

FARGO CITY COMMISSION AGENDA

Monday, July 8, 2024 - 5:00 p.m.

Executive Session at 4:30 p.m.

Roll Call.

PLEASE NOTE: The City Commission will convene at 4:30 p.m. on Monday, July 8, 2024 and retire into Executive Session for the purpose of attorney consultation regarding potential opioid litigation with Indivior, Inc. and/or Mylan N.V., to receive its attorneys' advice and guidance on the legal risks, strengths, and weaknesses of an action of a public entity, which, to discuss these matters in open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City. Thus, an Executive Session for these matters is authorized pursuant to North Dakota Century Code 44-04-19.1 subsections 2, 5 and 9.

Regular Meeting at 5:00 P.M.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/Streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/CityCommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Municipal Judge Steve Dawson will administer the Oaths of Office to City Commissioners John Strand and Michelle Turnberg.
- E. Minutes (Regular Meeting, June 24, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Interest Buydown Agreement - Pace Program with the Bank of North Dakota received by the Roosevelt Family Lofts LLC.
- 2. Letter of Support for the APH Stores Project to the ND Opportunity Fund Consortium.
- 3. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Selkirk Place Second Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 6/24/24.
- 4. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Chas A. Roberts Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 6/24/24.
- 5. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Rocking Horse Farm Seventh Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 6/24/24.

6. Findings of Fact, Conclusions and Order of the Board of City Commissioners of the City of Fargo and Notice of Entry of Order for property located at 1449 4th Avenue South.
7. Findings of Fact, Conclusions and Order of the Board of City Commissioners of the City of Fargo and Notice of Entry of Order for property located at 909 4th Street North.
8. Accept the results of the Cass County Canvassing Board for the June 11, 2024 Primary election and declare candidates elected.
9. Applications for Games of Chance:
 - a. EagleRidge Legacy Fund, Inc. for a raffle on 7/18/24.
 - b. El Zagal Provost for a sports pool from 9/8/24-1/5/25.
 - c. Fargo Gateway Lions for a raffle on 7/16/24.
 - d. Fargo North High Football for a raffle on 7/23/24.
 - e. Fargo North High School for a raffle on 4/5/25.
 - f. Fargo North High School – Coli for a raffle from 11/11/24-2/14/25.
 - g. Fargo North High School for a raffle on 12/7/24.
 - h. Fargo North High School for a raffle on 8/8/24-2/21/25.
 - i. Holy Spirit Catholic Church for a raffle on 10/13/24.
 - j. North Dakota Backcountry Hunters and Anglers for a raffle on 8/1/24.
 - k. St. Anthony of Padua Parish Fall Bazaar for a raffle on 9/29/24.
10. Extension of a Class “N” Alcoholic Beverage License for Horse Race North Dakota d/b/a The North Dakota Horse Park until 6/30/25.
11. Change Order No. 2 in the amount of \$19,225.19 and time extension for Project No. FM-21-A2.
12. Bid award to Asphalt Surface Tech Corp in the amount of \$538,918.12 for Project No. PR-24-F2.
13. Final Balancing Change Order No. 4 in the amount of \$34,758.84 for Improvement District No. BN-23-C1.
14. Final Balancing Change Order No. 2 in the amount of \$14,992.50 for Improvement District No. PR-23-E1.
15. Memorandum of Offer to Landowner for an Easement (Temporary Construction Easement) with Cass Oil, LLC (Improvement District No. BR-23-G2).
16. Contract and bond for Improvement District No. AN-24-B1.
17. Certificate of Substantial Completion for Newman Outdoor Field Exiting Improvements 2023-2024 Project (RFQ18084).
18. Eleventh Amended Lease Agreement with North Dakota State University and Fargo Dome Authority.
19. NDDDES FY 2024 Emergency Management Performance Grant Application (CFDA #97.042).
20. Notice of Grant Award from ND Department of Health and Human Services for increasing immunization rates (CFDA #93.268).

21. Notice of Grant Award from ND Department of Health and Human Services for PHEP-EPR All Hazards Allocation (CFDA #93.069).
22. Notice of Grant Award from ND Department of Health and Human Services for Women's Way program (CFDA #93.898).
23. Notice of Grant Award Amendment from the ND Department of Health and Human Services for PHEP workforce supplemental funding (CFDA #93.354).
24. Financial Award from ND Housing Finance Agency for emergency shelter operations.
25. Agreement for Provision of Health Services for Cass County by Fargo Cass Public Health.
26. Bid award to Sanitation Products Inc. in the amount \$357,585.00 for the purchase of one high compaction front load refuse truck (RFP24242).
27. Lease Agreements with the Diocese of Fargo and Fargo Public School District for recycling drop sites.
28. Bid award to Poynette Iron Works in the amount of \$362,390.00 for front load containers (RFP24228).
29. Mass Transit Agreement with the City of West Fargo.
30. Exempt Purchase from Filmtec Corporation in the amount of \$124,650.00 for Effluent Reuse Facility Ultra Filtration Membranes (EX24254).
31. Bills.

REGULAR AGENDA:

32. Update on the Grants Pass Ruling.

PUBLIC HEARINGS - 5:15 pm:

33. **PUBLIC HEARING** – CONTINUE to 7/22/24 Hearing to consider a Renewal Plan and Developer Agreement with JS2L Partners, LLP for the Tax Increment Financing District No. 2024-01 (600 Block of 4th Street North); continued from the 6/10/24 and 6/24/24 Regular Meetings.
34. **PUBLIC HEARING** – Hearing on a dangerous building located at 1011 University Drive North.
35. **PUBLIC HEARING** – Vacation Plat of a portion of 5th Avenue North right-of-way adjacent to Block 23, Leach and Wells Subdivision (421 4th Street North adjacent to 415 4th Street North); approval recommended by the Planning Commission on 6/4/24.
36. **PUBLIC HEARING** – Vacation Plat of the West 23.5 feet of 22nd Street North right of way between 7th and 8th Avenues North, adjacent to Lots 1 and 21 of First Industrial Subdivision of Beardsley's Addition (2213 7th Avenue North); approval recommended by the Planning Commission on 4/2/24.
37. **PUBLIC HEARING** – Cityside Addition (202, 208, 210 and 212 6th Avenue North; 509, 511 and 515 3rd Street North); approval recommended by the Planning Commission on 12/5/23:

- a. Zoning Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of Cityside Addition.
38. **PUBLIC HEARING** – Community Development Block Grant (CDBG) and HOME Program Proposed Amendment to the 2023 HUD Action Plan.
39. Request for licensing of a Scooter Rental business; staff is recommending denial of this request.
40. Recommendation for approval of the items from the FAHR Staff meeting:
- a. Receive and file Sales Tax update.
 - b. Accept the Badges of Unity donation and budget adjustment in the amount of \$158,790.07 to cover all of the costs associated with travel to Washington, DC for the National Police Week Memorial.
 - c. Reclassification of the vacant Engineering Technician III position.
 - d. Authorize the Health Department to add two Home Health Aide contract positions for the school year, contracts will be billed back to Fargo Public Schools.
41. Recommendation for Commission Liaison assignments.
42. Recommendation for appointment of a Deputy Mayor.
43. Liaison Commissioner Assignment Updates.
44. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at [FargoND.gov/VirtualCommission](https://www.fargond.gov/VirtualCommission)).**

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at [www.FargoND.gov/CityCommission](https://www.fargond.gov/CityCommission).



Dave Piepkorn, City Commissioner

Fargo City Hall

225 4th Street North

Fargo, ND 58102-4817

Phone: 701.809.5449 | Fax: 701.476.4136

www.FargoND.gov

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: COMMISSIONER DAVE PIEPKORN

DATE: JULY 8, 2024

SUBJECT: GRANTS PASS RULING UPDATE

On Friday, June 28, 2024, the Supreme Court made a ruling on the Johnson vs Grants Pass decision that was discussed at the last City Commission Meeting during the Homeless Camps Presentation. I would like the City Attorney to provide an update.

RECOMMENDED MOTION: No action required. For information purposes only.



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Memorandum

DATE: July 8, 2024
TO: Mayor Mahoney and Board of City Commissioners
FROM: Shawn Ouradnik, Inspections Director
SUBJECT: Dangerous Building Public Hearing 1011 UNIVERSITY DR N FARGO ND 58102

The property owner of 1011 UNIVERSITY DR N FARGO ND, has failed to comply with the order to either obtain a permit to repair or remove the heavily damaged structure at that location within the time allowed for that removal. In accordance with Fargo Municipal Code Article 21-04, a hearing date is scheduled for July 8, 2024.

Article 21-0406 also allows court action if that is the course the commission chooses to take.

Article 21-0412 allows any person desiring to appeal the order issued by the board of city commissioners to do so in the district court.

The recommendation is to **designate this a dangerous building, direct the City Attorney to prepare findings of fact in this matter, and order its removal on September 6, 2024. Please direct the appropriate staff to secure the removal of this building should the owner fail to do so.**

Property Information: Building is currently uninhabitable due to condition.

Location: 1011- 1013 University Dr N

Owner: Philip H & Martha A Grotenhuis Rev Living Trust

Description: 1,960 square foot two story wood framed duplex structure with detached two stall garage. Structure was built in 1918.

Description of Damage:

- Garage roof has collapsed, pressure has pushed the walls apart
- South lower house roof is deteriorated and covered with a tarp
- Areas of the house fascia and soffit are rotten/missing
- Broken windows.
- Exterior of house has areas of deteriorated trim and graffiti
- Signs of a squirrel infestation in roof and fascia
- Junk in rear yard
- House foundation has cracks and loose block
- Water usage stopped in 2009
- Electrical meters were removed in 2021

TimeLine of Events:

- Late 2023 - Received complain of possible dangerous building. Spoke to Mr. Tegtmeier and agreed to allow him to demolish the garage and start process to repair the duplex structure in the spring of 2024.
- Early 2024 - Received complaint about property again.
- 2/1/2020 - Conducted exterior inspections of property.
- 2/20/2024 - Posted all structures as Dangerous Buildings.
- 2/2024 - Spoke to Mr. Tegtmeier about his plans for the property and informed him he will need to take care of the garage immediately.
- 3/19/2024 - Sent notice and order of the building official requesting entry to the dangerous building.
- 4/3/2024 - Sent second notice and order of the building official requesting entry to the dangerous building.
- 4/15/2024 - Met Mr. Tegtmeier on site for exterior and interior inspections.
- 4/17/2024 - Garage demo permit issued.

- 6/17/2024 - Garage demolition permit expiration inspection.
- 6/19/2024 - Expired Permit notice sent.
- 6/24/2024 - Dangerous Building Hearing Request sent to Commission.
- 7/8/2024 - Dangerous Building Public Hearing held at Commission.

Additional Information: The owner of the property, Philip H & Martha A Grotenhuis, has not had any interaction with our staff. The only interaction we have had with the owner is through Terry Tegtmeier, who has a contract for deed on this property. We spoke to Mr. Tegtmeier in late 2023 because of a complaint about the garage collapsing. Mr. Tegtmeier spoke to our staff about the garage and the duplex on the property. He asked if he could have until spring to remove the garage due to the contents and the need to remove and store those contents in a different location. We allowed him the time due to the fact that the structures were not inhabited but we did stipulate that if any additional complaints were received about the property we would need to take action sooner. We received a complaint in early 2024 about the property again. We again spoke to Mr. Tegtmeier about the complaint and informed him that he needed to remove the garage as soon as possible and that we needed to conduct an inspection of the entire property with interior access to all structures. After the inspection was done, which Mr. Tegtmeier was on site for, we informed him he will need a demolition permit for the garage and would need to get permits for the repair of the duplex structure. In mid-April 2024 the demolition permit was issued to Mr. Tegtmeier for the garage with the stipulation that the work needed to be complete within sixty (60) days. The work was not completed and the permit expired and was abandoned. With the lack of willingness of Mr. Tegtmeier to follow deadlines and make acceptable progress the decision was made to take this farther and hold the owners accountable for the property.

Memorandum

DATE: June 24, 2024
TO: Mayor Mahoney and Board of City Commissioners
FROM: Shawn Ouradnik, Inspections Director
SUBJECT: Dangerous Building Hearing Request for 1011 UNIVERSITY DR N FARGO ND

The property owner of 1011 UNIVERSITY DR N FARGO ND PHILIP H & MARTHA A GROTENHUIS REVOCABLE LIVING TRUST ETAL has failed to comply with the order to either obtain a permit to repair or remove the heavily damaged structure at that location within the time allowed for that removal. In accordance with Fargo Municipal Code Article 21-04, it will now be necessary for you to set a date for a hearing of this order at which time the property owner will be able to appear and show cause why the building should not be removed and the costs of that removal assessed against this property.

The recommendation is **to make a motion, in accordance with FMC Article 21-04, to set 5:15 pm Monday, July 8, 2024 as the time and date for the hearing regarding the dangerous building order for the structures at 1011 UNIVERSITY DR N FARGO ND 58102.**



INSPECTIONS

INSPECTIONS DEPARTMENT
Fargo City Hall
225 Fourth Street North
Fargo, ND 58102
Phone: 701.241.1561 | Fax: 701.476.6779
FargoND.gov

Notice of Dangerous Building Hearing – Order to Show Cause

Date: June 25, 2024

Location: 1011 UNIVERSITY DR N FARGO ND 58102
Property Owner: PHILIP H & MARTHA A GROTENHUIS RLT
Address of Property Owner: 16756 53RD ST SE KINDRED ND 58051-9605

Inspector: Bill Thompson
Date of Posting: 2/20/2024

Ordinance 21-0405 of the Fargo Municipal Code states:

The board of city commissioners shall:


A. Upon receipt of a report of the building inspector as provided for in § 21-0404, subsection (F) give written notice to the owner, occupant, mortgagee, lessee and all other persons having an interest in said building as shown by the records of the register of deeds of the county of Cass to appear before it on the date specified in the notice to show cause why the building or structure reported to be a “dangerous building: should not be repaired, vacated, or demolished in accordance with the statement of particulars set forth in the building inspector(s) notice provided for herein in § 21-0404, subsection (E).

B. Hold a hearing and hear such testimony as the building inspector or the owner, occupant, mortgagee, lessee or any other person having an interest in said building as shown by the records of the register of deeds of the county of Cass shall offer relative to the “dangerous building.”

A hearing regarding the dangerous building located at Address, Fargo, ND has been scheduled for, Monday, July 8, 2024 at 5:15 PM. The hearing will take place in the City Commission Chambers, located at 225 4th Street N., Fargo, ND 58102.

Any interested person or party is encouraged to attend.

Dated on this June, 25 2024.


Shawn Ouradnik
Inspections Director



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

March 19, 2024

Philip H. & Martha A. Grotenhuis, RLT
16756 53rd Street Southeast
Kindred, ND 58051-9605

c/d Terry L. & Linda S. Tegtmeier
1011 North University Drive
Fargo, ND 58102

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
BUILDING**
located at 1011 North University Drive

Dear Philip H. & Martha A. Grotenhuis, RLT and Terry L. & Linda S. Tegtmeier:

On February 20, 2024, 1011 North University Drive was posted as a "dangerous building" under Article 21-04 of the Fargo Municipal Code and Section 111.1.5 of the 2021 International Property Maintenance Code (IPMC). The Inspections Department has requested entry to the interior of the dangerous building to inspect and perform its duties under the provisions of the code on three several occasions, including by (1) language outlined in Section 11 of the Notice of Dangerous Building, dated February 20, 2024, (2) a phone conversation I had with Mr. Tegtmeier on February 20, 2024, and (3) a voicemail I left for Mr. Tegtmeier on March 8, 2024 that was not returned. To date, access has still not been granted to the interior of the dangerous building.

PLEASE BE ADVISED that if an interior inspection is not scheduled within **10 days of the date of this letter**, the Inspections Department will pursue all remedies provided by law to secure entry.

Any person having any record, title, or legal interest in the dangerous building described above has the right to appeal this Notice and Order within 20 days by completing and filing an appeal form with the Housing Inspections office. This letter constitutes a Notice and Order to the "owner(s)," as defined by the IPMC. To schedule an interior inspection or if you have any questions, please contact me at 701-476-6708.

Thank you for your prompt attention to this matter.

Sincerely,



Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

Sincerely,



Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov



Inspections Department
225 4th Street North
Fargo, ND 58102
(701) 241-1561

NOTICE OF DANGEROUS BUILDING

Date: 2/20/2024

Location: 1011 University Dr N

Property Owner: Philip H & Martha A Grotenhuis Rev Living Trust

Address of Property Owner: 16756 53rd St SE, Kindred ND 58051

Inspector: Bill Thompson

Date of Inspection: 2/1/24

YOU ARE HEREBY Given Notice of the following:

1. That this Notice is being given to you pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings.
2. That the building and detached garage with which this Notice is concerned is commonly known as 1011 University Dr. N, and is located on that tract of land in the City of Fargo, more particularly described as follows:
Hobson's subdivision, Block 10, Lot 3
(hereinafter referred to as "the building")
3. That an inspection was made of the building on 2/1/24 by Bill Thompson, Building Inspector.
4. That the building inspector for the City of Fargo has found the buildings, consisting of a 1918 two-story, wood-framed, former duplex structure and detached garage to be a Dangerous Building within the standards set forth in the Fargo Municipal Code, Article 21-04, Dangerous Buildings and the International Property Maintenance Code, Section 111.1.5 concerning Dangerous Structures.
5. These buildings has been found to be a dangerous building by the building inspector. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given the owner, occupant, lessee, or mortgagee of this building and all other persons having an interest in said building as shown by the records of the register of deeds

of the county of Cass. It is unlawful to remove this notice until such notice is complied with. Source: 1952 Rev. Ord. 21-0404.

