

FARGO CITY COMMISSION AGENDA
Monday, August 24, 2009 - 5:00 P.M.

CITY COMMISSION MEETINGS ARE BROADCAST LIVE ON TV FARGO (Channel 99). They are broadcast each Monday at 5:00 p.m., Thursday at 7:00 p.m. and Saturday at 8:00 a.m.; 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, August 10, 2009).

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

- a. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading 8/10/09:
 - (1) Relating to Imposition of a Sales, Use and Gross Receipts Tax (Flood Risk Mitigation and Reduction Improvements).
 - (2) Rezoning Certain Parcels of Land Lying in SHP Second Addition and Part of the Southeast Quarter of Section Twenty-Seven, Township One Hundred Thirty-Nine North, Range Forty-Nine West.
- b. Notice of Appeal From Decision of Local Governing Body in the matter of Steven W. Stremick vs. the City of Fargo.
- c. Acceptance of 2009 CDBG, HOME and CDBG-R grants from the Department of Housing and Urban Development.
- d. Justice Assistance Grant (JAG) for the Rape and Abuse Crisis Center of Fargo-Moorhead in the amount of \$15,673.
- e. Grant Awards from the North Dakota Department of Health for the following:
 - (1) Emergency Preparedness County Allocation (CFDA #93.069).
 - (2) Emergency Preparedness and Response for the region (CFDA #93.069).
 - (3) Emergency Preparedness and Response City Readiness Initiative (CFDA #93.069).
- f. Grant award from the North Dakota Department of Transportation in the amount of \$266,502 for transit funding from 7/1/09 through 6/30/10.
- g. Bid award for interior painting of the Ground Transportation Center.
- h. City Commission meeting schedule for 2010.
- i. Resolution Approving the Execution of Documents Relating to the Remarketing of Industrial Development Revenue Bonds (Cass-Clay Creamery, Inc. Project) Series 2002.
- j. Site Authorization for Fargo Youth Hockey Association at the Teamsters Arena.

- k. Applications for Games of Chance:
 - (1) Cardinal Muench Seminary for bingo and a raffle on 1/31/10.
 - (2) Zonta Club of Fargo-Moorhead for a raffle on 9/24/09.
 - (3) Make-A-Wish Foundation of North Dakota for a raffle on 9/11/09.
 - (4) Logan Frank Benefit Carnival for bingo and a raffle on 9/12/09; Public Spirited Resolution.
- l. Change Orders for the Main Library: G-13 for an increase of \$18,911.00; E-6 for an increase of \$4,774.09.
- m. Bid award for one articulating wheel leader to Titan Machinery in the amount of \$171,900.
- n. Bid award for clarifier improvements at the Wastewater Treatment Facility.
- o. Resolutions of Support for the Fargo-Moorhead Metropolitan Traffic Operations Action Plan and a TIGER Grant Application.
- p. Purchase agreement with Delmer and Renee Hofer for temporary and permanent sanitary sewer easement (Improvement District No. 5726).
- q. Public utility easement along 1209 52nd Avenue South.
- r. Joint Powers Agreement with SE Cass Water Resource District for Drain 27 and Drain 53 improvements (Improvement District Nos. 5903 and 5904).
- s. Engineering Services Contract Amendment with Houston Engineers for Project No. 5683-4.
- t. Engineering Services Contract Amendment with Ulteig Engineers, Inc. for Improvement District No. 5202.
- u. Final Balancing Change Orders for the following Improvement Districts.: No. 1 for an increase of \$6,263.79 for No. 5760; No. 1 for an increase of \$100,089.20 for No. 5782; No. 1 for an increase of \$2,486.64 for No. 5792; No. 8 for an increase of \$88,800.59 for No. 5824; No. 1 for an increase of \$5,124.73 for No. 5832; No. 1 for an increase of \$3,379.80 for No. 5833; No. 2 for an increase of \$2,911.05 for No. 5845; No. 1 for an increase of \$201,278.23 for No. 5893.
- v. Bid advertisement for Project No. 5860.
- w. Contracts and bonds for Project Nos. 5871 and 5873.
- x. Bills.
- y. Create Improvement District Nos. 5202 and 5827.
- z. Contract and bond for Improvement District No. 5898.

* * * Regular Agenda * * *

- 1. Recommendation to determine protests sufficient to terminate Improvement District No. 5890 with a protest of 52%.
- 2. Recommendation to determine protests sufficient to terminate Improvement District No. 5891 with a protest of 44.87%.

3. Recommendation to reappoint Thomas Jefferson and Bryce Alme Johnson to the Housing and Redevelopment Authority.
4. Public Hearings - 5:15 p.m.:
 - a. Plat of Northfield Lift Station (7335 37th St. N.).
 - (1) Approval recommended by the Planning Commission on 6/10/09.
 - b. Application filed by Ivory Keys, Inc. d/b/a Garden Bar for a Class "ABH" Alcoholic Beverage License at 4351 17th Avenue South.
 - c. Application filed by Hacdella's LLC d/b/a Sandellas Flatbread Café for a Class "H" Alcoholic Beverage License at 1414 12th Avenue North.
 - d. Application filed by Jitters, Inc. d/b/a Jitters Coffee Bar for a Class "GH" Alcoholic Beverage Permit at 1414 12th Avenue North.
 - e. Special assessments for sewer repairs.
 - f. Special assessments for maintenance of the Skyway System.
 - g. Special assessments for maintenance of the Broadway Mall.
 - h. Special assessments for the Island Park Ramp.
 - i. Special assessments for nuisance abatement fees.
 - j. WITHDRAWN: This was the time and date scheduled for a hearing on petitions for rezoning and platting of Dakota Boys and Girls Ranch Addition, however, the petitions have been withdrawn by the petitioner (2038 76th Ave. S.).
5. Application for Abatement or Refund of Taxes #4330 filed by James and Carol Baum for property at 1224 11th Avenue North.
 - a. Denial recommended by the Assessor's Office.
6. Recommendation to reduce the speed along 32nd Avenue South from University Drive to the I-29 east ramp intersection from 40 mph to 35 mph beginning 8/31/09.
7. Communication from the City Attorney regarding the recent court decision in the Stremick matter.
 - a. First Reading of an Ordinance Enacting and Establishing a Moratorium on the Issuance of Sign Permits for Certain Electronic Message Centers.
8. Discuss US Bank Parking Ramp.

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