial 1st Addition (1292 and 1406 47th St. N.).
    - (1) Approval recommended by the Planning Commission on 8/13/08.

- e. CONTINUE TO 11/17/08 This was the time and date scheduled for a hearing on a petition requesting a zoning change from NC, Neighborhood Commercial to LC, Limited Commercial with a Conditional Overlay on property located at 1117 and 1155 13th Avenue South; however, on 10/8/08 the Planning Commission continued their hearing to 11/12/08.
- f. Proposed increase in passenger fares for Metro Area Transit and MAT Paratransit.
- g. Special Assessments for the Island Park Ramp.
- h. Special Assessment List for New Construction City Ordered Sidewalks Improvement District No. 5651.
- i. Special Assessment List for Re-Construction City Ordered Sidewalks Improvement District No. 5652.

Special assessment lists for the following Improvement Districts, all having been approved by the Special Assessment Commission on 9/9/08; set the interest rate at 1% per annum over the net rate on bonds financing said projects:

- j. Dike Construction and Incidentals No. 4980.
- k. Concrete Curb & Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals No. 5671-2.
- l. Water Main Replacement, Street Reconstruction and Incidentals No. 5682.
- m. Sanitary Sewer, Water Main, Storm Sewer, Asphalt Paving, Curb and Gutter, Lighting and Incidentals No. 5690.
- n. Water Main Replacement, Street Reconstruction and Incidentals No. 5694.
- o. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals No. 5697.
- p. Water Main Replacement, Street Reconstruction and Incidentals No. 5711.
- q. Water Main Replacement, Street Reconstruction and Incidentals No. 5712.
- r. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals No. 5736.
- s. Sanitary Sewer, Water Main, Storm Sewer and Incidentals No. 5742.
- t. Concrete Curb and Gutter, Asphalt Pavement, Street Lights, Sidewalks and Incidentals No. 5743.
- u. Sanitary Sewer, Water Main, Storm Sewer and Incidentals No. 5748.
- v. Sanitary Sewer, Water Main, Storm Sewer and Incidentals No. 5757.
- w. New Construction City Ordered Sidewalks and Approaches Project No. 5765.
- x. Seal Coat and Incidentals No. 5778.
- y. Asphalt Wearing Course and Incidentals No. 5779.
- z. Water Main Replacement and Incidentals No. 5785.
- aa. Winter Decorating Improvements and Maintenance No. 5851.

Receive Fred M. Hector Notice of Appeal From the Action of the Special Assessment Commission on the following Improvement Districts:

- bb. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals No. 5702.
- cc. PC Concrete Pavement and Incidentals No. 5704.
- dd. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals No. 5740.
- ee. Sanitary Sewer, Water Main, Storm Sewer and Incidentals No. 5759.

3. Recommendation to appoint Michael Love as an alternate member on the Board of Adjustment.

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](http://www.cityoffargo.com/commission)