6. That the owner of the buildings must demolish the buildings within 30 days from the date of this notice or obtain a permit to repair. To obtain a permit, see 'Conditions Found Statement' below.

7. That the buildings are unsafe and are dangerous buildings in the following respects: See 'Conditions Found Statement' below.

8. That the buildings constitutes a public nuisance under Article 21-04 of the Fargo Municipal Code concerning Dangerous Buildings, and the 2021 International Property Maintenance Code as adopted by reference in Chapter 31 of the Fargo Municipal Code.

9. That unless the buildings are demolished within the time period set forth herein, the City of Fargo will take such steps as are necessary to cause said buildings to be demolished pursuant to the Fargo Municipal Code and International Property Maintenance Code, and the owner will be assessed such costs as are provided for therein.

10. That the exterior yard and public sidewalk are required to be maintained at all times.

11. That entry to the interior of the buildings is requested by the code official. Please provide contact information for a local representative designated to grant access. If entry is refused, the code official shall have all recourse to the remedies provided by law to secure entry.

12. **Order for vacation of buildings.** The undersigned building official has determined that the buildings or structures must be vacated as required by Section 111.8 of the International Property Maintenance Code, 2021 edition. Therefore, it is hereby ordered that the buildings or structures shall be vacated immediately, and remain vacated, on this 20th day of February, 2024.

13. **Order to secure buildings.** The undersigned building official has determined that the buildings must remain secure. Therefore, it is hereby ordered that all means of entering the buildings remain secured to prevent unauthorized entrance this 20th day of February, 2024. **An inspector will continue to verify compliance.** Failure to keep the buildings secured will result in the City of Fargo hiring an independent contractor to secure the buildings. All expenses for securing the buildings will be assessed against the property.

14. **Application for Appeal.** Section 107.1 of the International Property Maintenance Code states that any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice or order was served. An application for appeal shall be based on the claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Dated this 20th day of February, 2024.

CONDITIONS FOUND STATEMENT

On 2/1/24, Building Inspector Bill Thompson, was present at 1011 University Dr N, Fargo, ND 58102 to address a complaint inspection. The following violations were found:

- Garage roof has collapsed, pressure has pushed the walls apart
- South lower house roof is deteriorated and covered with a tarp
- Areas of the house fascia and soffit are rotten/missing
- Broken windows.
- Exterior of house has areas of deteriorated trim and graffiti
- Signs of a squirrel infestation in roof and fascia
- Junk in rear yard
- House foundation has cracks and loose block
- Water usage stopped in 2009
- Electrical meters were removed in 2021

The following action must be taken:

- Provide engineering on all systems and obtain a permit to repair and make repairs by permit deadline -or-
- Demolish the structures within the deadline provided in this notice.

Bill Thompson
Building Inspector
wthompson@fargond.gov

Shawn Ouradnik
Building Official
souradnik@fargond.gov

Date Signed



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

March 19, 2024

Philip H. & Martha A. Grotenhuis, RLT
16756 53rd Street Southeast
Kindred, ND 58051-9605

c/d Terry L. & Linda S. Tegtmeier
1011 North University Drive
Fargo, ND 58102

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
BUILDING
located at 1011 North University Drive**

Dear Philip H. & Martha A. Grotenhuis, RLT and Terry L. & Linda S. Tegtmeier:

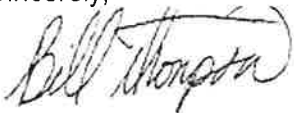
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PLEASE BE ADVISED that if an interior inspection is not scheduled within 10 days of the date of this letter, the Inspections Department will pursue all remedies provided by law to secure entry.

Any person having any record, title, or legal interest in the dangerous building described above has the right to appeal this Notice and Order within 20 days by completing and filing an appeal form with the Housing Inspections office. This letter constitutes a Notice and Order to the "owner(s)," as defined by the IPMC. To schedule an interior inspection or if you have any questions, please contact me at 701-476-6708.

Thank you for your prompt attention to this matter.

Sincerely,



Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

Sincerely,



Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

April 3, 2024

Philip H. & Martha A. Grotenhuis, RLT
16756 53rd Street Southeast
Kindred, ND 58051-9605

c/d Terry L. & Linda S. Tegtmeier
1011 North University Drive
Fargo, ND 58102

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
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Thank you for your prompt attention to this matter.

Sincerely,



Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

Sincerely,



Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov



City of Fargo
 Inspections Department
 225 4th Street N, Fargo, ND 58102
 701.241.1561
www.FargoND.gov

Demolition Permit

Permit Type:	Demolition	Permit Number:	2404-0509-DEM
Address:	1011 University Dr N	Establishment:	
Parcel Number:	01-0440-01780-000	Date Issued:	4/17/2024
Construction Value:		Total Area (ft²):	
Special Flood Hazard:	No	Flood Protection Elevation:	
Occupancy Group:		Type of Construction:	

Description of Work:

* This detached garage is posted as a dangerous building due to this action this permit will be void 60 days after issuance if work is not complete*. Demolish and remove existing detached 2 stall garage. All debris and contents are to be removed.

Applicant:	C/D Tegtmeier, Terry L & Linda S & W/D Philip H & Martha A Grotenhuis Rev Living Trust
Parcel Owner:	Philip H & Martha A Grotenhuis RLT
Lead Staff Assigned:	Jacob Bodensteiner
Contractor:	

Total Permit Fees: 50.0000

Conditions:

1. None

It is the responsibility of the permit holder to verify the existence of any covenants or easements on this property. Special Flood Hazard Permits shall be constructed in accordance to the Flood Proofing Code of the City of Fargo. Issuance of this permit shall not imply approval for any future work not identified on this permit or permit application. All work to comply with all applicable requirements of the City of Fargo including the 2018 Fargo Building Code.

Approved By: Hanna Andersen

***Note: This permit becomes void if construction is not begun, is suspended or abandoned within 180 days at any time after work is commenced.

Building Permit Acknowledgments

1. I understand and certify that issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

2. Through application for and acceptance of this building permit the permit applicant/holder/owner understands and agrees that the City will conduct periodic observations of construction, but that such observation or review of plans and/or construction does not constitute either explicit or implied certification that the plans and/or construction comply with City Codes or any other applicable requirements. The permit applicant/holder/owner at all times remains responsible for ensuring that the construction, plans, and specifications comply with all requirements of all City Codes and other applicable requirements. The City will not provide continuous on-site observation of construction, and disclaims any responsibility for defects in materials or workmanship.

3. The City encourages and recommends the permit applicant/holder/owner hire a private, on-site inspector or other professional as the applicant/holder/owner deems necessary in order to ensure that all aspects of the plans and/or construction comply with applicable codes and all other requirements.

AS PERMIT APPLICANT, I ACKNOWLEDGE THAT I HAVE BEEN MADE AWARE OF THE ABOVE STATEMENTS AND CONDITIONS

APPLICANT
SIGNATURE:

DATE:

Required Commercial Inspections

Request inspections via our on-line portal: permits.fargond.gov

<p><u>BUILDING INSPECTIONS:</u> 241-1561</p> <p>A separate plan review may be required.</p> <p>Footing inspection - Call when footing forms and reinforcing are in place but prior to the placement of any concrete.</p> <p>Foundation wall inspection - Call when wall forms are complete and all reinforcing is in place but prior to the placement of any concrete.</p> <p>Concrete slab inspection - Call when forms and reinforcing are in place but prior to the placement of any concrete.</p> <p>Framing (intermediate) inspection - Call when structural components are complete and prior to concealing with insulation or finishes. NOTE: This inspection may not be called for until required electrical, plumbing and mechanical inspections have been complete and work approved.</p> <p>Energy/Insulation inspection - See table on the back of this form for requirements.</p> <p>Shear wall - For wood frame, 3 story buildings - Call when shear walls are complete, including required sheathing.</p> <p>Lath and/or gypsum wallboard inspection - Call when gypsum/wallboard is installed but prior to the application of joint and fastener treatments.</p> <p>Final inspection - Call when project is complete but prior to occupying the structure if new construction.</p> <p><u>MECHANICAL INSPECTIONS:</u> 241-1564</p> <p>A separate mechanical permit is required.</p> <p>Gas line inspection - When gas line air pressure test has been begun and is holding at test pressure.</p> <p>Final mechanical inspection - When all mechanical equipment including all venting and ductwork has been installed and prior to concealing any venting or ductwork.</p>	<p><u>ELECTRICAL INSPECTIONS:</u> 241-1565</p> <p>A separate electrical permit is required.</p> <p>Temporary service - Call when temporary service and support pole have been installed.</p> <p>Permanent service - Call when electrical panel is installed.</p> <p>Rough-in inspection - Call when electrical wiring is completed but prior to covering wiring with either insulation or finishes.</p> <p>Final Electrical inspection – Call when the electrical portion of the project is complete.</p> <p><u>PLUMBING INSPECTIONS:</u> 241-1560</p> <p>A separate plumbing permit is required.</p> <p>Sewer inspection - Call when new or replacement sewer is installed.</p> <p>Ground work inspection - Call when below floor plumbing lines are installed and pressure test is on.</p> <p>Waste and vent inspection - Call when all plumbing drains and vents have been installed and pressure test is on but prior to concealing any piping with insulation or sheetrock.</p> <p>Final Plumbing inspection – Call when all fixtures are installed and the project is complete.</p> <p><u>ZONING INSPECTIONS:</u> 241-1561</p> <p>A separate Land Development Code review may be required.</p> <p>Site Inspection – Call when all required landscaping has been completed.</p>
---	--

NOTE: While this list represents the "required" inspections, inspectors will make additional inspections at the request of the permit holder if questions arise which necessitate an on-site visit. Failure by the permit holder to make sure that all required inspections are complete may result in the withholding of the Certificate of Occupancy for the project. This could complicate financing, refinancing, or resale of your property.

TABLE 402.1.3
BUILDING ENVELOPE REQUIREMENTS – OPAQUE ASSEMBLIES
Climate Zone 6A for Cass County, North Dakota

	All Other	Group R
Roofs		
Insulation entirely above deck	R-35ci	R-30ci
Metal Buildings (with R-5 thermal blocks ^{a, b})	R-30 + R-11 LS	R-30 + R-11 LS
Attic and other	R-49	R-49
Walls, Above Grade		
Mass	R-15.2ci	R-15.2ci
Metal Building ^b	R-13 + R-13ci	R-13 + R-14ci
Metal Framed	R-13 + R-7.5ci	R-13 + R-12.5ci
Wood framed and other	R13 + R7.5ci or R-20+R-3.8ci	R13 + R7.5ci or R-20 + R-3.8ci
Walls, Below Grade		
Below grade wall ^d	R-10ci	R-15ci
Floors		
Mass	R-15ci	R-16.7ci
Joist/Framing (steel/wood)	R30 f	R-38
Slab-on-Grade Floors		
Unheated slabs	R-15 for 24 in. below	R-20 for 24 in. below
Heated slabs	R-20 for 24 in. below	R-20 for 48 in. below

For SI: 1 inch=25.4 mm. ci = continuous insulation. NR = No Requirement, LS = Liner system

a. Assembly descriptions can be found in ANSI/ASHRAE/IESNA Appendix A

b. When using R-value compliance method, a thermal spacer block is required, otherwise use the U-factor compliance method. [see Tables 502.1.2 and 5402.2(2)]

c. R-5.7 ci is allowed to be substituted with concrete block walls complying with ASTM C 90, ungrouted or partially grouted at 32 inches or less on center vertically and 48 inches or less on center horizontally, with ungrouted cores filled with material having a maximum thermal conductivity of 0.44 Btu-in./hr · ft² · °F

d. When heated slabs are placed below grade, below-grade walls must meet the exterior insulation requirements for perimeter insulation according to the heated slab-on-grade construction

e. "mass floors" shall include floors weighing not less than:

1. 35 pounds per square foot of the floor surface area; or
2. 25 pounds per square foot of floor surface area where the material weight is not more than 120 pounds per cubic foot.

Required Residential Inspections

Request inspections via our on-line portal: permits.fargond.gov

BUILDING INSPECTIONS: 241-1561

Footing inspection - Call when footing forms and reinforcing are in place but prior to the placement of any concrete.

Foundation wall inspection - Call when wall forms are complete and all reinforcing is in place but prior to the placement of any concrete.

Waterproofing – Must be called in prior to backfill

Drain Tile – Must be called in prior to backfill, may be done at the same time as the waterproofing inspection.

Floodproofing Inspections –

- **Basement Floor** - Call when forms, vapor barrier, and reinforcing are in place but prior to the placement of any concrete.
- **Floor bracing inspection** – Call when floor truss/joist bracing has been installed but before the wall sheathing around the rim is in place.
- **Concrete slab inspection** - Call when forms and reinforcing are in place but prior to the placement of any concrete.

Framing (intermediate) inspection - Call when framing components are complete and prior to concealing with insulation or finishes.

NOTE: *This inspection may not be called for until required electrical, plumbing and mechanical inspections have been complete and work approved.*

Portal/wall bracing inspection – When any required blocking and fasteners are installed but before house wrap is in place.

Insulation inspection - See table on the back of this form for requirements (Climate Zone 7 and 8).

Final inspection - Call when project is complete but prior to occupying the structure if new construction.

MECHANICAL INSPECTIONS: 476-6702

A separate mechanical permit is required.

Gas line inspection - When gas line air pressure test has been begun and is holding at test pressure.

Final mechanical inspection - When all mechanical equipment including all venting and ductwork has been installed and prior to concealing any venting or ductwork.

ELECTRICAL INSPECTIONS: 476-6626

A separate electrical permit is required.

Temporary service - Call when temporary service and support pole have been installed.

Permanent service - Call when electrical panel is installed.

Rough-in inspection - Call when electrical wiring is completed but prior to covering wiring with either insulation or finishes.

Final Electrical inspection – Call when the electrical portion of the project is complete.

PLUMBING INSPECTIONS: 241-1560

A separate plumbing permit is required.

Sewer inspection - Call when new or replacement sewer is installed.

Ground work inspection - Call when below floor plumbing lines are installed and pressure test is on.

Waste and vent inspection - Call when all plumbing drains and vents have been installed and pressure test is on but prior to concealing any piping with insulation or sheetrock.

Final Plumbing inspection - Call when all fixtures are installed and the project is complete

NOTE: While this list represents the “required” inspections, inspectors will make additional inspections at the request of the permit holder if questions arise which necessitate an on-site visit. Failure by the permit holder to make sure that all required inspections are complete may result in the withholding of the Certificate of Occupancy for the project. This could complicate financing, refinancing, or resale of your property.

TABLE N1102.1
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT^a

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^k	FLOOR R-VALUE	BASEMENT ^c WALL R-VALUE	SLAB ^d R-VALUE AND DEPTH	CRAWL SPACE ^e WALL R-VALUE
1	1.2	0.75	0.35 ^f	30	13	3/4	13	0	0	0
2	0.65 ^f	0.75	0.35 ^f	30	13	4/6	13	0	0	0
3	0.50 ^f	0.65	0.35 ^{e,j}	30	13	5/8	19	5/13 ^f	0	5ci or 13
4 except Marine	0.35	0.60	NR	38	13	5/10	19	10/13	10ci, 2 ft.	10ci or 13
5 and Marine 4	0.35	0.60	NR	38	20 or 13 + 5 ^h	13/17	30 ^f	10/13	10ci, 2 ft.	15ci or 19
6	0.32	0.60	NR	49	21 or 13 + 5ci ^h	15/19	30 ^g	10ci or 15	10ci, 4 ft.	10ci or 13
7 and 8	0.30	0.55	NR	60	20+5 c.i.	19/21	38	15ci or 19	10ci, 4 ft.	15ci or 19

a. *R*-values are minimums. *U*-factors and solar heat gain coefficient (SHGC) are maximums. R-19 batts compressed in to nominal 2"x6" framing cavity such that the *R*-value is reduced by R-1 or more shall be marked with the compressed batt *R*-value in addition to the full thickness *R*-value.

b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

c. The first *R*-value applies to continuous insulation, the second to framing cavity insulation; either insulation meets the requirement.

d. R-5 shall be added to the required slab edge *R*-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.

e. There are no SHGC requirements in the Marine Zone.

f. Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.2 and Table N1101.2.

g. Or insulation sufficient to fill the framing cavity, R-19 minimum.

h. "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25% or less of the exterior, R-5 sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25% of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.

i. For impact-rated fenestration complying with Section R301.2.1.2, the maximum *U*-factor shall be 0.75 in zone 2 and 0.65 in zone 3.

j. For impact-resistant fenestration complying with Section R301.2.1.2 of the *International Residential Code*, the maximum SHGC shall be 0.40.

k. The second *R*-value applies when more than half the insulation is on the interior.



