

FARGO CITY COMMISSION AGENDA
Monday, October 6, 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, September 22, 2008).

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

- a. Waive requirement for receipt of an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Rezoning Certain Parcels of Land Lying in Section 4, Township 138 North, Range 49 West.
- b. 2nd reading, waive reading and final adoption of an Ordinance Relating to Imposition of a Sales, Use and Gross Receipts Tax (Infrastructure Capital Improvements) And Also to Amend the Effective Date of the Ordinance; 1st reading, 9/22/08.
- c. PEC recommendation to reclassify one Assistant Planner position and frontload the FTE approved in the 2009 budget to include a .5 Reservationist and a .5 Assistant Planner effective 10/6/08.
- d. Establishment of a short term bond anticipation financing arrangement.
- e. Agreement for Special Improvements with Urban Plains Land Co. LLC for improvements in Urban Plains Center Addition (Improvement District Nos. 5843 and 5844).
- f. Agreement for Special Improvements with Urban Plains Land Co. LLC for improvements in Urban Plains Center Addition (Improvement District Nos. 5748 and 5749).
- g. Fire Department budget adjustments in the amount of \$19,535.37 for F-M HazMat training.
- h. Police Department budget adjustment in the amount of \$12,000 and Traffic Safety Contract with the NDDOT (CFDA #20.601).
- i. 2008 Homeland Security Grant spending plans for Cass County.
- j. Applications for Games of Chance:
 - (1) Gene Hebl Benefit for a raffle on 1/29/09; Public Spirited Resolution.
 - (2) New Horizons Manor Residents Council for a raffle on 11/8/08.
- k. Warranty Deed conveying property along 52nd Avenue South to the Park District (Improvement District No. 5798).
- l. Easement Agreement with Moorhead Public Service for relocation of a transmission line on Lot 1, Block 2, West 29 First Addition.

- m. Plat of University Motors Second Addition.
- n. Plat of Town Square Village Second Addition.
- o. Priority list for project application submittal to the NDDOT for 2010 Transportation Enhancement Funding.
- p. Cost Participation and Maintenance Agreement with the NDDOT for Project No. 5530.
- q. Cost Participation and Maintenance Agreement with the NDDOT for Improvement District No. 5601.
- r. Houston Engineering contract amendment for Project No. 5031-2.
- s. Houston Engineering contract amendment for Project No. 5313.
- t. Agreement and Improvement District No. 5777 funding for Xcel Energy power pole relocation at 32nd Avenue South and Brandt Drive.
- u. Final Balancing Change Orders for the following Projects: No. 5747-2 for an increase of \$1,821.77; No. 5786 for an increase of \$16,415.52.
- v. Bid awards for Project Nos. 5221, 5693, 5799, 5828 and 5846.
- w. Contracts and bonds for Project No. 5814 and SW 08-03.
- x. Bills.
- y. Contract time extensions for Improvement District Nos. 5746, 5782 and 5783.
- z. Determine no protests in connection with Improvement District No. 5601.
- aa. Bid awards for Improvement District Nos. 5601-4, 5749-2 and 5843.
- bb. Create Improvement District No. 5530.
- cc. Contracts and bonds for Improvement District Nos. 5845 and 5853.

* * * Regular Agenda * * *

- 1. Recommendation to advertise for proposals for the NP and 1st Avenue North Corridor Study and to appoint a City Commissioner to the Study Review Committee.
- 2. Receive Corridor Study Report for 25th Street and 64th Avenue South.
 - a. Recommendation to authorize staff to implement study recommendations.
- 3. Public Hearings - 5:15 p.m.:
 - a. Renaissance Zone Project for Bullinger Enterprises, LLLP at 630 1st Avenue North.
 - b. Application filed by Bullinger Enterprises, LLLP for a Payment In Lieu of Tax (PILOT) property tax exemption for a new building at 630 1st Avenue North which will be operated as a mixed use property to include student housing and retail.

- c. Plat of North 81-20 Second Subdivision (4962 through 5184 43rd St. N. and 4370 52nd Ave. N.).
 - (1) Approval recommended by the Planning Commission on 8/13/08.
 - d. Petition for a zoning change from AG, Agricultural to LI, Limited Industrial on a tract of land located in the east half of Section 27, Township 139 North, Range 49 West (3520 39th St. S.).
 - (1) Approval recommended by the Planning Commission on 9/10/08.
 - (2) 1st reading of rezoning Ordinance.
 - e. Petition for a zoning change from MR-1, Multi-Dwelling to SR-4, Single Dwelling on Lots 1 and 2, Block 1 of the proposed Town Square Village Second Addition (3853 and 3921 Village Lane S. and 4706, 4722 and 4752 38th Ave. S.).
 - (1) Approval recommended by the Planning Commission on 7/9/08.
 - (2) 1st reading of rezoning Ordinance.
 - f. Petition for a sidewalk installation waiver for Lots 29 through 32, Block 12 and Lots 1 through 5, Block 14, Osgood 1st Addition (4238 through 4262 66th St. S. and 4340 through 4384 66th St. S.).
 - (1) Denial recommended by the Planning Commission on 9/10/08.
4. Communication requesting concurrence with the recommendations from the Southside Flood Control Technical Team and the project defined by their decisions to be forwarded to the Southeast Cass Water Resource District.
- a. If approved authorize staff to: continue working with the public, adjacent jurisdictions and other interested agencies or individuals to further advance the project; proceed with an Environmental Assessment; develop the necessary data sets to support a Conditional Letter of Map Revision submittal for FEMA and to prepare said submittal; prepare plans and specifications; and continue development of a financing plan.
5. Recommendation for reappointments to the Housing and Redevelopment Authority.

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