

FARGO CITY COMMISSION AGENDA  
Monday, February 9, 2009 - 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, January 26, 2009).

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

- a. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 1/26/09:
  - (1) Relating to Base Zoning Districts, Use Regulations, Dimensional Standards, Subdivision Design and Improvements and General Development Standards.
  - (2) Relating to the International Property Maintenance Code and Inspection Fees for Activities and Services.
  - (3) Amending Sections of the Fargo Municipal Code and Land Development Code Relating to Typographical Errors.
- b. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Relating to Re-Roofing Contractors.
- c. Receive GFOA Certificate of Achievement of Excellence in Financial Reporting Award for the 2007 reporting year.
- d. Fargo Dome Authority recommendation to invest excess sales tax surplus funds to the escrow account.
- e. Fire Department budget adjustments in the amount of \$1,559.14 for F-M Haz Mat training.
- f. Fire Department FY2008 Staffing for Adequate Fire and Emergency Response (SAFER) grant in the amount of \$1,300,560 (CFDA #97.044).
- g. Purchase of self-contained breathing apparatus from Grand Forks Fire Equipment.
- h. Professional services contract for indigent defense services with the Stormy Vickers Law Office for fiscal years 2009, 2010 and 2011.
- i. Agreement and Memorandum of Agreement Regarding Special Assessments with Scott Hennen representing 64 Broadway Investments, LLC for relocation of electrical cabinets.
- j. Receive and file amendment to the limited franchise agreement with Cass County Electric adding area annexed by the City on 12/29/08.

- k. Applications for property tax exemptions for improvements made to buildings:
  - (1) Jonathan and Belinda Forknell, 3726 River Drive South (3 year).
  - (2) Wes and Mary Braunberger, 1444 Third Street North (3 year).
  - (3) Troy and Kim Kelsey, 2514 Ninth Street South (5 year).
- l. Change Orders for the Main Library furnishings: No. 1 from Function Furniture for an increase of \$2,850.78 and No. 1 from Christianson's for an increase of \$38,121.01.
- m. Library budget adjustment in the amount of \$53,000 and grant agreement with the ALA/FINRA Smartinvesting@yourlibrary grant program.
- n. Revision of Policy No. 300-004 Education Assistance/Tuition Reimbursement.
- o. Revision of Policy No. 500-005 Family and Medical Leave.
- p. Applications for Games of Chance:
  - (1) Fargo Motor Patrol, Inc. for a raffle on 4/4/09.
  - (2) NDSU Saddle and Sirloin for a raffle on 4/2/09.
  - (3) Cathedral of St. Mary for bingo on 5/3/09.
  - (4) Clara Barton Hawthorne PTA for a raffle on 3/28/09.
  - (5) Kevin Scufsa Foundation Benefit for a raffle on 3/25/09; Public Spirited Resolution.
  - (6) Shanley High School for a raffle on 4/25/09.
  - (7) Sandhill Archers, Inc. for a raffle on 2/20/09; Public Spirited Resolution.
- q. Encroachment Agreement with Bullinger Enterprises, LLP for the downtown Cityscapes Development.
- r. Donation of the Water Treatment Plant's old Graphite Furness Atomic Absorption Spectrometer to NDSU.
- s. Bid award to General Repair Service for a trailer mounted emergency pump at the Wastewater Treatment Plant.
- t. Engineering Contract Amendment No. 1 with Ulteig Engineers for Project No. 5726.
- u. Engineering Contract Amendment No. 1 with Moore Engineering for Project No. 5729.
- v. Engineering Contract Amendment No. 1 with Ulteig Engineers for Project No. 5808.
- w. Engineering Contract Amendment No. 2 with Kadrmas, Lee & Jackson for Project No. 5798.
- x. Change Orders 1, 3 and 4 for a total increase of \$17,548.22 for Project No. 5798.
- y. 2009 Capital Improvement Projects.
- z. \$250,000 street sales tax payment in lieu of TCSP federal grant funds for Project No. 5198.
- aa. USGS Joint Funding Agreement for 2009 spring Red River monitoring at 8 locations.
- bb. First Amendment to Joint Powers Agreement for the Southside Flood Control Project.
- cc. Addendum No. 1 for the FM COG Agreement for Project No. 5768.
- dd. Engineering Services Agreement with HWS Consulting Group for Project No. 5426.

- ee. Change Order No. 1 for an increase of \$4,452.60 for Project No. 5849.
- ff. Bills.
- gg. Create Improvement District Nos. 5864 and 5729 along with Cost Share Agreement with West Fargo for District No. 5729.

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

- 1. Presentation of written report by Norm Anderson and Tom O'Halloran of fact-finding efforts regarding communications to City employees of reports of condition of South University Drive road prior to Leininger accident on December 10, 2008.
- 2. Public Hearings - 5:15 p.m.:
  - a. Renaissance Zone Projects:
    - (1) Intelligent InSites, Inc. for a lease project at 102 Broadway.
    - (2) TL Stroh Architects, Ltd. for a lease project at 8 Seventh Street North.
  - b. Petition requesting a zoning change from AG, Agricultural to GC, General Commercial on a portion of Lot 13 of Hectors Subdivision (4106 19th Ave. N.).
    - (1) Approval recommended by the Planning Commission on 1/14/09.
    - (2) 1st reading of rezoning Ordinance.
  - c. Text Amendment to amend Article 20-0609 Sidewalks of the Land Development Code to repeal the majority of the existing Sidewalk Waiver Guidelines while establishing a provision for an Alternative Sidewalk Plan that retains the ability to request a sidewalk waiver at the time of approval of a subdivision.
    - (1) Approval recommended by the Planning Commission on 1/14/09.
    - (2) 1st reading of Ordinance.
- 3. Communication from Jon Lindgren regarding the relationship between the financial report of the Fargodome Authority and the City's Comprehensive Report.
- 4. Bid award for Project No. 5728.
- 5. Review of status report/letter from the City Attorney and possible action on proposed bus Route 34.
- 6. Discussion regarding compliance with the Americans with Disabilities Act was postponed to this date; however, the matter should be postponed to allow additional time to draft a report.
- 7. Legislative discussion.

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)