INSPECTIONS DIVISION INSPECTION SIGN-OFF CARD

ADDRESS 1011 University Dr N PERMIT 2404-0509-DEM

****NO WORK ON ANY FLOOR MAY BE COVERED UNTIL ALL SIGNATURES FOR THAT FLOOR APPEAR ON THIS CARD.
THIS CARD MUST BE POSTED IN THE ELECTRIC PANEL ROOM OF THE LOWEST FLOOR OF EACH BUILDING.

	Lower Level	1 st Floor	2 nd Floor	3 rd Floor	Final
Plumbing	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	_____ Completed
Electrical	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	_____ Completed
Mechanical (HVAC)	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	_____ Completed

ABOVE MUST BE SIGNED PRIOR TO FRAMING INSPECTION FOR EACH FLOOR

Framing	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	_____ Completed
Energy	Comments: _____ _____ Completed	Comments: _____ _____ Completed	Comments: _____ _____ Completed	_____ Completed



City of Fargo
 Inspections
 225 4th St N, Fargo, ND 58102
 701.241.1561
www.FargoND.gov

RECEIPT

Receipt Number: 24-02209

Associated Location: 1011 University Dr N

Payment Date: 4/17/2024

Payment Amount: \$50.00

Payment Method: Check #5223

Payer Name: C/D Tegtmeier, Terry L & Linda S & W/D Philip H & Martha A
 Grotenhuis Rev Living Trust

Payer Address: 16756 53 St SE, KINDRED, ND 58051

Cashier Name: Hanna Andersen

type	description	revenue code	amount
Permit 2404-0509-DEM (DEM-2FRD)	Demolition	10100003221005	\$50.00
Total Amount			\$50.00
Total Amount Paid			\$50.00

Hopkins

ver

lumber

mit

Exten. to house.

13th St. No.

Conc. Curb

8.5'
Corn. Down 7'

57.5'

See Conc. Curb Conn. Record

Conc. Walk.

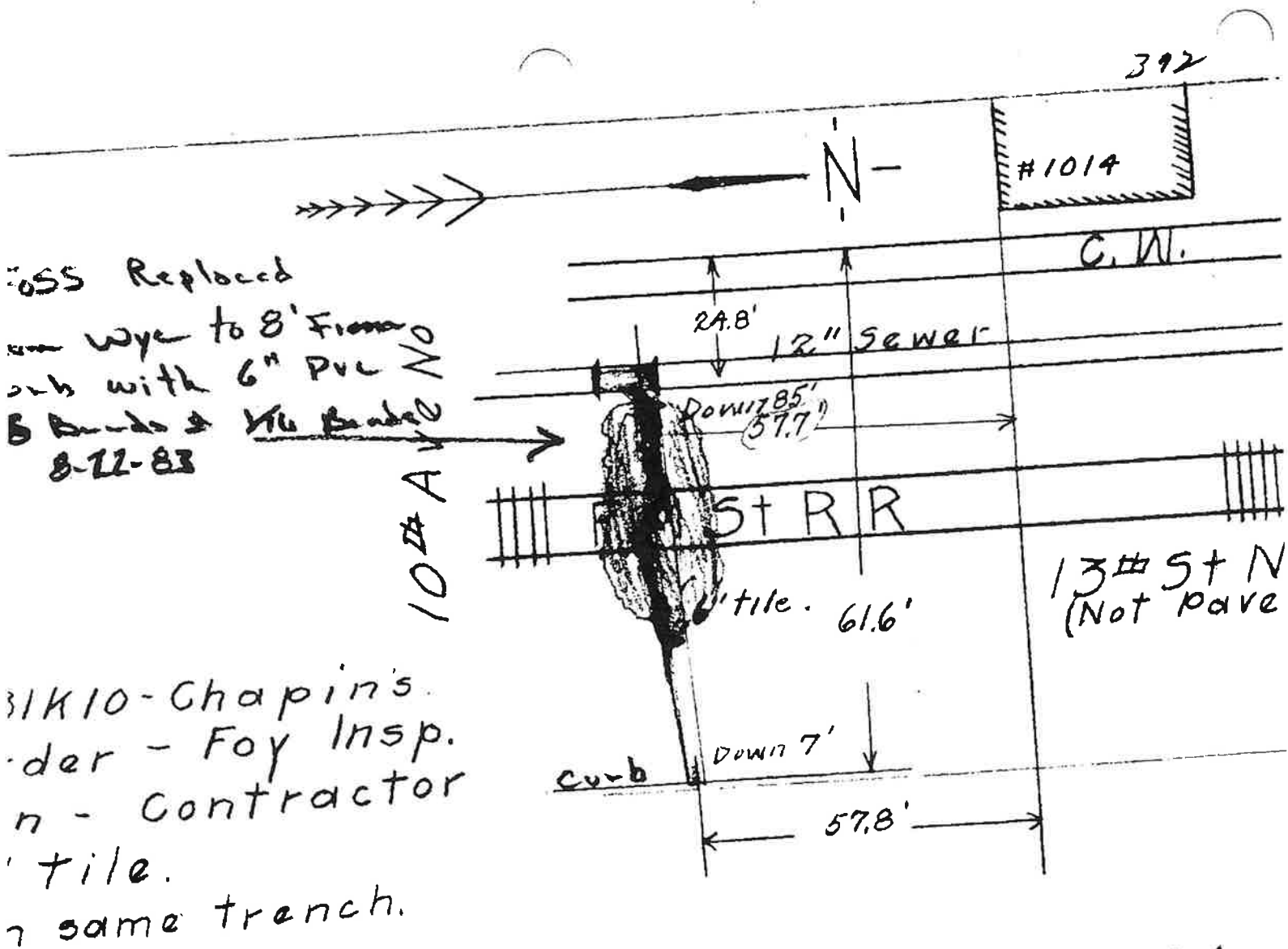
6" Tile
to House

Board
Walk.

Frame House
#1011

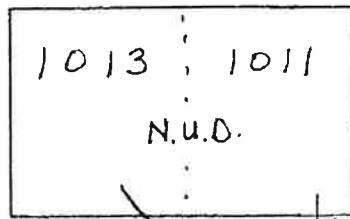
Conc. Found.
#1015

Lot 3 Blk 10 ; Add. Hopkins
Chapin

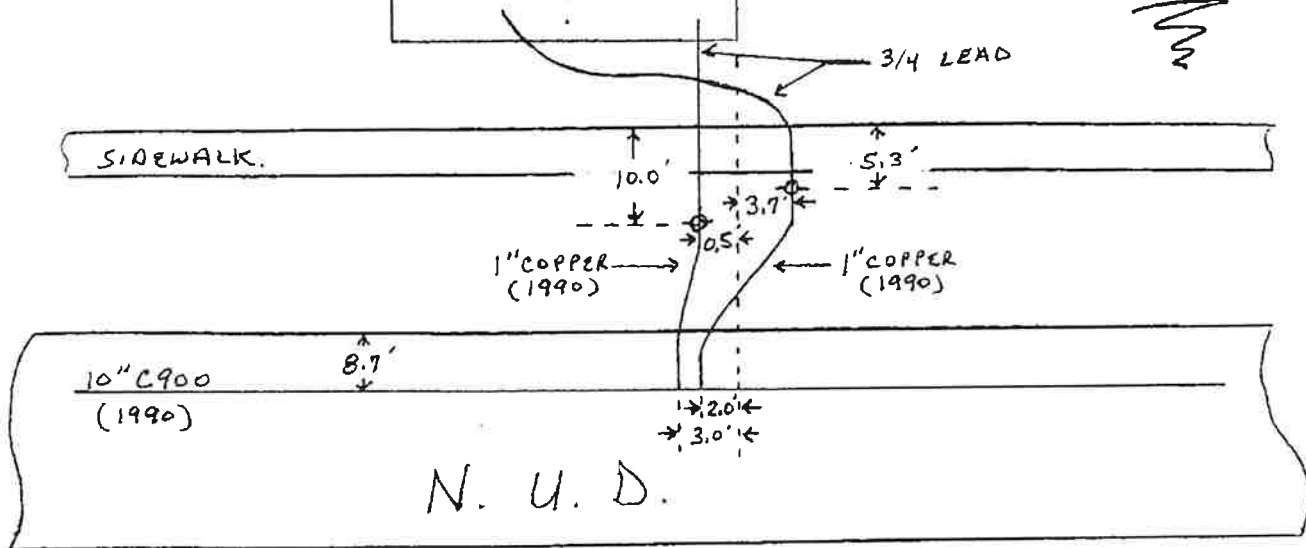


Lot 3 Blk. 10 Add. Hobso. Chap.

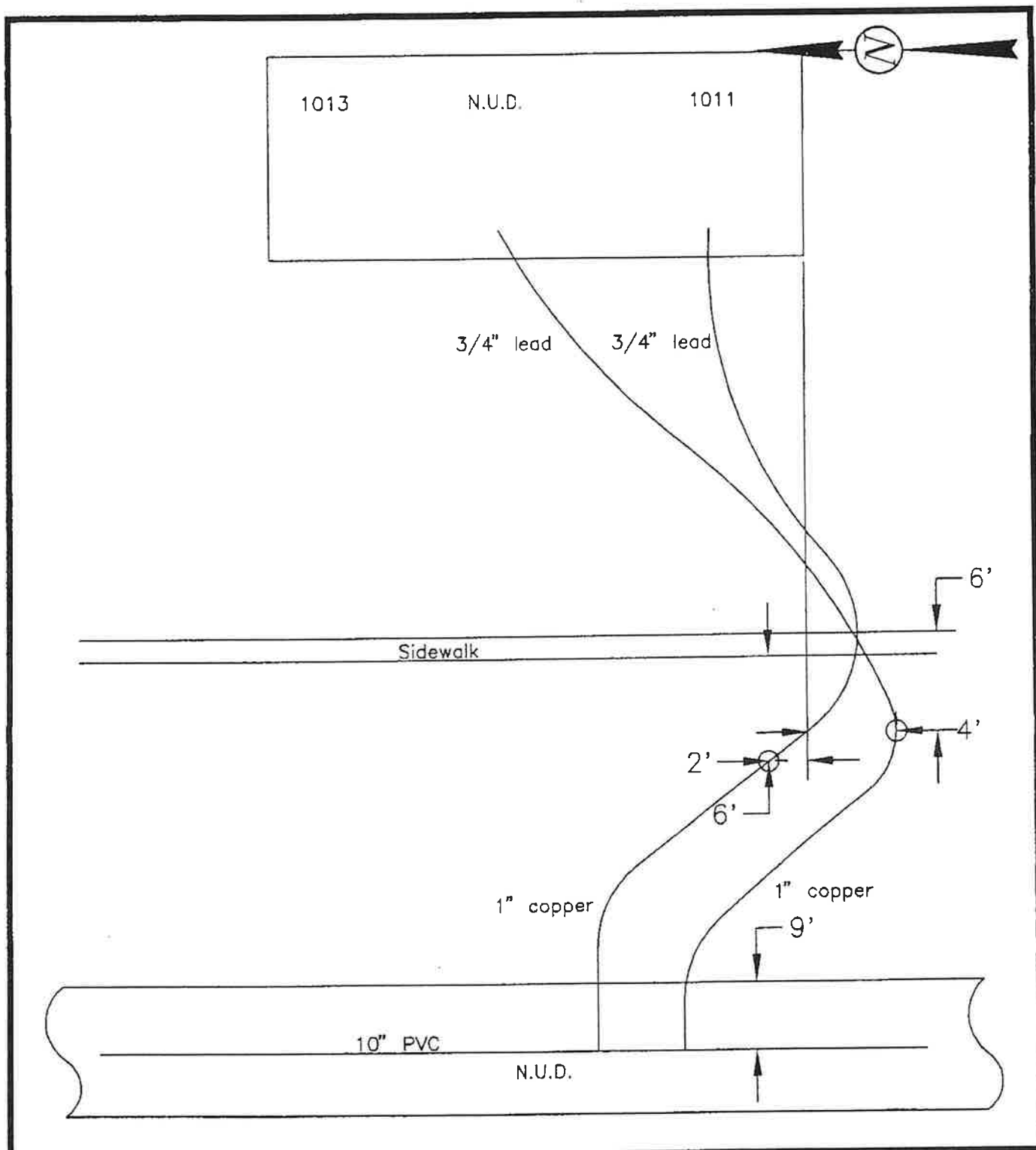
R.D.H.



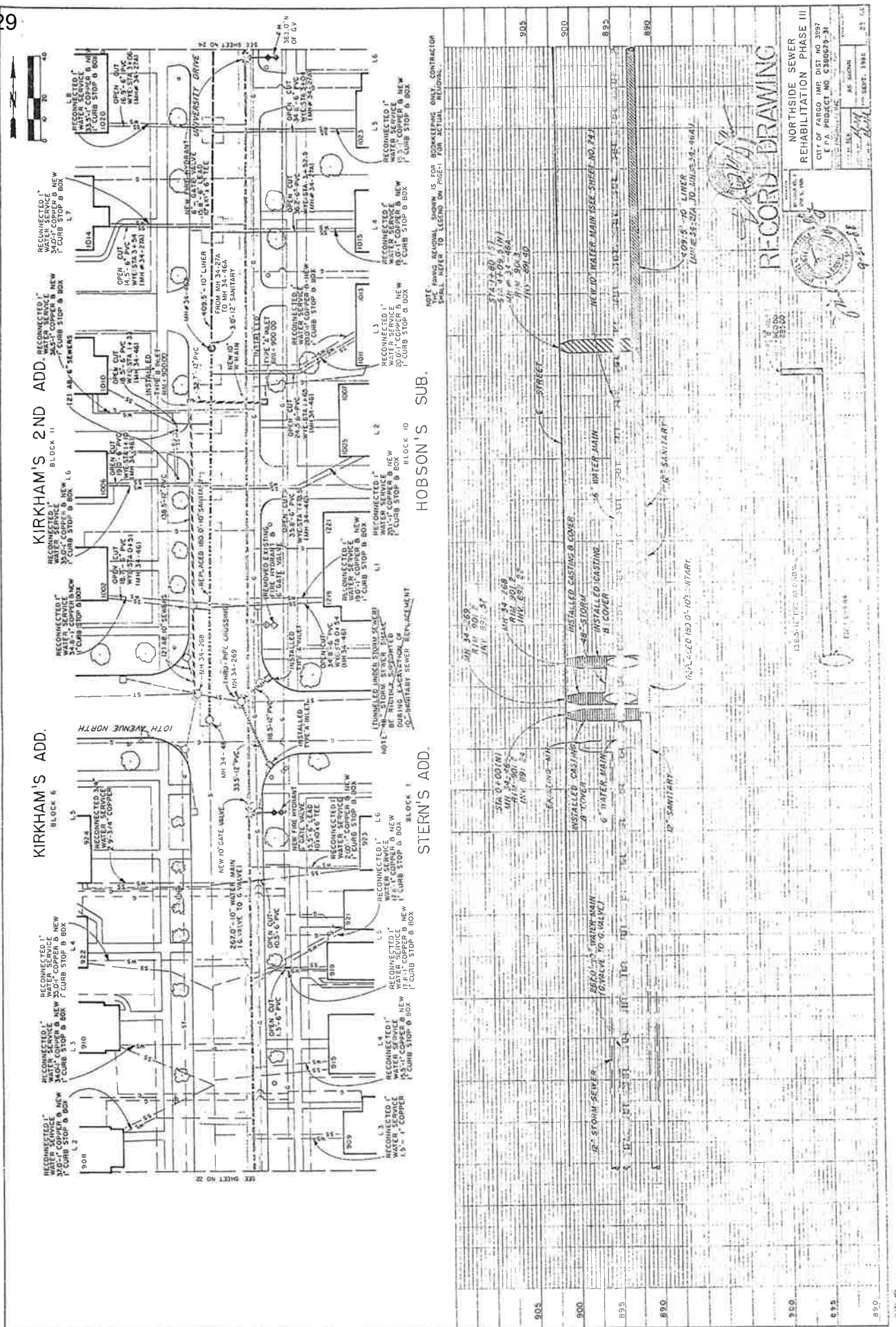
(2) C.S. + B.
(2) 20.0' COPPER 1"
(MAIN TO BOX)
1990



L: 3 B: 10 ADD: CHAPINS



PERMIT NO: -----
 DATE: 9/7/94
 OWNER:
 PLUMBER: Water Dept.
 BY: Solis
 LOT: 3 BLOCK: 10 ADDITION: Chapins





Inspections Department
225 4th Street North
Fargo, ND 58102
(701) 241-1561

Expired Permit Notice

Wednesday, June 19, 2024

C/D Tegtmeier, Terry L & Linda S & W/D Philip H & Martha A Grotenhuis RL
Philip H & Martha A Grotenhuis Rev Living
Trust
16756 53 St SE
KINDRED, ND 58051

1502 16TH ST S
Fargo, ND 58103

RE: 1011 University Dr N, Permit 2404-0509-DEM (detached garage demolition)

This is to remind you that Article #21-01 of the City of Fargo Municipal Code adopts the International Residential Code as the city code. Due to existing violations on this property the demolition permit expired 60 days from issuance if the work was not complete

This permit will then be voided and filed as though the work was never completed.

Expired permits may affect insurance coverage and future deed transfers. A new permit will be required to complete any work originally covered by this permit. If you have any questions, **please call 701.241.1561.**

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Thompson", is written over a horizontal line.

