

FARGO CITY COMMISSION AGENDA
Monday, October 18, 2010 - 5:00 P.M.

CITY COMMISSION MEETINGS ARE BROADCAST LIVE ON TV FARGO 12 (Channel 12). They are rebroadcast 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, October 4, 2010).

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

- a. Waive the requirement to receive and file an Ordinance one week prior to first reading and first reading of an Ordinance Rezoning Certain Parcels of Land Lying in Deer Creek Addition, Cass County, North Dakota.
- b. Modification of the penalty included in the Ordinance regarding compression brakes.
- c. Extension of the Bridge Company's right to continue to operate the 12th Avenue North Bridge for an additional five years from and after June 1, 2013.
- d. Receive and file Year to Date – Budget to Actual Report for September 2010.
- e. Settlement and Mutual Release of Claims Agreement in the matter of City of Fargo v. Combined Transport, Inc.
- f. Contract with the North Dakota Department of Transportation for the Safe Communities Program (CFDA #20.600).
- g. Contract with the North Dakota Department of Health for the WIC Program (CFDA #10.557).
- h. Agreements with Klein Buendel, Inc. and Debra Haugen for the Moving More, Eating Smarter community program.
- i. Acceptance of Juvenile Accountability Block Grant funds in the amount of \$19,560 and distribution of funds to Fargo, West Fargo and Cass County.
- j. Acceptance of the Bureau of Justice Assistance Bulletproof Vest Partnership Grant in the amount of \$16,740.61 (CFDA #16.607).
- k. Grant submittals for North Dakota Energy Efficiency and Conservation Block Grant funds, acceptance of the grant if awarded and staff direction to proceed with energy efficient lighting upgrades in the Radisson Ramp, Public Works building, Civic Center and Centennial Hall.

- I. Site Authorizations for Games of Chance:
 - (1) North Dakota Association for the Disabled at the Bulldog Tap.
 - (2) Boys & Girls Club of the Red River Valley d/b/a Fargo Youth Commission at WOW the Bar (Amended).

- m. Applications for Games of Chance:
 - (1) NDSU Alpha Tau Omega Fraternity for a raffle on 11/2/10.
 - (2) NDSU Hospitality Student Association for a raffle on 12/4/10.
 - (3) Chad Lorenzen Benefit Fund for a raffle on 10/24/10; Public Spirited Resolution. .

- n. Bid awards for Hazardous Materials Response Equipment for the Fire Department in the total amount of \$94,022.00.

- o. Acceptance of proposal from Swanston Equipment Co. in the amount of \$34,451.00 for a utility work machine.

- p. Acceptance of proposal from Butler Machinery in the amount of \$24,284.00 for a 5 month motor grader rental contract.

- q. Change Order No. 2 for an increase of \$2,495.00 in connection with the skyway reconstruction.

- r. Farm land rental agreements with Evan Holmen for Tract 1 in Harwood Township, Tract 2 in Reed Township and Tract 3 in Barnes Township and with Claude Richard for Tract 4 in Stanley Township.

- s. Advertisement of RFP's for general engineering services for the Water and Wastewater Utilities.

- t. Contract Amendment No. 1 with Ulteig Engineers, Inc. in the amount of \$29,000.00 for Project WW0901.

- u. Change Order No. 2 for Contract #3 for an increase of \$12,827.00 for Project No. 5725.

- v. Change Order No. 3 for an increase of \$50,160.80 for Project No. 5799.

- w. Change Order No. 1 for an increase of \$14,114.00 for additional work done at the Osgood Recycling Site.

- x. Engebretson property Agreement for Entry and Construction for Improvement District Nos. 5969-2, 5966-2 and 5915.

- y. Agreement for Special Improvements with CORN II, LLC in Deer Creek Addition.

- z. Agreements with Xcel Energy and approval of financing costs through the existing Matrix TIF District No. 2001-01.

- aa. Contact with Ulteig Engineers, Inc. in the amount of \$39,035.00 for Project No. 5958.

- bb. Change Order No. 1 for an increase of \$31,816.00 for Project No. 5938.

- cc. Change Order Nos. 1, 2 and 4 for a total increase of \$134,608.79 for Project No. 5839.

- dd. Bid awards for Project Nos. 5928, SW 10-01 and SW 10-02.

- ee. Contracts and bonds for Project Nos. 5944, 5949 and 5968.
- ff. Bills.
- gg. Amended location and comprising for Improvement District No. 5955-1.
- hh. Change Order No. 1 for an increase of \$93,976.11 for Improvement District No. 5862.
- ii. Bid awards for Improvement District Nos. 5821 and 5964.
- jj. Create Improvement District No. 5955-3.
- kk. Contracts and bonds for Improvement District Nos. 5838-4, 5945-01. 5966-2, 5969-2.

* * * Regular Agenda * * *

- 1. Recommendation to adopt a Payment in Lieu of Taxes policy to encourage new housing in the University Mixed Use zoning district.
- 2. Recommendation for preliminary approval of \$675,000 of PILOT assistance for the T Lofts Student Housing project.
- 3. Public Hearings - 5:15 p.m.:
 - a. Renaissance Zone Project for Kotikites & Windsports, LLC at 300 Broadway.
 - b. Draft Fargo Sign Code.
 - (1) Approval recommended by the Planning Commission on 8/3/10.
 - (2) Steven Stremick wishes to speak about certain areas of the sign code.
 - c. Special Assessment list for Curb and Gutter, Sidewalks and Pedestrian Median (Sanford Medical Center Agreement).

Special assessment lists for the following Improvement Districts, all having been approved by the Special Assessment Commission on 9/7/10; set the interest rate at 1% per annum over the net rate on bonds financing said projects:

- d. Drain 10 Flood Mitigation and Incidentals No. 5525.
 - e. Bridges, PC Concrete Pavement, Grading, Storm Sewer, Water Main Distribution, Signals, Street Lighting, Bike Trail and Incidentals No. 5530.
 - f. P.C. Concrete Pavement and Incidentals No. 5706-01.
 - g. Street Lighting and Incidentals No. 5738.
 - h. Water Main Replacement, Street Reconstruction and Incidentals No. 5861.
 - i. Water Main Replacement, Street Reconstruction and Incidentals No. 5862.
 - j. Sanitary Sewer, Water Main and Incidentals No. 5880.
 - k. Milling, Hot Bituminous Pavement, Marking and Incidentals No. 5883.
 - l. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals No. 5898.
 - m. Seal Coat and Incidentals No. 5912.
 - n. Edgewood Golf Course Flood Control No. 7138.
- 4. Request from Jon Vannett regarding operation of a business he has started named "Bar Hopper" asking that his passengers be allowed to drink alcoholic beverages while on his vehicle.

5. Recommendation for appointments to the Human Relations Commission.

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 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo Web site at www.cityoffargo.com/commission