

FARGO CITY COMMISSION AGENDA
Monday, June 15, 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

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, June 15, 2009).

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

- a. Receive and file Year to Date – Budget to Actual Report for May 2009.
- b. Election workers for the June 30, 2009 Special Election.
- c. Renewal of 2009-2010 Alcoholic Beverage and Live Entertainment licenses.
- d. Agreement with Modern Information Systems to provide NSF check recovery services.
- e. Grant application for American Recovery and Reinvestment Funds for fire protection improvements in Fargo's downtown and near southside.
- f. Community Development Committee recommendation for downtown projects to receive 2009 CDBG funds.
- g. Request from Beyond Shelter, Inc. to access \$80,000 from the City's HOME housing set-aside fund for the Cooper House development.
- h. Acceptance of the 2009 allocation from the Fargo-Moorhead Area Foundation and the Barry Foundation to assist with operations at the Gladys Ray Shelter.
- i. Contract with the North Dakota Department of Health for Epidemiology and Laboratory Capacity Program (West Nile Virus) (CFDA #93.283).
- j. Interlocal Agreement with West Fargo and Cass County relative to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (CFDA #16.738).
- k. Application filed by Home Builders Care of F-M Foundation, Inc. for a 5-year tax exemption for improvements made to a building at 923 5th Avenue South.
- l. Extension of the noise ordinance to 11:00 p.m. on July 31 and August 1 for the Fargo Blues Festival.
- m. Request from the Multiple Sclerosis Society to hang banners in the skyway from June 16 to July 27, 2009 to promote Bike MS: Ride the Wind.
- n. Mosquito Control Agreement with Cass County for the 2009 season and First Amendment to the Mosquito Spraying Agreement with Airborne Custom Spraying.

- o. Site Authorizations for Games of Chance:
 - (1) ShareHouse, Inc. at the Prairie Rose Inn.
 - (2) The ARC Upper Valley, Inc. at JT Cigarros.
- p. Application filed by Steve Weidner FM Junior Tour for a calendar raffle from 7/1/09 through 6/30/10.
- q. Change orders for the Main Library: Nos. G-11, M-7 and E-4 revising the completion date to 4/20/09; No. G-12 for an increase of \$29,782; No. M-8 for an increase of \$3,104; and No. E-5 for an increase of \$913.56.
- r. Consent to the assignment and assumption of the lease between Greyhound Lines, Inc. and Jefferson Lines, Inc.
- s. Accept proposal from T.L. Stroh Architects to provide assistance for flood damage restoration.
- t. Accept proposal from RM Hoefs & Associates, Inc. to prepare appraisals for the flood property acquisition program.
- u. Scope of Work and Cost Proposal from Moore Engineer for analyzing Red River Diversion alternatives (Project No. 5683-05).
- v. Declaration Concerning Dedication Agreement (Project No. 5656).
- w. Agreement with the Moorhead Public Service Commission for Transmission Line Relocation (Project No. 5803).
- x. Relinquishment of Easement for property owned by Luella Holmquist (Project No. 5656).
- y. Acquisition of Lot 2, Block 1, Town Square Village Second Addition for a new recyclables/yard waste drop-site.
- z. Application for bonding authority under the 2009 CREBs program for a wind turbine project on the Southwest Quarter of the Northwest Quarter of Section 28, T140, R57.
- aa. Task Order with Ulteig Engineers in the amount of \$108,150 for design and construction administration of a project to upgrade clarifiers at the Wastewater Treatment Plant.
- bb. Change Order No. 2 for an increase of \$23,615 for the 64th Avenue South Water Tower.
- cc. Addendum #1 to the Transportation Planning Agreement with FM Metro COG for the University Drive Corridor Study.
- dd. Agreement Regarding Special Assessments for property owned by Prairie Grove, Inc.
- ee. Purchase Agreement with SKA Investments, LLP for a Permanent Sanitary Sewer Easement and Temporary Construction Easement (Improvement District No. 5726).
- ff. Bid advertisements for Project Nos. 5660, 5879 and 5896.
- gg. Contracts and bonds for Project Nos. 5656, 5867, 5838-01 and 5872-01.
- hh. Bills.

- ii. Bid awards for Improvement District Nos. 5817 and 5861.
- jj. Create Improvement District Nos. 5706-1, 5863, 5890 and 5891.
- kk. Contract and bond for Improvement District No. 5729.

* * * Regular Agenda * * *

- 1. Consider projects to be included in a Department of Energy Recovery Act grant application.
- 2. Discuss attendance at City Commission meetings via telephone connection.
- 3. Public Hearings - 5:15 p.m.:
 - a. WITHDRAWN – This was the time advertised for a hearing on an application filed by Agassiz Investment Co. of Fargo, LLC/Magnum Contracting for property tax exemption for a project at 1266 North Fayland Drive, however, the applicant has withdrawn the request.
 - b. Name Change Plat of a portion of 57th Street South from Interstate 94 to 64th Avenue South to be renamed Veteran’s Boulevard.
 - (1) Approval recommended by the Planning Commission on 5/13/09.
 - c. Plat of Lindenwood Park Addition being a plat of all of Government Lot 2, Section 17; all of Government Lot 4, part of Government Lot 5 and part of the Southwest Quarter of the Southeast Quarter of Section 18; all in T139N, R48W (1901 Roger Maris Dr. S.).
 - (1) Approval recommended by the Planning Commission on 2/11/09.
 - d. Plat of Adams Seventh Addition, a replat of Blocks 1, 2 and 3 of Adams Sixth Addition and an unplatted portion of the east half of Section 22, T139N, R49W (2810 38th St. S.; 2952, 2975, 2980 and 2991 39th St. S.; and 2820 and 2852 Thunder Rd. S.).
 - (1) Approval recommended by the Planning Commission on 6/10/09.
 - e. Davies First Addition; approval recommended by the Planning Commission on 2/11/09 (7150 25th St. S.):
 - (1) Petition requesting a zoning change from AG, Agricultural to SR-4, Single-Dwelling on proposed Lot 1, Block 2.
 - (2) Plat of Davies First Addition, part of the west half of Section 12, T138N, R49W.
 - (3) 1st reading of rezoning Ordinance.
 - f. C & G Addition; approval recommended by the Planning Commission on 4/8/09 (5001 Amber Valley Parkway S.):
 - (1) Petition requesting a zoning change from AG, Agricultural to the following: MR-3, Multi-Dwelling on Lot 1, Block 1 and LC, Limited Commercial on Lot 2, Block 1.
 - (2) Plat of C & G Addition.
 - (3) 1st reading of rezoning Ordinance.
- 4. Recommendation from the Planning staff regarding the moratorium placed on LED signs (tabled at the 6/1/09 Regular Meeting).

5. Waive the requirement to receive and file an Ordinance one week prior to first reading and first reading of an Ordinance Annexing a Certain Parcel of Land Lying in the North Half of the East Half of the Northwest Quarter of Section 13, T138N, R49W.

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