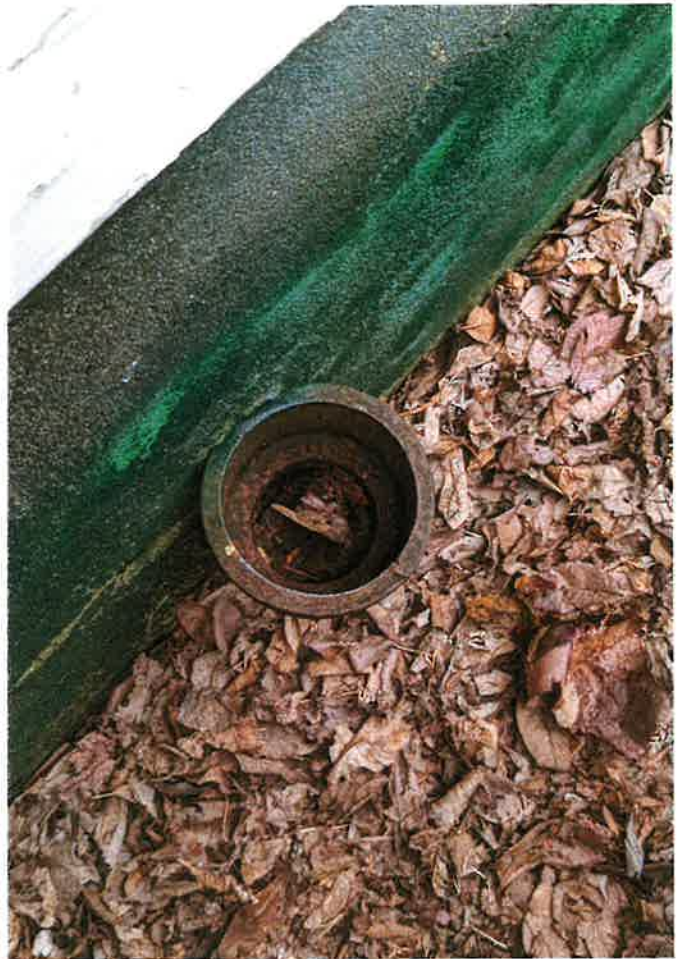
Bill Thompson
Building Inspector II



















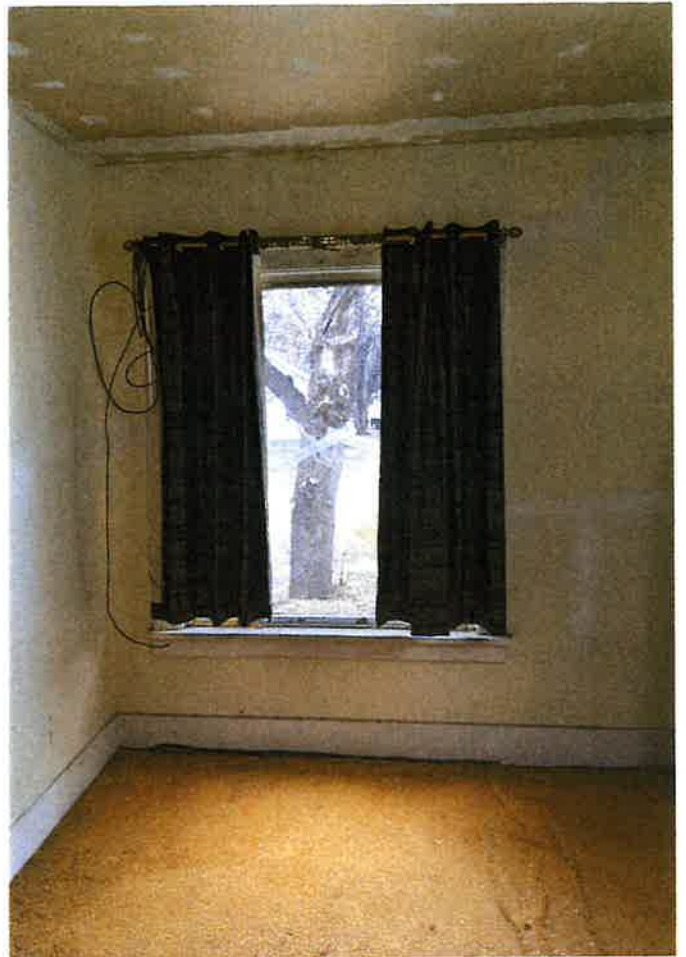








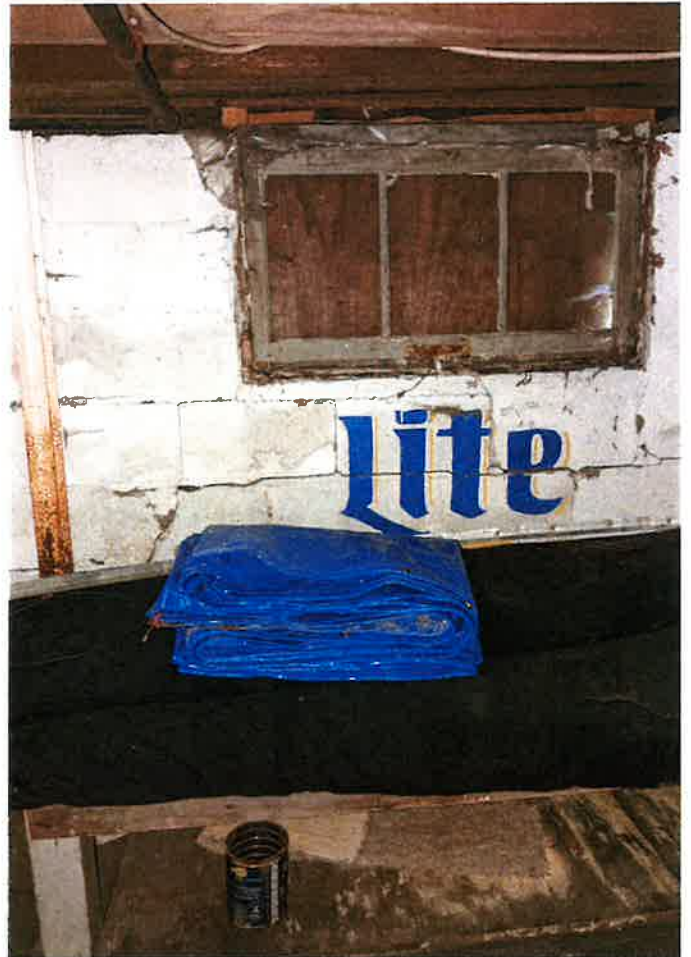












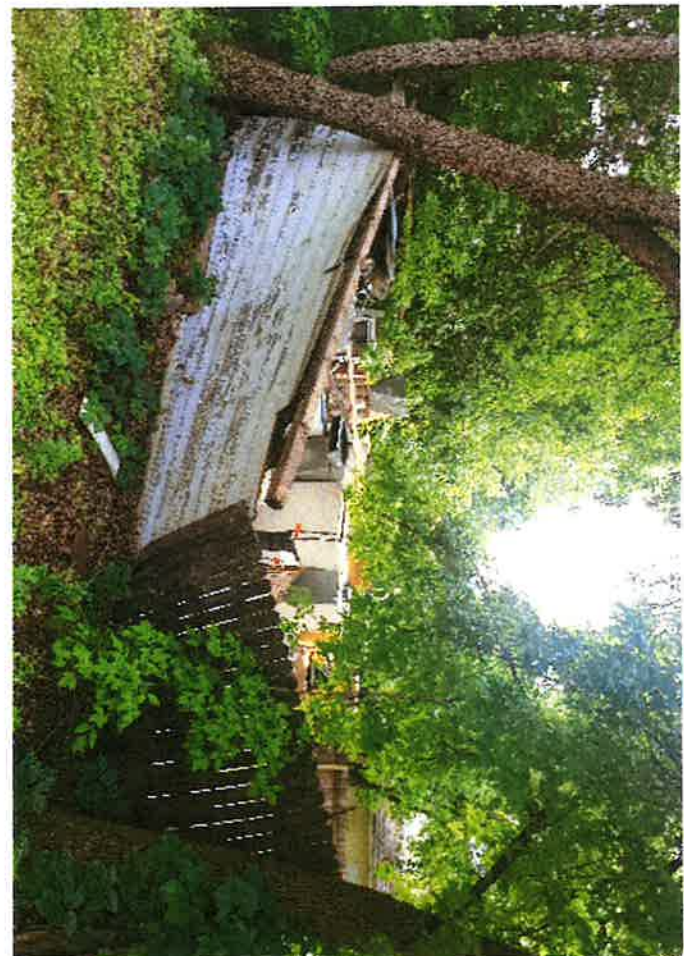


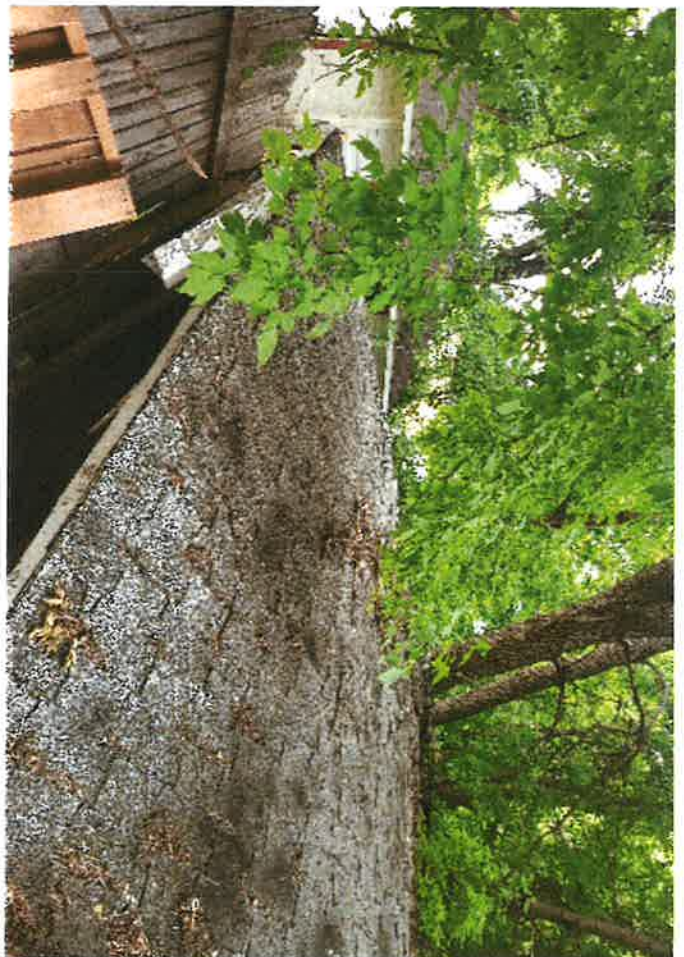








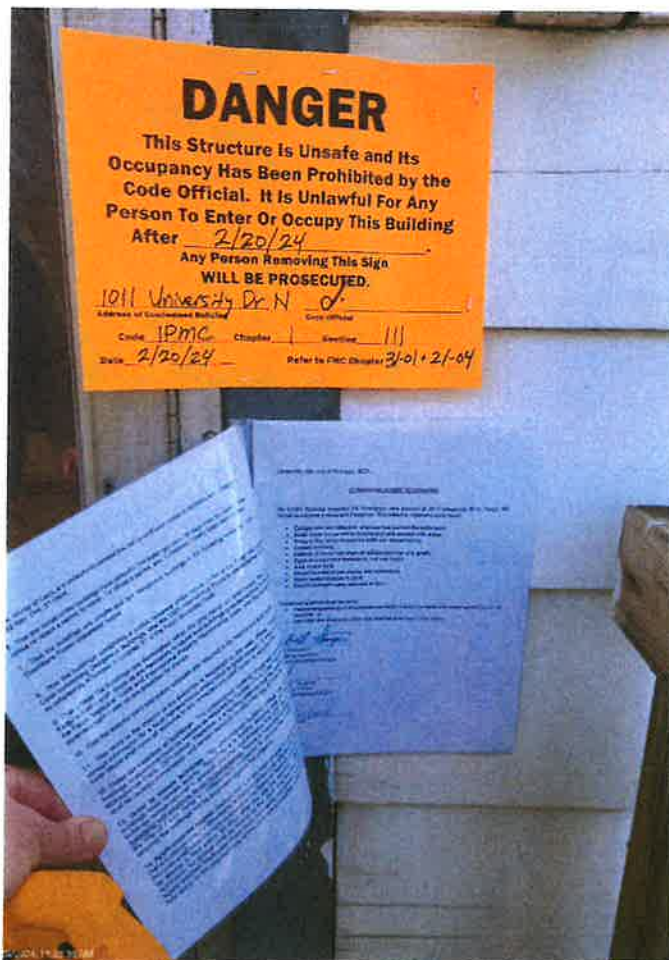


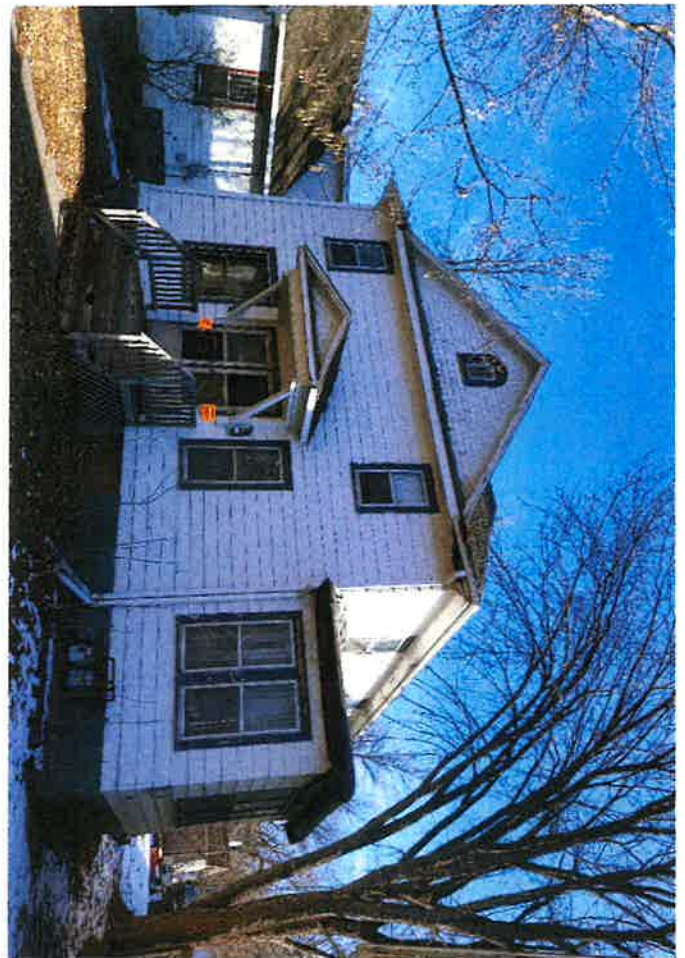


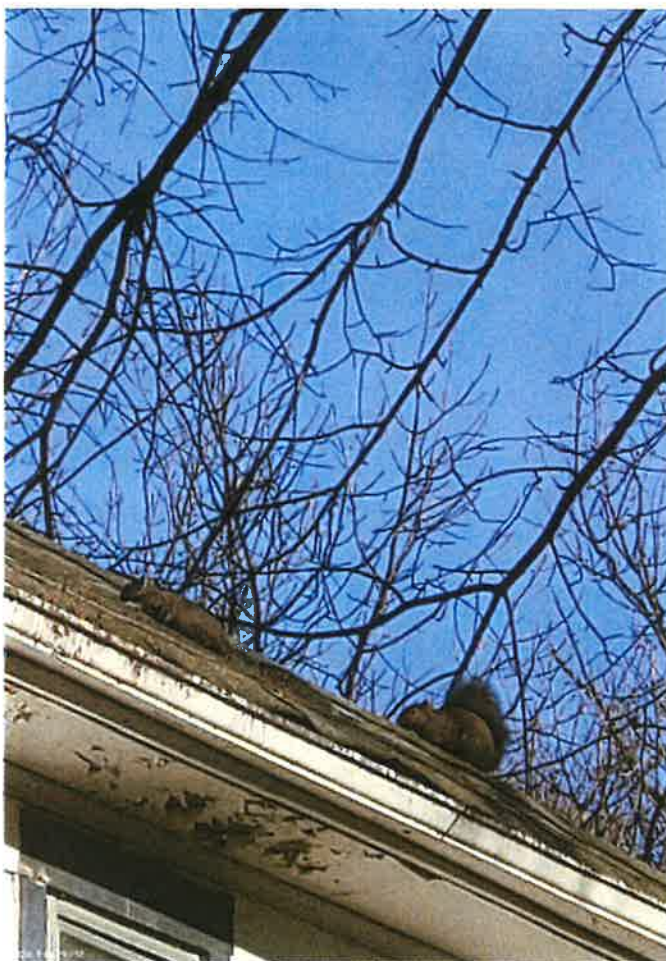






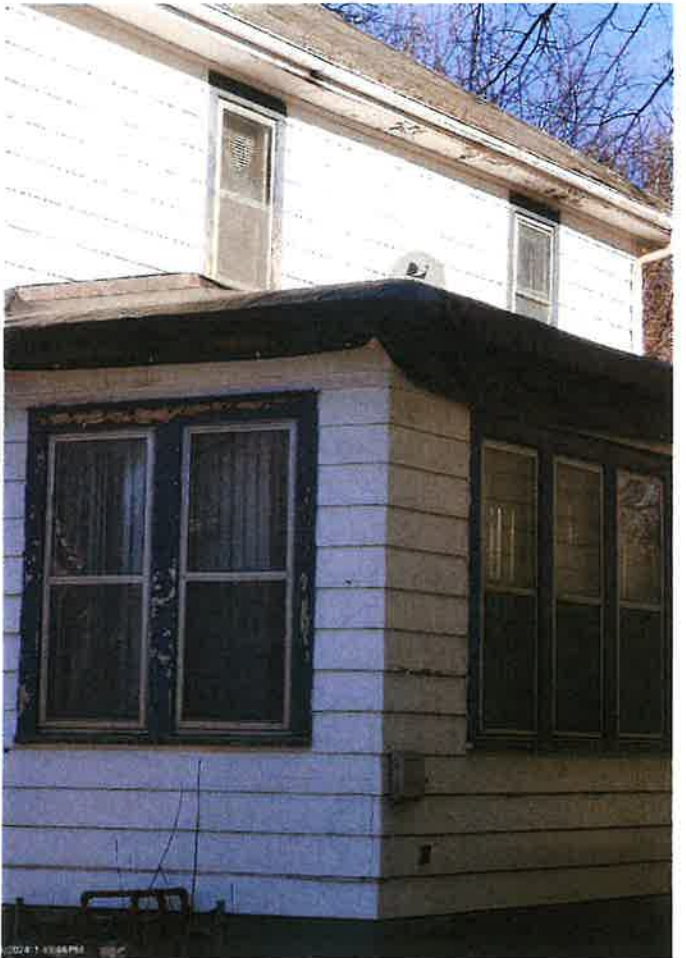




















Shawn Ouradnik

From: Alissa Farol <afarol@serklandlaw.com>
Sent: Tuesday, January 30, 2024 3:58 PM
To: Shawn Ouradnik; Bill Thompson
Subject: 1011-1013 N. Univ. Dr. (Tegtmeier/Grotenhuis) - Ownership
Attachments: Tegtmeier Short Summary_08-15-2018.docx; Tegtmeier Detailed Summary_08-15-2018.docx

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi Shawn and Bill,

I did some digging and according to the chain of title, the legal property owner is the Philip H. and Martha A. Grotenhuis Revocable Living Trust, subject to a contract for deed in favor of Terry L. and Linda S. Tegtmeier. On July 31, 1998, a contract for deed was executed from the Grotenhuises to the Telgemeier's. Then on January 19, 2016, the Grotenhuises quit claim deeded the property to their revocable living trust. Nothing further has been recorded against the property since the quit claim deed in 2016. This is almost the exact same situation as we experienced with 703 10th Avenue North.

I looked back at our files, and I've attached a "detailed" and "shortened" summary that I drafted for the commissioners back in 2018 regarding ownership. It's pretty spot on with this current situation. I also recall Jonathan Garaas sending me a long letter in support of Terry, claiming that he is the "true owner" of the property. I am not concerned with a repeat of this issue, but I'll be ready if it comes.

Thanks,

Alissa

Alissa R. Farol Czapiewski

Assistant City Attorney – Fargo, ND

SERKLAND LAW FIRM

10 Roberts Street North

Fargo, ND 58102-4982

P: 701.232.8957

F: 701.237.4049

www.serklandlaw.com

afarol@serklandlaw.com



SERKLAND

LAW FIRM

IRS CIRCULAR 230 NOTICE: Any tax advice contained in this email was not intended to be used, and cannot be used, by you (or any other taxpayer) to avoid penalties under the Internal Revenue Code of 1986, as amended. PRIVILEGED AND CONFIDENTIAL: This message contains confidential information and may be subject to protection by the laws or terms of applicable confidentiality agreements, and is intended only for the message recipient(s). If you are not the intended recipient you are hereby notified that any dissemination, distribution, or copying of this email is strictly prohibited and may be subject to legal restriction or sanction. If you are not the intended recipient indicated in this message (or responsible for delivery of the message to such person), notify sender at Serkland Law Firm immediately and delete this e-mail from your system.

703 10th Avenue North, Fargo, ND 58103

The property is owned by the Grotenhuis Trust, subject to a contract for deed in favor of Tegtmeier. By law, the Grotenhuis Trust is the “owner” that is served with the administrative search warrant. The warrant was issued and executed on July 25th based on probable cause that the property was a “dangerous building.” The warrant was personally served on trustee and owner Philip H. Grotenhuis. After service, and as a courtesy, Inspector Bill Thompson phoned Terry Tegtmeier to inform him of the interior inspection and mailed him a copy of the warrant.

Tegtmeier argues that he is the true owner of this property and the warrant was improperly served upon him prior to the search. This is false. The owner of a property, under the law, is (1) anyone having a legal interest or equitable interest in the property; (2) recorded in the official records of the state, county, or municipality as holding an interest or title to the property; or (3) otherwise having possession of the property. According to the chain of title, City Assessor’s information, and Cass County property tax records, the Grotenhuis Trust is the legal owner of the property, and thus was the proper entity upon which to serve the warrant.

703 10TH Avenue North, Fargo, ND 58103

Owned by Philip H. and Martha A. Grotenhuis, trustees of the Philip H. Grotenhuis Revocable Living Trust, subject to contract for deed in favor of Terry L. and Linda S. Tegtmeier.

I. Background Information on the Property.

- 09/03/2002: Water disconnected.
- 10/05/2010: Electricity disconnected.
- 11/04/2017: Gas line cut & capped; gas meter removed.
- 10/03/2017: Fargo One complaint that building was abandoned, broken out windows, overgrown yard. Inspection showed (1) collapsing chimney that was losing bricks, (2) large hole on east side of roof, (3) large amount of overgrowth, (4) unsecured home, (5) missing windows, which were not boarded or secured, and (6) backhoe in rear yard.
- 11/24/2017: Re-inspection of property. Re-inspection showed: (1) backhoe removed, (2) windows boarded, and (3) roof had temporary repair.
- 03/20/2018: Another complaint on property. Inspection found (1) Three trailers in back yard, (2) broken window on north side of property, and (3) storm window stuck open.
 - Between the 10/03/2017 and 03/20/2018 complaints, Inspections received multiple calls/complaints on property. This also included tall grass and snow removal complaints.
- 04/23/2018: Inspections posted dangerous building placard on front and rear door of property. The rear entry was unsecured.
- 04/25/2018: The placard was removed, so Inspections reposted the placard.

II. Administrative Search Warrant.

- 07/25/2018 at 8:16 am: Judge Marquart signed the administrative search warrant and administered an oath to Inspector Bill Thompson (“Thompson”) regarding his affidavit in the application for an administrative search warrant.
- 1:00 pm: The administrative search warrant was executed on the property.

III. Service of Process.

- 07/25/2018 at 10:35 am: Thompson personally served Phillip Grotenhuis (“Grotenhuis”) with the administrative search warrant at his home at 1502 16th St. S., Fargo, ND 58103.
- Immediately thereafter: Thompson called Terry Tegtmeier (“Tegtmeier”) as a courtesy to let him know about the execution of the warrant. This was around 10:35-10:45 am. Thompson also informed him that he was mail him a copy of the warrant. Thompson “logged” the personal service to Grotenhuis and mailing of the warrant to Tegtmeier in their IFR Inspections Record at 10:50 am.

IV. The Law.

- **N.D.C.C. § 29-29.1-04 (Service of Administrative Search Warrants):**
 - Any warrant issued under this chapter for a search or inspection is valid for only twenty-four hours after its issuance, must be personally served upon an owner or possessor of the property, or upon any person present on the premises if an owner or possessor cannot reasonably be found between the hours of 8:00 am and 8:00 pm, and must be returned within forty-eight hours.
- **IBC (International Building Code) § 116.3 (Notice):**
 - If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time.
- **IBC § 116.4 (Method of Service):**
 - Such notice shall be deemed properly served if a copy thereof is
 - (a) delivered to the owner personally;
 - (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or
 - (c) delivered in any other manner prescribed by local law.If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.
- **IBC Chapter 2 Definitions (Definition of "Owner"):**
 - Any person, agent, operator, entity, firm or corporation having any legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding an interest or title to the property; or otherwise having possession or control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

V. **“Owner” of the Property.**

- Chain of Title from North Dakota Recordors Information Network:
 - 06/28/1999: *Warranty deed* from Grantor Philip H. & Martha A. Grotenhuis to Grantee Philip H. Grotenhuis.
 - 07/18/2000: *Contract for deed* from Philip H. & Martha A. Grotenhuis to Grantee Terry L. & Linda S. Tegtemeier.
 - 02/26/2016: *Quit claim deed* from Grantor Philip H. & Martha A. Grotenhuis to Grantee Philip H. Grotenhuis & Martha A. Grotenhuis Revocable Living Trust.
- City Assessor’s Information: lists ownership information as
“C/D [contract for deed] Tegtemeier, Terry L & Linda S.
W/D [warranty deed] Philip H & Martha A Grotenhuis Rev Living Trust.”
- Cass County Property Tax Records: lists owner as “Philip H & Martha A Grotenhuis Revocable Living Trust Etal.”

City of Fargo
225 4th St N
Fargo ND 58102

USPS CERTIFIED MAIL



9214 8901 9403 8349 6557 03

PHILIP AND MARTHA GROTENHUIS
16756 53RD ST SE
KINDRED ND 58051-9605



Inspections Department
225 4th Street North
Fargo, ND 58102
(701) 241-1561

NOTICE OF DANGEROUS BUILDING

Date: 2/20/2024

Location: 1011 University Dr N

Property Owner: Philip H & Martha A Grotenhuis Rev Living Trust

Address of Property Owner: 16756 53rd St SE, Kindred ND 58051

Inspector: Bill Thompson

Date of Inspection: 2/1/24

YOU ARE HEREBY Given Notice of the following:

1. That this Notice is being given to you pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings.
2. That the building and detached garage with which this Notice is concerned is commonly known as 1011 University Dr. N, and is located on that tract of land in the City of Fargo, more particularly described as follows:
Hobson's subdivision, Block 10, Lot 3
(hereinafter referred to as "the building")
3. That an inspection was made of the building on 2/1/24 by Bill Thompson, Building Inspector.
4. That the building inspector for the City of Fargo has found the buildings, consisting of a 1918 two-story, wood-framed, former duplex structure and detached garage to be a Dangerous Building within the standards set forth in the Fargo Municipal Code, Article 21-04, Dangerous Buildings and the International Property Maintenance Code, Section 111.1.5 concerning Dangerous Structures.
5. These buildings has been found to be a dangerous building by the building inspector. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given the owner, occupant, lessee, or mortgagee of this building and all other persons having an interest in said building as shown by the records of the register of deeds

of the county of Cass. It is unlawful to remove this notice until such notice is complied with. Source: 1952 Rev. Ord. 21-0404.

6. That the owner of the buildings must demolish the buildings within 30 days from the date of this notice or obtain a permit to repair. To obtain a permit, see 'Conditions Found Statement' below.

7. That the buildings are unsafe and are dangerous buildings in the following respects: See 'Conditions Found Statement' below.

8. That the buildings constitutes a public nuisance under Article 21-04 of the Fargo Municipal Code concerning Dangerous Buildings, and the 2021 International Property Maintenance Code as adopted by reference in Chapter 31 of the Fargo Municipal Code.

9. That unless the buildings are demolished within the time period set forth herein, the City of Fargo will take such steps as are necessary to cause said buildings to be demolished pursuant to the Fargo Municipal Code and International Property Maintenance Code, and the owner will be assessed such costs as are provided for therein.

10. That the exterior yard and public sidewalk are required to be maintained at all times.

11. That entry to the interior of the buildings is requested by the code official. Please provide contact information for a local representative designated to grant access. If entry is refused, the code official shall have all recourse to the remedies provided by law to secure entry.

12. **Order for vacation of buildings.** The undersigned building official has determined that the buildings or structures must be vacated as required by Section 111.8 of the International Property Maintenance Code, 2021 edition. Therefore, it is hereby ordered that the buildings or structures shall be vacated immediately, and remain vacated, on this 20th day of February, 2024.

13. **Order to secure buildings.** The undersigned building official has determined that the buildings must remain secure. Therefore, it is hereby ordered that all means of entering the buildings remain secured to prevent unauthorized entrance this 20th day of February, 2024. **An inspector will continue to verify compliance.** Failure to keep the buildings secured will result in the City of Fargo hiring an independent contractor to secure the buildings. All expenses for securing the buildings will be assessed against the property.

14. **Application for Appeal.** Section 107.1 of the International Property Maintenance Code states that any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice or order was served. An application for appeal shall be based on the claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Dated this 20th day of February, 2024.

CONDITIONS FOUND STATEMENT

On 2/1/24, Building Inspector Bill Thompson, was present at 1011 University Dr N, Fargo, ND 58102 to address a complaint inspection. The following violations were found:

- Garage roof has collapsed, pressure has pushed the walls apart
- South lower house roof is deteriorated and covered with a tarp
- Areas of the house fascia and soffit are rotten/missing
- Broken windows.
- Exterior of house has areas of deteriorated trim and graffiti
- Signs of a squirrel infestation in roof and fascia
- Junk in rear yard
- House foundation has cracks and loose block
- Water usage stopped in 2009
- Electrical meters were removed in 2021

The following action must be taken:

- Provide engineering on all systems and obtain a permit to repair and make repairs by permit deadline -or-
- Demolish the structures within the deadline provided in this notice.



Bill Thompson
Building Inspector
wthompson@fargond.gov



Shawn Ouradnik
Building Official
souradnik@fargond.gov



Date Signed



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 02/20/2024

Shipped From:

Name: CITY OF FARGO

Address: 225 4TH ST N

City: FARGO

State: ND ZIP+4® 58102

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0050 6070 12

Firm Mailing Book For Accountable Mail

[illegible]



Confirmation Services Certification

COMPANY INFORMATION

Company Name

City of Fargo

Address (Number, street, suite no., city, state, and ZIP Code™)

225 4th St N

Fargo ND 58102

Mailer Identification (MID)* *MID is a unique 6- or 9-digit number that identifies the mailer or the mailer's client. A conforming MID is a six-digit MID beginning with 0-8 or a nine-digit MID beginning with 9.

ELECTRONIC FILE

The electronic file submitted by the company shown above has been certified by the National Customer Support Center (NCSC) to be complete and accurate in both content and transmission and to meet the requirements as defined in Publication 199, *Intelligent Mail Package Barcode (IMpb) Implementation Guide for: Confirmation Services and Electronic Verification System (eVS) Mailers*.

Authorized NCSC Signature

Date Signed

BARCODED LABELS

The barcoded labels printed and submitted by the company shown above have been certified by the NCSC to meet the standards and specifications as prescribed in Publication 199 and the appropriate ANSI or AIM published standards.

Authorized NCSC Signature

Date Signed

INSTRUCTIONS FOR MAILER

Keep the original of this form in a safe place and provide a copy to your local USPS® facility if requested. Shipments included in Service Performance Measurement should submit a PS Form 3152 with each mailing. In the space below, place a GS1-128 barcode representing the Electronic File Number from the Header Record. If you cannot print the barcode, fill in the sequence numbers and check digit (the digits that follow the MID) from your Electronic File Number. This information is in the Header Record of the electronic file.

IMpb barcodes are required for all tracking numbers effective 1/27/2013. Valid Application Identifiers (AI): IMpb barcode AI "92" uses a 9-digit Mailer ID for commercial permit payment mailers. IMpb barcode "93" uses a 6-digit Mailer ID for commercial permit payment mailer. IMpb barcode "94" is used for online and meter mailers. Legacy barcode AI "91" will continue to be accepted for a limited time with an approved exception or waiver.

Place the barcode here or write the serial number and check digit of the electronic file in the spaces provided.



92750901193562000050607012

Confirmation Services Electronic File Number

**92/93	750	901193562	00005060701	2
AI	STC	Mailer ID	Serial Number	Check Digit
94				
AI	STC	Source Identifier	Mailer ID	Serial Number
				Check Digit

*91 can be used if approved for exception.

INSTRUCTIONS FOR ACCEPTANCE EMPLOYEE

If mailings are presented under an authorized manifest mailing system, verify payment of postage and fees, where applicable, using standard sampling procedures for pieces with special services. In addition, check the barcode formatting for the following:

1. Horizontal bars above and below the barcode.
2. Human-readable numbers below the barcode.
3. Depending on the product used, the words "USPS TRACKING #", "USPS SIGNATURE TRACKING #", "USPS CERTIFIED MAIL", or product specific found in Publication 199 based on the service type code.
4. For Electronic Verification System, (eVS) or "e-VS" should be included either before or after the service banner text. For example: "eVS USPS TRACKING", "USPS TRACKING eVS", "e-VS USPS TRACKING", and "USPS TRACKING e-VS."

Date and Time of Verification

Date and Time of Mailing (if different from date of verification)

City of Fargo
225 4th St N
Fargo ND 58102

USPS CERTIFIED MAIL



9214 8901 9403 8355 6655 74

PHILIP H & MARTHA A GROTENHUIS RLT
16756 53RD ST SE
KINDRED ND 58051-9605



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

April 3, 2024

Philip H. & Martha A. Grotenhuis, RLT
1375 3rd Street North
Fargo, ND 58102 9605

Terry L. & Linda S. Tegtmeier
1011 North University Drive
Fargo, ND 58102

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
BUILDING**
located at 1011 North University Drive

Dear Philip H. & Martha A. Grotenhuis, RLT and Terry L. & Linda S. Tegtmeier:

On February 20, 2024, 1011 North University Drive was posted as a "dangerous building" under Article 21-04 of the Fargo Municipal Code and Section 111.1.5 of the 2021 International Property Maintenance Code (IPMC). The Inspections Department has requested entry to the interior of the dangerous building to inspect and perform its duties under the provisions of the code on three several occasions, including by (1) language outlined in Section 11 of the Notice of Dangerous Building, dated February 20, 2024, (2) a phone conversation I had with Mr. Tegtmeier on February 20, 2024, and (3) a voicemail I left for Mr. Tegtmeier on March 8, 2024 that was not returned. To date, access has still not been granted to the interior of the dangerous building.

PLEASE BE ADVISED that if an interior inspection is not scheduled within **10 days of the date of this letter**, the Inspections Department will pursue all remedies provided by law to secure entry.

Any person having any record, title, or legal interest in the dangerous building described above has the right to appeal this Notice and Order within 20 days by completing and filing an appeal form with the Housing Inspections office. This letter constitutes a Notice and Order to the "owner(s)," as defined by the IPMC. To schedule an interior inspection or if you have any questions, please contact me at 701-476-6708.

Thank you for your prompt attention to this matter.

Sincerely,

Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

Sincerely,

Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 04/03/2024

Shipped From:

Name: CITY OF FARGO

Address: 225 4TH ST N

City: FARGO

State: ND ZIP+4® 58102

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0051 7041 85

Firm Mailing Book For Accountable Mail

[illegible]

Postmaster, Per (Name of receiving employee)

PS Form **3877**, January 2017 (Page 1 of 1)
PSN 7530-02-000-9098 JobId: 4921879

Complete in Ink

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.



Confirmation Services Certification

COMPANY INFORMATION

Company Name

City of Fargo

Mailer Identification (MID)* MID is a unique 6- or 9-digit number that identifies the mailer or the mailer's client. A conforming MID is a six-digit MID beginning with 0-8 or a nine-digit MID beginning with 9.

Address (Number, street, suite no., city, state, and ZIP Code™)

225 4th St N
Fargo ND 58102

ELECTRONIC FILE

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Authorized NCSC Signature

Date Signed

BARCODED LABELS

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Date Signed

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92750901193562000051704185

Confirmation Services Electronic File Number

**92/93	750	901193562	00005170418	5
AI	STC	Mailer ID	Serial Number	Check Digit
94				
AI	STC	Source Identifier	Mailer ID	Serial Number
				Check Digit

**91 can be used if approved for exception.

INSTRUCTIONS FOR ACCEPTANCE EMPLOYEE

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2. Human-readable numbers below the barcode.
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Date and Time of Verification

Date and Time of Mailing (if different from date of verification)

City of Fargo
225 4th St N
Fargo ND 58102

USPS CERTIFIED MAIL



9214 8901 9403 8355 6659 63

C/D TERRY L & LINDA S TEGTMEIER
1011 UNIVERSITY DR N
FARGO ND 58102-3548



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

April 3, 2024

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
BUILDING**
located at 1011 North University Drive

Dear Philip H. & Martha A. Grotenhuis, RLT and Terry L. & Linda S. Tegtmeier:

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Thank you for your prompt attention to this matter.

Sincerely,

Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

Sincerely,

Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 04/03/2024

Shipped From:

Name: CITY OF FARGO

Address: 225 4TH ST N

City: FARGO

State: ND ZIP+4® 58102

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

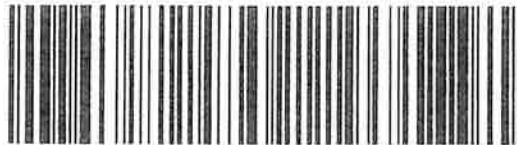
B. USPS Action

Note to RSS Clerk:

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USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0051 7043 90

Name and Address of Sender

CITY OF FARGO
225 4TH ST N
FARGO ND 58102

Check type of mail or service

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature Required | <input type="checkbox"/> Priority Mail Express |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail |
| <input checked="" type="checkbox"/> Certified Mail | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation |
| <input type="checkbox"/> Collect on Delivery (COD) | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Priority Mail | |

Affix Stamp Here
(for additional copies of this receipt).
Postmark with Date of Receipt.

USPS Tracking/Article Number

1. 9214 8901 9403 8355 6659 63

C/D TERRY L & LINDA S TEGTMEIER
1011 UNIVERSITY DR N
FARGO ND 58102-3548

Addressee (Name, Street, City, State, & ZIP Code™)

0.64

4.40

1

1

--

1

--	--

2.32

[illegible][illegible]

1

Total Number of Pieces
Listed by Sender

**Total Number of Pieces
Received at Post Office**

Postmaster, Per (Name of receiving employee)

PS Form 3877, January 2017 (Page 1 of 1)
PSN 7530-02-000-9098 JobId: 4921900

Complete in Ink

Privacy Notice: For more information on USF's privacy policies, visit usps.com/privacy/policies.

JobId: 4921900



Confirmation Services Certification

COMPANY INFORMATION

Company Name

City of Fargo

Address (Number, street, suite no., city, state, and ZIP Code™)

225 4th St N

Fargo ND 58102

Mailor Identification (MID) *MID is a unique 6- or 9-digit number that identifies the mailer or the mailer's client. A conforming MID is a six-digit MID beginning with 0-8 or a nine-digit MID beginning with 9.

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Authorized NCSC Signature

Date Signed

BARCODED LABELS

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Date Signed

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92750901193562000051704390

Confirmation Services Electronic File Number

**92/93	750	901193562	00005170439	0
AI	STC	Mailer ID	Serial Number	Check Digit
94				
AI	STC	Source Identifier	Mailer ID	Serial Number
				Check Digit

**91 can be used if approved for exception.

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3. Depending on the product used, the words "USPS TRACKING #", "USPS SIGNATURE TRACKING #", "USPS CERTIFIED MAIL", or product specific found in Publication 199 based on the service type code.
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Date and Time of Verification

Date and Time of Mailing (if different from date of verification)



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

April 3, 2024

Philip H. & Martha A. Grotenhuis, LLC
10750 34th Street Northwest
Kindred, ND 58051-0000

Terry L. & Linda S. Tegtmeier
1041 North University Drive
Fargo, ND 58102

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
BUILDING**
located at 1011 North University Drive

Dear Philip H. & Martha A. Grotenhuis, RLT and Terry L. & Linda S. Tegtmeier:

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Thank you for your prompt attention to this matter.

Sincerely,

Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

Sincerely,

Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov

AFFIDAVIT OF SERVICE

[illegible]

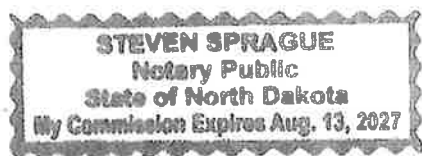
**Re: Posting of Notice and Order of the Building Official
Requesting Entry to the Dangerous Building
1011 North University Dr**

Bill Thompson, being first duly sworn and being of legal age, deposes and says that on the 3rd day of April 2024, he posted the attached notice upon the front of the building located at the following address:

1011 North University Dr
Fargo, ND 58102

Bill Thompson

Subscribed and sworn to before me this 3rd day of April 2024.



(SEAL)

Notary Public
Cass County, North Dakota

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA)
COUNTY OF CASS) ss.

**Re: Notice and Order of the Building Official
Requesting Entry to the Dangerous Building**

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 3rd day of April 2024, she served the attached notice, upon 1011 North University Dr, by placing true and correct copies thereof in envelopes addressed as follows:

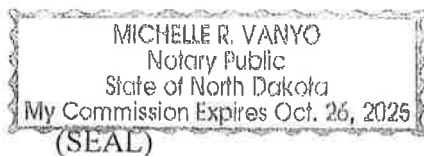
Philip H. & Martha A. Grothenhuis, RLT
16756 53 St SE
Kindred, ND 58051-9605

and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, regular mail.

Michelle Lemar
Michelle Lemar

Subscribed and sworn to before me this 3 day of April 2024.

Marshall E. Vangye
Notary Public
Cass County, North Dakota



AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

**Re: Notice and Order of the Building Official
Requesting Entry to the Dangerous Building
1011 North University Dr, Fargo, ND 58102
CM Receipt#: 9214 8901 9403 8355 6655 74**

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 3rd day of April 2024, she served the attached notice, upon 1011 North University Dr, by placing true and correct copies thereof in an envelope addressed as follows:

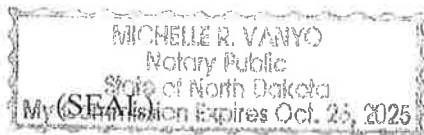
Philip H. & Martha A. Grotenhuis, RLT
16756 53 St SE
Kindred, ND 58051-9605

and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, Certified Mail.



Michelle Lemar

Subscribed and sworn to before me this 3 day of April 2024.





Notary Public
Cass County, North Dakota



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 04/03/2024

Shipped From:

Name: CITY OF FARGO

Address: 225 4TH ST N

City: FARGO

State: ND ZIP+4® 58102

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0051 7041 85



Confirmation Services Certification

COMPANY INFORMATION

Company Name

City of Fargo

Address (Number, street, suite no., city, state, and ZIP Code™)

225 4th St N

Fargo ND 58102

Mailer Identification (MID)™ MID is a unique 6- or 9-digit number that identifies the mailer or the mailer's client. A conforming MID is a six-digit MID beginning with 0-8 or a nine-digit MID beginning with 9.

ELECTRONIC FILE

The electronic file submitted by the company shown above has been certified by the National Customer Support Center (NCSC) to be complete and accurate in both content and transmission and to meet the requirements as defined in Publication 199, *Intelligent Mail Package Barcode (IMpb) Implementation Guide for: Confirmation Services and Electronic Verification System (eVS) Mailers*.

Authorized NCSC Signature

Date Signed

BARCODED LABELS

The barcoded labels printed and submitted by the company shown above have been certified by the NCSC to meet the standards and specifications as prescribed in Publication 199 and the appropriate ANSI or AIM published standards.

Authorized NCSC Signature

Date Signed

INSTRUCTIONS FOR MAILER

Keep the original of this form in a safe place and provide a copy to your local USPS® facility if requested. Shipments included in Service Performance Measurement should submit a PS Form 3152 with each mailing. In the space below, place a GS1-128 barcode representing the Electronic File Number from the Header Record. If you cannot print the barcode, fill in the sequence numbers and check digit (the digits that follow the MID) from your Electronic File Number. This information is in the Header Record of the electronic file.

IMpb barcodes are required for all tracking numbers effective 1/27/2013. Valid Application Identifiers (AI): IMpb barcode AI "92" uses a 9-digit Mailer ID for commercial permit payment mailers. IMpb barcode "93" uses a 6-digit Mailer ID for commercial permit mailer. IMpb barcode "94" is used for online and meter mailers. Legacy barcode AI "91" will continue to be accepted for a limited time with an approved exception or waiver.

Place the barcode here or write the serial number and check digit of the electronic file in the spaces provided.



92750901193562000051704185

Confirmation Services Electronic File Number

**92/93	750	901193562	00005170418	5
AI	STC	Mailer ID	Serial Number	Check Digit
94				
AI	STC	Source Identifier	Mailer ID	Serial Number
				Check Digit

**91 can be used if approved for exception.

INSTRUCTIONS FOR ACCEPTANCE EMPLOYEE

If mailings are presented under an authorized manifest mailing system, verify payment of postage and fees, where applicable, using standard sampling procedures for pieces with special services. In addition, check the barcode formatting for the following:

1. Horizontal bars above and below the barcode.
2. Human-readable numbers below the barcode.
3. Depending on the product used, the words "USPS TRACKING #", "USPS SIGNATURE TRACKING #", "USPS CERTIFIED MAIL", or product specific found in Publication 199 based on the service type code.
4. For Electronic Verification System, (eVS) or "e-VS" should be included either before or after the service banner text. For example: "eVS USPS TRACKING", "USPS TRACKING eVS", "e-VS USPS TRACKING", and "USPS TRACKING e-VS."

Date and Time of Verification

Date and Time of Mailing (if different from date of verification)



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

April 3, 2024

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
BUILDING**
located at 1011 North University Drive

Dear Philip H. & Martha A. Grotenhuis, RLT and Terry L. & Linda S. Tegtmeier:

On February 20, 2024, 1011 North University Drive was posted as a "dangerous building" under Article 21-04 of the Fargo Municipal Code and Section 111.1.5 of the 2021 International Property Maintenance Code (IPMC). The Inspections Department has requested entry to the interior of the dangerous building to inspect and perform its duties under the provisions of the code on three several occasions, including by (1) language outlined in Section 11 of the Notice of Dangerous Building, dated February 20, 2024, (2) a phone conversation I had with Mr. Tegtmeier on February 20, 2024, and (3) a voicemail I left for Mr. Tegtmeier on March 8, 2024 that was not returned. To date, access has still not been granted to the interior of the dangerous building.

PLEASE BE ADVISED that if an interior inspection is not scheduled within **10 days of the date of this letter**, the Inspections Department will pursue all remedies provided by law to secure entry.

Any person having any record, title, or legal interest in the dangerous building described above has the right to appeal this Notice and Order within 20 days by completing and filing an appeal form with the Housing Inspections office. This letter constitutes a Notice and Order to the "owner(s)," as defined by the IPMC. To schedule an interior inspection or if you have any questions, please contact me at 701-476-6708.

Thank you for your prompt attention to this matter.

Sincerely,

Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

Sincerely,

Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov

AFFIDAVIT OF SERVICE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

**Re: Posting of Notice and Order of the Building Official
Requesting Entry to the Dangerous Building
1011 North University Dr**

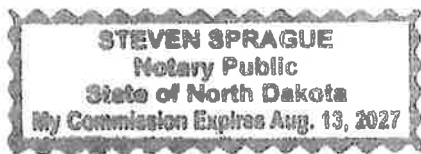
Bill Thompson, being first duly sworn and being of legal age, deposes and says that on the 3rd day of April 2024, he posted the attached notice upon the front of the building located at the following address:

1011 North University Dr
Fargo, ND 58102




Bill Thompson

Subscribed and sworn to before me this 3rd day of April 2024.



(SEAL)



Notary Public
Cass County, North Dakota

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

**Re: Notice and Order of the Building Official
Requesting Entry to the Dangerous Building**

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 3rd day of April 2024, she served the attached notice, upon 1011 North University Dr, by placing true and correct copies thereof in envelopes addressed as follows:

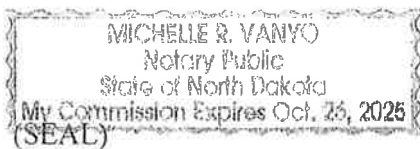
C/D Terry L. & Linda S. Tegtmeier
1011 North University Dr
Fargo, ND 58102

and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, regular mail.

Michelle Lemar
Michelle Lemar

Subscribed and sworn to before me this 3 day of April 2024.

Notary Public
Cass County, North Dakota



AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

**Re: Notice and Order of the Building Official
Requesting Entry to the Dangerous Building
1011 North University Dr, Fargo, ND 58102
CM Receipt#: 9214 8901 9403 8355 6659 63**

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 3rd day of April 2024, she served the attached notice, upon 1011 North University Dr, by placing true and correct copies thereof in an envelope addressed as follows:

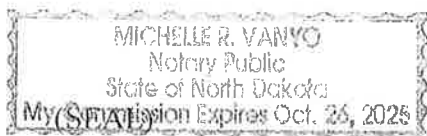
C/D Terry L. & Linda S. Tegtmeier
1011 North University Dr
Fargo, ND 58102

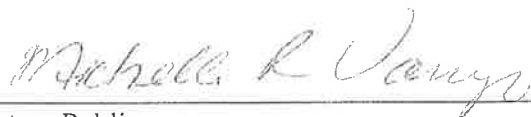
and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, Certified Mail.



Michelle Lemar

Subscribed and sworn to before me this 3 day of April 2024.





Notary Public
Cass County, North Dakota



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 04/03/2024

Shipped From:

Name: CITY OF FARGO

Address: 225 4TH ST N

City: FARGO

State: ND ZIP+4® 58102

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0051 7043 90



Firm Mailing Book For Accountable Mail

[illegible]

Total Number of Pieces Listed by Sender 1	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)
--	--	--

PS Form **3877**, January 2017 (Page 1 of 1) **Complete in Ink**

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.

JobId: 4921900
SN 7530-02-000-9098



Confirmation Services Certification

COMPANY INFORMATION

Company Name

City of Fargo

Mailer Identification (MID)* MID is a unique 6- or 9-digit number that identifies the mailer or the mailer's client. A conforming MID is a six-digit MID beginning with 0-8 or a nine-digit MID beginning with 9.

Address (Number, street, suite no., city, state, and ZIP Code™)

225 4th St N
Fargo ND 58102

ELECTRONIC FILE

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Authorized NCSC Signature

Date Signed

BARCODED LABELS

The barcoded labels printed and submitted by the company shown above have been certified by the NCSC to meet the standards and specifications as prescribed in Publication 199 and the appropriate ANSI or AIM published standards.

Authorized NCSC Signature

Date Signed

INSTRUCTIONS FOR MAILER

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Place the barcode here or write the serial number and check digit of the electronic file in the spaces provided.



92750901193562000051704390

Confirmation Services Electronic File Number

**92/93	750	901193562	00005170439	0
AI	STC	Mailer ID	Serial Number	Check Digit
94				
AI	STC	Source Identifier	Mailer ID	Serial Number
				Check Digit

**91 can be used if approved for exception.

INSTRUCTIONS FOR ACCEPTANCE EMPLOYEE

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2. Human-readable numbers below the barcode.
3. Depending on the product used, the words "USPS TRACKING #", "USPS SIGNATURE TRACKING #", "USPS CERTIFIED MAIL", or product specific found in Publication 199 based on the service type code.
4. For Electronic Verification System, (eVS) or "e-VS" should be included either before or after the service banner text. For example: "eVS USPS TRACKING", "USPS TRACKING eVS", "e-VS USPS TRACKING", and "USPS TRACKING e-VS."

Date and Time of Verification

Date and Time of Mailing (if different from date of verification)



Inspections Department
225 4th Street North
Fargo, ND 58102
(701) 241-1561

NOTICE OF DANGEROUS BUILDING

Date: 2/20/2024

Location: 1011 University Dr N

Property Owner: Philip H & Martha A Grotenhuis Rev Living Trust

Address of Property Owner: 16756 53rd St SE, Kindred ND 58051

Inspector: Bill Thompson

Date of Inspection: 2/1/24

YOU ARE HEREBY Given Notice of the following:

1. That this Notice is being given to you pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings.

2. That the building and detached garage with which this Notice is concerned is commonly known as 1011 University Dr. N, and is located on that tract of land in the City of Fargo, more particularly described as follows:

Hobson's subdivision, Block 10, Lot 3

(hereinafter referred to as "the building")

3. That an inspection was made of the building on 2/1/24 by Bill Thompson, Building Inspector.

4. That the building inspector for the City of Fargo has found the buildings, consisting of a 1918 two-story, wood-framed, former duplex structure and detached garage to be a Dangerous Building within the standards set forth in the Fargo Municipal Code, Article 21-04, Dangerous Buildings and the International Property Maintenance Code, Section 111.1.5 concerning Dangerous Structures.

5. These buildings has been found to be a dangerous building by the building inspector. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given the owner, occupant, lessee, or mortgagee of this building and all other persons having an interest in said building as shown by the records of the register of deeds

of the county of Cass. It is unlawful to remove this notice until such notice is complied with. Source: 1952 Rev. Ord. 21-0404.

6. That the owner of the buildings must demolish the buildings within 30 days from the date of this notice or obtain a permit to repair. To obtain a permit, see 'Conditions Found Statement' below.

7. That the buildings are unsafe and are dangerous buildings in the following respects: See 'Conditions Found Statement' below.

8. That the buildings constitutes a public nuisance under Article 21-04 of the Fargo Municipal Code concerning Dangerous Buildings, and the 2021 International Property Maintenance Code as adopted by reference in Chapter 31 of the Fargo Municipal Code.

9. That unless the buildings are demolished within the time period set forth herein, the City of Fargo will take such steps as are necessary to cause said buildings to be demolished pursuant to the Fargo Municipal Code and International Property Maintenance Code, and the owner will be assessed such costs as are provided for therein.

10. That the exterior yard and public sidewalk are required to be maintained at all times.

11. That entry to the interior of the buildings is requested by the code official. Please provide contact information for a local representative designated to grant access. If entry is refused, the code official shall have all recourse to the remedies provided by law to secure entry.

12. **Order for vacation of buildings.** The undersigned building official has determined that the buildings or structures must be vacated as required by Section 111.8 of the International Property Maintenance Code, 2021 edition. Therefore, it is hereby ordered that the buildings or structures shall be vacated immediately, and remain vacated, on this 20th day of February, 2024.

13. **Order to secure buildings.** The undersigned building official has determined that the buildings must remain secure. Therefore, it is hereby ordered that all means of entering the buildings remain secured to prevent unauthorized entrance this 20th day of February, 2024. **An inspector will continue to verify compliance.** Failure to keep the buildings secured will result in the City of Fargo hiring an independent contractor to secure the buildings. All expenses for securing the buildings will be assessed against the property.

14. **Application for Appeal.** Section 107.1 of the International Property Maintenance Code states that any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice or order was served. An application for appeal shall be based on the claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Dated this 20th day of February, 2024.

CONDITIONS FOUND STATEMENT

On 2/1/24, Building Inspector Bill Thompson, was present at 1011 University Dr N, Fargo, ND 58102 to address a complaint inspection. The following violations were found:

- Garage roof has collapsed, pressure has pushed the walls apart
- South lower house roof is deteriorated and covered with a tarp
- Areas of the house fascia and soffit are rotten/missing
- Broken windows.
- Exterior of house has areas of deteriorated trim and graffiti
- Signs of a squirrel infestation in roof and fascia
- Junk in rear yard
- House foundation has cracks and loose block
- Water usage stopped in 2009
- Electrical meters were removed in 2021

The following action must be taken:

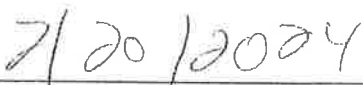
- Provide engineering on all systems and obtain a permit to repair and make repairs by permit deadline -or-
- Demolish the structures within the deadline provided in this notice.



Bill Thompson
Building Inspector
wthompson@fargond.gov



Shawn Ouradnik
Building Official
souradnik@fargond.gov



Date Signed

AFFIDAVIT OF SERVICE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

Re: Posting of Dangerous Building Notice – 1011 University Dr N


Bill Thompson, being first duly sworn and being of legal age, deposes and says that on the 20th day of February 2024, he posted the attached notice upon the front of the building located at the following address:

1011 University Dr N
Fargo, ND 58102

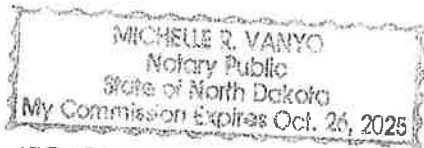


Bill Thompson

Subscribed and sworn to before me this 20 day of February 2024.



Notary Public
Cass County, North Dakota



(SEAL)

AFFIDAVIT OF SERVICE BY REGULAR MAIL

[illegible]

Re: Notice of Dangerous Building

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 20th day of February 2024, she served the attached notice, upon 1011 University Dr N, by placing true and correct copies thereof in envelopes addressed as follows:

Philip and Martha Grotenhuis
16756 53 St SE
Kindred, ND 58051

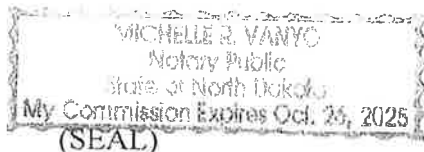
and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, regular mail.

Michelle Lemar

Subscribed and sworn to before me this 20 day of February 2024.

Michael R. Vane

Notary Public
Cass County, North Dakota



AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

**Re: Notice of Dangerous Building
1011 University Dr N, Fargo, ND 58102
CM Receipt#: 9214 8901 9403 83496557 03**

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 20th day of February 2024, she served the attached notice, upon 1011 University Dr N, by placing true and correct copies thereof in an envelope addressed as follows:

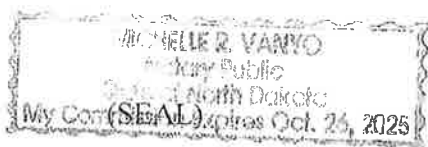
Philip and Martha Grotenhuis
16756 53 St SE
Kindred, ND 58051-9605

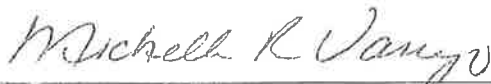
and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, Certified Mail.



Michelle Lemar

Subscribed and sworn to before me this 20 day of February 2024.





Notary Public
Cass County, North Dakota



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 02/20/2024

Shipped From:

Name: CITY OF FARGO

Address: 225 4TH ST N

City: FARGO

State: ND ZIP+4® 58102

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

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USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0050 6070 12

Name and Address of Sender

CITY OF FARGO
225 4TH ST N
FARGO ND 58102

Check type of mail or service

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature Required | <input type="checkbox"/> Priority Mail Express |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail |
| <input checked="" type="checkbox"/> Certified Mail | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation |
| <input type="checkbox"/> Collect on Delivery (COD) | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Priority Mail | |

Affix Stamp Here

(for additional copies of this receipt).
Postmark with Date of Receipt.

[illegible]

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office
--	---

Postmaster, Per (Name of receiving employee)

PS Form 3877, January 2017 (Page 1 of 1)
PSN 7530-02-000-9098 JobId: 4812197

Complete in ink

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.



Confirmation Services Certification

COMPANY INFORMATION

Company Name

City of Fargo

Mailer Identification (MID*) *MID is a unique 6- or 9-digit number that identifies the mailer or the mailer's client. A conforming MID is a six-digit MID beginning with 0-8 or a nine-digit MID beginning with 9.

Address (Number, street, suite no., city, state, and ZIP CodeTM)

225 4th St N
Fargo ND 58102

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Authorized NCSC Signature

Date Signed

BARCODED LABELS

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Date Signed

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Place the barcode here or write the serial number and check digit of the electronic file in the spaces provided.



92750901193562000050607012

Confirmation Services Electronic File Number

**92/93

750

901193562

00005060701

2

AI

STC

Mailer ID

Serial Number

Check Digit

94

AI

STC

Source Identifier

Mailer ID

Serial Number

Check Digit

**91 can be used if approved for exception.

INSTRUCTIONS FOR ACCEPTANCE EMPLOYEE

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3. Depending on the product used, the words "USPS TRACKING #", "USPS SIGNATURE TRACKING #", "USPS CERTIFIED MAIL", or product specific found in Publication 199 based on the service type code.
4. For Electronic Verification System, (eVS) or "e-VS" should be included either before or after the service banner text. For example: "eVS USPS TRACKING", "USPS TRACKING eVS", "e-VS USPS TRACKING", and "USPS TRACKING e-VS."

Date and Time of Verification

Date and Time of Mailing (if different from date of verification)



Inspections Department
225 4th Street North
Fargo, ND 58102
(701) 241-1561

Expired Permit Notice

Wednesday, June 19, 2024

C/D Tegtmeier, Terry L & Linda S & W/D Philip H & Martha A Grotenhuis RLT
Philip H & Martha A Grotenhuis Rev Living
Trust
16756 53 St SE
KINDRED, ND 58051

1502 16TH ST S
Fargo, ND 58103

RE: 1011 University Dr N, Permit 2404-0509-DEM (detached garage demolition)

This is to remind you that Article #21-01 of the City of Fargo Municipal Code adopts the International Residential Code as the city code. Due to existing violations on this property the demolition permit expired 60 days from issuance if the work was not complete

This permit will then be voided and filed as though the work was never completed.

Expired permits may affect insurance coverage and future deed transfers. A new permit will be required to complete any work originally covered by this permit. If you have any questions, **please call 701.241.1561.**

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill Thompson", is written over a horizontal line.

Bill Thompson
Building Inspector II

AFFIDAVIT OF SERVICE BY REGULAR MAIL

[illegible]

Re: Notice of Expired Permit

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 20th day of June 2024, she served the attached notice, upon 1011 University Dr N, by placing true and correct copies thereof in envelope addressed as follows:

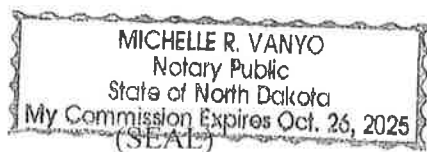
Philip H & Martha A Grotenhuis RLT
1502 16 St S
Fargo, ND 58103

and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, regular mail.


Michelle Lemar

Subscribed and sworn to before me this 20 day of June 2024.

Michelle Klange
Notary Public
Cass County, North Dakota





Inspections Department
225 4th Street North
Fargo, ND 58102
(701) 241-1561

Expired Permit Notice

Wednesday, June 19, 2024

C/D Tegtmeier, Terry L & Linda S & W/D Philip H & Martha A Grotenhuis RLT
Philip H & Martha A Grotenhuis Rev Living
Trust
16756 53 St SE
KINDRED, ND 58051

1502 16TH ST S
Fargo, ND 58103

RE: 1011 University Dr N, Permit 2404-0509-DEM (detached garage demolition)

This is to remind you that Article #21-01 of the City of Fargo Municipal Code adopts the International Residential Code as the city code. Due to existing violations on this property the demolition permit expired 60 days from issuance if the work was not complete

This permit will then be voided and filed as though the work was never completed.

Expired permits may affect insurance coverage and future deed transfers. A new permit will be required to complete any work originally covered by this permit. If you have any questions, **please call 701.241.1561.**

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill Thompson", is written over a horizontal line.

Bill Thompson
Building Inspector II

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

Re: Notice of Expired Permit

Michelle Lemar, being first duly sworn and being of legal age, deposes and says that on the 20th day of June 2024, she served the attached notice, upon 1011 University Dr N, by placing true and correct copies thereof in envelope addressed as follows:

C/D Tegtmeier, Terry L & Linda S & W/D Philip H & Martha A Grotenhuis Rev Living Trust
16756 53 St SE
Kindred, ND 58051

and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, regular mail.

Aluminum

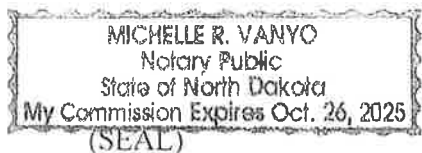
Michelle Lemar

Subscribed and sworn to before me this 20 day of June 2024.

Michelle R. Wang
Notary Public

Notary Public

Cass County, North Dakota



PROOF OF ACCEPTANCE
(ELECTRONIC)

PRODUCED DATE: 02/21/2024

CITY OF FARGO:

The following is information for Certified Mail™/RRE item number:
9214 8901 9403 8349 6557 03

Our records indicate that this item was accepted by the USPS at:
ORIGIN ACCEPTANCE FARGO,ND 58108 02/21/2024 00:32

ORIGINAL INTENDED RECIPIENT:
PHILIP AND MARTHA GROTENHUIS
16756 53RD ST SE
KINDRED ND 58051-9605



Mailer: City of Fargo

Date Produced: 04/18/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8349 6557 03. Our records indicate that this item was delivered on 04/17/2024 at 09:21 a.m. in FARGO, ND 58102. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to read "Shannon Ruziske", written over a horizontal line. Above the signature, there is a faint, illegible stamp or marking.

Address of Recipient :

A handwritten address in black ink, appearing to read "225 45T", written over a horizontal line.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

PHILIP AND MARTHA GROTENHUIS
16756 53RD ST SE
KINDRED ND 58051-9605

Customer Reference Number: C4812197.28908251

PROOF OF ACCEPTANCE
(ELECTRONIC)

PRODUCED DATE: 04/05/2024

CITY OF FARGO:

The following is information for Certified Mail™/RRE item number:
9214 8901 9403 8355 6655 74

Our records indicate that this item was accepted by the USPS at:
ORIGIN ACCEPTANCE FARGO,ND 58108 04/05/2024 00:15

ORIGINAL INTENDED RECIPIENT:
PHILIP H & MARTHA A GROTENHUIS RLT
16756 53RD ST SE
KINDRED ND 58051-9605

PROOF OF ACCEPTANCE
(ELECTRONIC)

PRODUCED DATE: 04/05/2024

CITY OF FARGO:

The following is information for Certified Mail™/RRE item number:
9214 8901 9403 8355 6659 63

Our records indicate that this item was accepted by the USPS at:
ARRIVAL AT UNIT FARGO,ND 58102 04/05/2024 06:50

ORIGINAL INTENDED RECIPIENT:
C/D TERRY L & LINDA S TEGTMEIER
1011 UNIVERSITY DR N
FARGO ND 58102-3548



Mailer: City of Fargo

Date Produced: 04/12/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8355 6659 63. Our records indicate that this item was delivered on 04/11/2024 at 09:30 a.m. in FARGO, ND 58102. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

C/D TERRY L & LINDA S TEGTMEIER
1011 UNIVERSITY DR N
FARGO ND 58102-3548

Customer Reference Number: C4921900.29579246



Inspections Department
P.O. Box 2083
225 4th St. N.
 Fargo, North Dakota 58107-2083

ADDRESS SERVICE REQUESTED

C/D Terry L. & Linda S. Tegmeier
1011 North University Dr
Fargo, ND 581

[illegible]



Building Inspections Department
Housing Inspections
225 4th Street North
Fargo, ND 58102
(701) 476-6708

April 3, 2024

Philip H. & Martha A. Grotenhuis, RLT
10751 23rd Avenue S, Suite 200
Fargo, ND 58103-1000

Terry L. & Linda S. Tegtmeier
1111 North University Drive
Fargo, ND 58102

**NOTICE AND ORDER OF THE BUILDING OFFICIAL REQUESTING ENTRY TO THE DANGEROUS
BUILDING**
located at 1011 North University Drive

Dear Philip H. & Martha A. Grotenhuis, RLT and Terry L. & Linda S. Tegtmeier:

On February 20, 2024, 1011 North University Drive was posted as a "dangerous building" under Article 21-04 of the Fargo Municipal Code and Section 111.1.5 of the 2021 International Property Maintenance Code (IPMC). The Inspections Department has requested entry to the interior of the dangerous building to inspect and perform its duties under the provisions of the code on three several occasions, including by (1) language outlined in Section 11 of the Notice of Dangerous Building, dated February 20, 2024, (2) a phone conversation I had with Mr. Tegtmeier on February 20, 2024, and (3) a voicemail I left for Mr. Tegtmeier on March 8, 2024 that was not returned. To date, access has still not been granted to the interior of the dangerous building.

PLEASE BE ADVISED that if an interior inspection is not scheduled within 10 days of the date of this letter, the Inspections Department will pursue all remedies provided by law to secure entry.

Any person having any record, title, or legal interest in the dangerous building described above has the right to appeal this Notice and Order within 20 days by completing and filing an appeal form with the Housing Inspections office. This letter constitutes a Notice and Order to the "owner(s)," as defined by the IPMC. To schedule an interior inspection or if you have any questions, please contact me at 701-476-6708.

Thank you for your prompt attention to this matter.

Sincerely,

Bill Thompson
Fargo Housing Inspections Department
7012411563
wthompson@fargond.gov

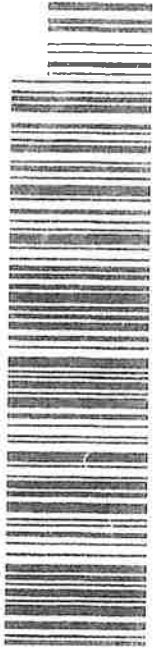
Sincerely,

Shawn Ouradnik
Building Official
7014764147
souradnik@fargond.gov

CERTIFIED MAIL

undelivered

USPS CERTIFIED MAIL



9214 8901 9403 8349 6557 03

PHILIP AND MARTHA C
16756 53RD ST SE
KINDRED ND 58051-96

att 17-24

58051-9605 R070

City of Fargo
225 4th St N
Fargo ND 58102



Inspections Department
P.O. Box 2083
225 4th St N
Fargo, North Dakota 58107-2083

ADDRESS SERVICE REQUESTED

c/d. Jerry L. & Linda S. Vogel
1015 North University Drive
Fargo, ND 58107

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

City of Fargo Staff Report			
Title:	Leach and Wells Subdivision	Date:	05/29/2024 07/03/2024
Location:	421 4th Street North, adjacent to 415 4th Street North	Staff Contact:	Alayna Espeseth, Assistant Planner
Legal Description:	a portion of 5th Avenue North right-of-way adjacent to Block 23, Leach and Wells Subdivision		
Owner(s)/Applicant:	Fargo Public Schools District / City of Fargo	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Right of Way Vacation (a vacation of a portion of 5 th Avenue North right-of-way adjacent to Block 23, Leach and Wells Subdivision)		
Status:	City Commission Public Hearing: July 08, 2024		

Proposal:

The applicant is seeking approval of a vacation plat of a portion of 5th Avenue North right-of-way adjacent to Block 23, Leach and Wells Subdivision. This portion of 5th Avenue North is not used as a public street.

The proposed street encompasses approximately 0.21 acres of public right-of-way. The vacated area is entirely on the south side of the Burlington Northern Santa Fe (BNSF) railroad tracks. Upon vacation, the vacated area will become part of the adjacent property to the south, 415 4th Street North.

This right of way was originally dedicated by the Keeney & Devitts 2nd Addition plat in 1878. The rail line has been in this right of way since 1882.

An access and utility easement will be dedicated to the public, as depicted on the plat.

This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

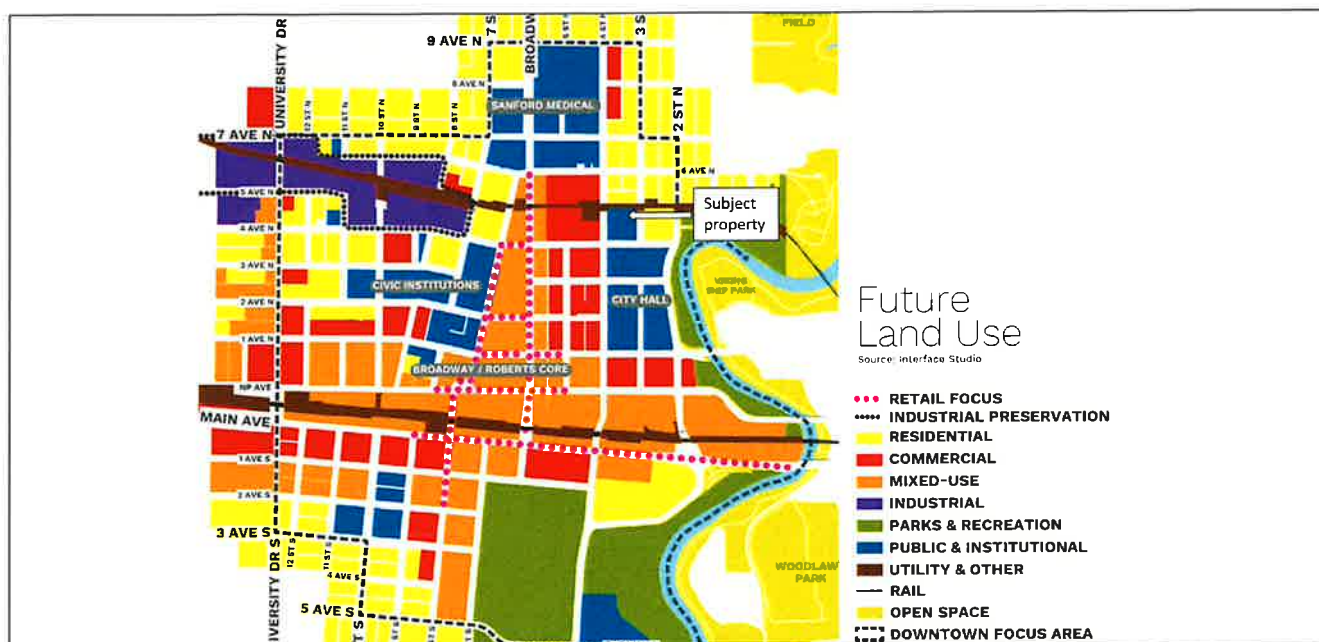
Surrounding Land Uses and Zoning Districts:

- North: DMU, Downtown Mixed Use with office and warehouse uses, BNSF railroad;
- East: DMU, Downtown Mixed Use with surface passenger terminals, BNSF railroad;
- South: DMU, Downtown Mixed Use with multi-dwelling residential, surface parking and retail sales and services;
- West: DMU, Downtown Mixed Use with mixed use / multi-dwelling residential building.

Area Plans:

The area of right of way to be vacated is included in the Downtown In Focus Master Plan, as depicted in the graphic below.

(Continued on next page.)



Schools and Parks:

Neighborhoods: The subject property is included in the Downtown neighborhood.

Schools: The subject property is located within the Fargo School District including Horace Mann/Roosevelt Elementary, Ben Franklin Middle and North High School.

Parks: The Great Northern Park (425 Broadway N) is located approximately 0.1 miles east of the subject property and provides place for a picnic lunch in downtown Fargo. The park features picnic tables and offers a small grass area.

Pedestrian / Bicycle: There is a bike lane along 4th Street North directly west of the subject property, a shared use path along 2nd Street North and a bike lane along 4th Avenue North.

MATBUS Route: Route 11 is the closest bus stop to the subject property and is located on the east side of Broadway North near the intersection with 6th Avenue North.

Staff Analysis:

ROW Vacation Approval Criteria: The City of Fargo does not currently have any adopted regulation dealing with the vacation of rights-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacate Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant must submit a vacation plat (a major subdivision). Notwithstanding the Land Development Code's (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C.

N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions. No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality's grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of

such electric facilities in the vacated streets.

There is an active fiber line in this right of way. The City of Fargo has requested a utility and access easement to be placed on the plat, see attached plat. The applicant has contacted all other potential utility providers and requested that they submit documentation on any utilities in the vacation area. **(Criteria Satisfied)**

N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification. No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.

In accordance with the requirement of this section, this information is included on the plat and its application. **(Criteria Satisfied)**

N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice. If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.

Documentation of said action is located within both the Planning project file and Auditor's file. **(Criteria Satisfied)**

N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body. The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.

The procedure --- hearing by the City Commission following the appropriate notice period --- is scheduled for the July 8th, 2024 City Commission agenda. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and move to approve the **Leach and Wells Subdivision (5th Avenue North)** right-of-way vacation plat as presented; as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places."

Planning Commission Recommendation: June 04, 2024

At the June 4th, 2024 Planning Commission public hearing, by a vote of 10-0 with no Commissioner absent and one Commission seat vacant, the Commission moved to accept the findings and recommendations of staff and moved to recommend approval to the City Commission of **Leach and Wells Subdivision** right-of-way vacation plat as presented; as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places.

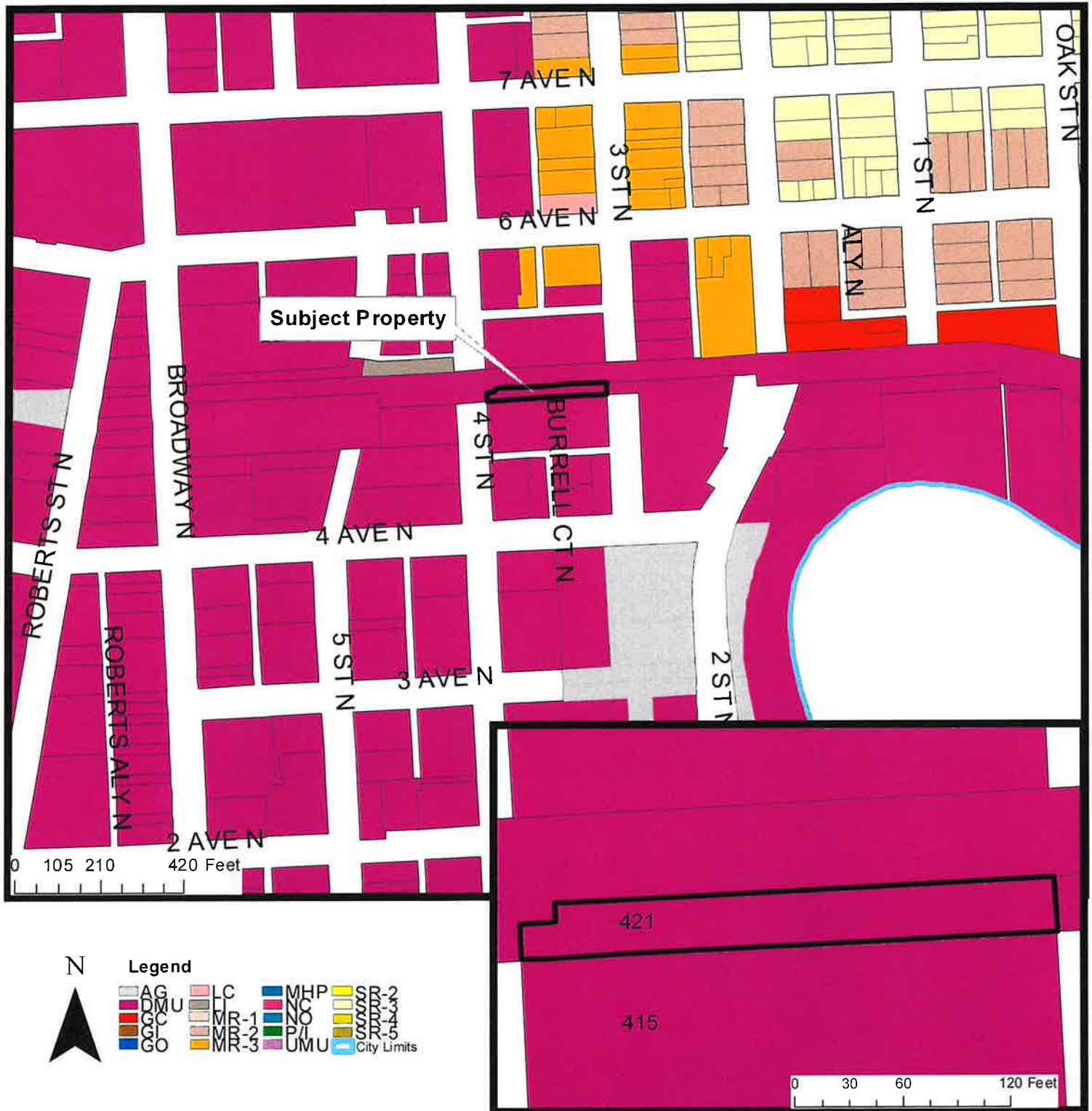
Attachments:

1. Zoning Map
2. Location Map
3. Vacation Plat

Vacation of Right of Way

Leach and Wells Subdivision

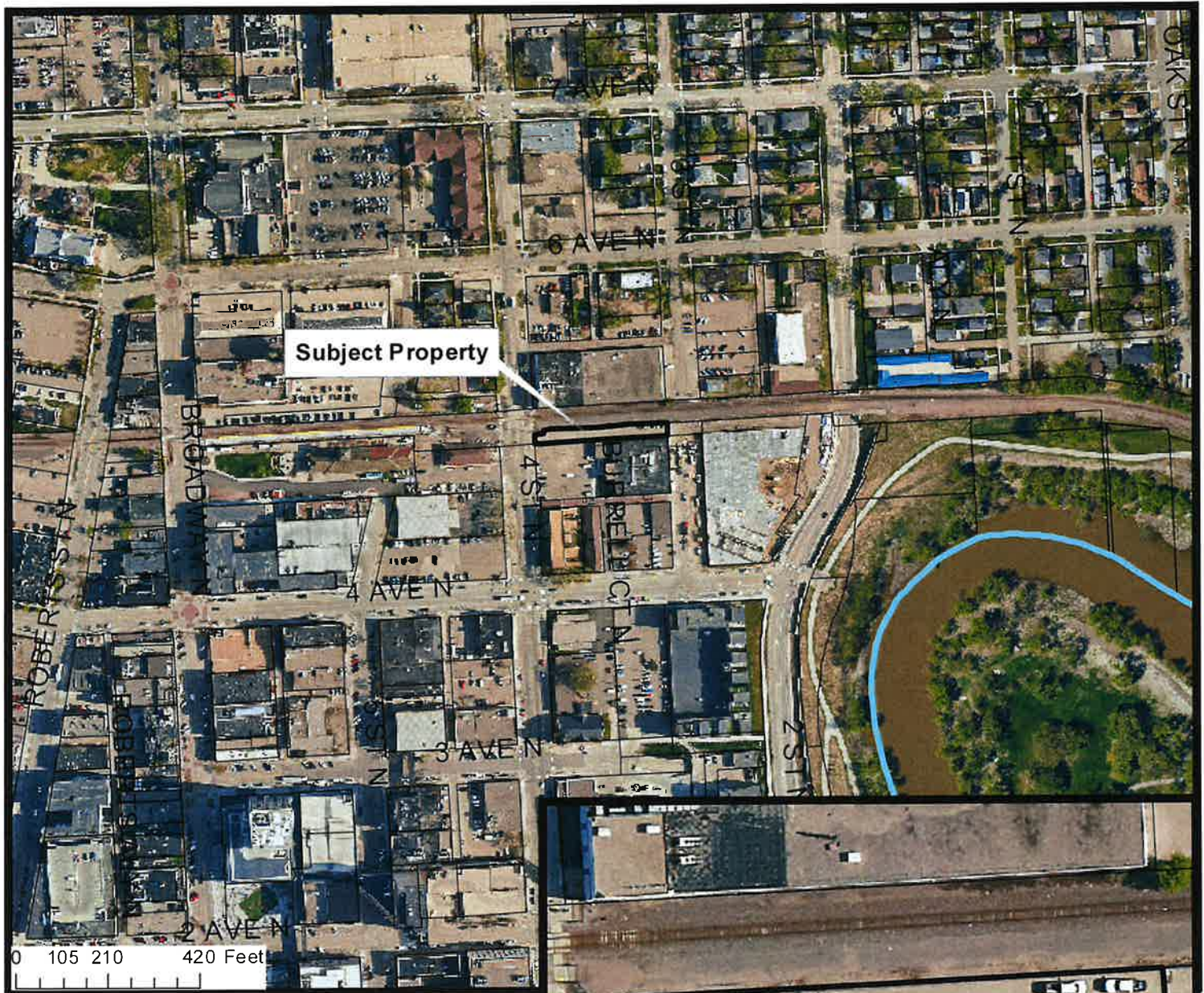
421 4th Street North



Vacation of Right of Way

Leach and Wells Subdivision

421 4th Street North

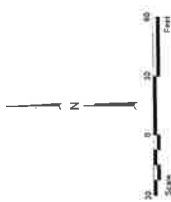
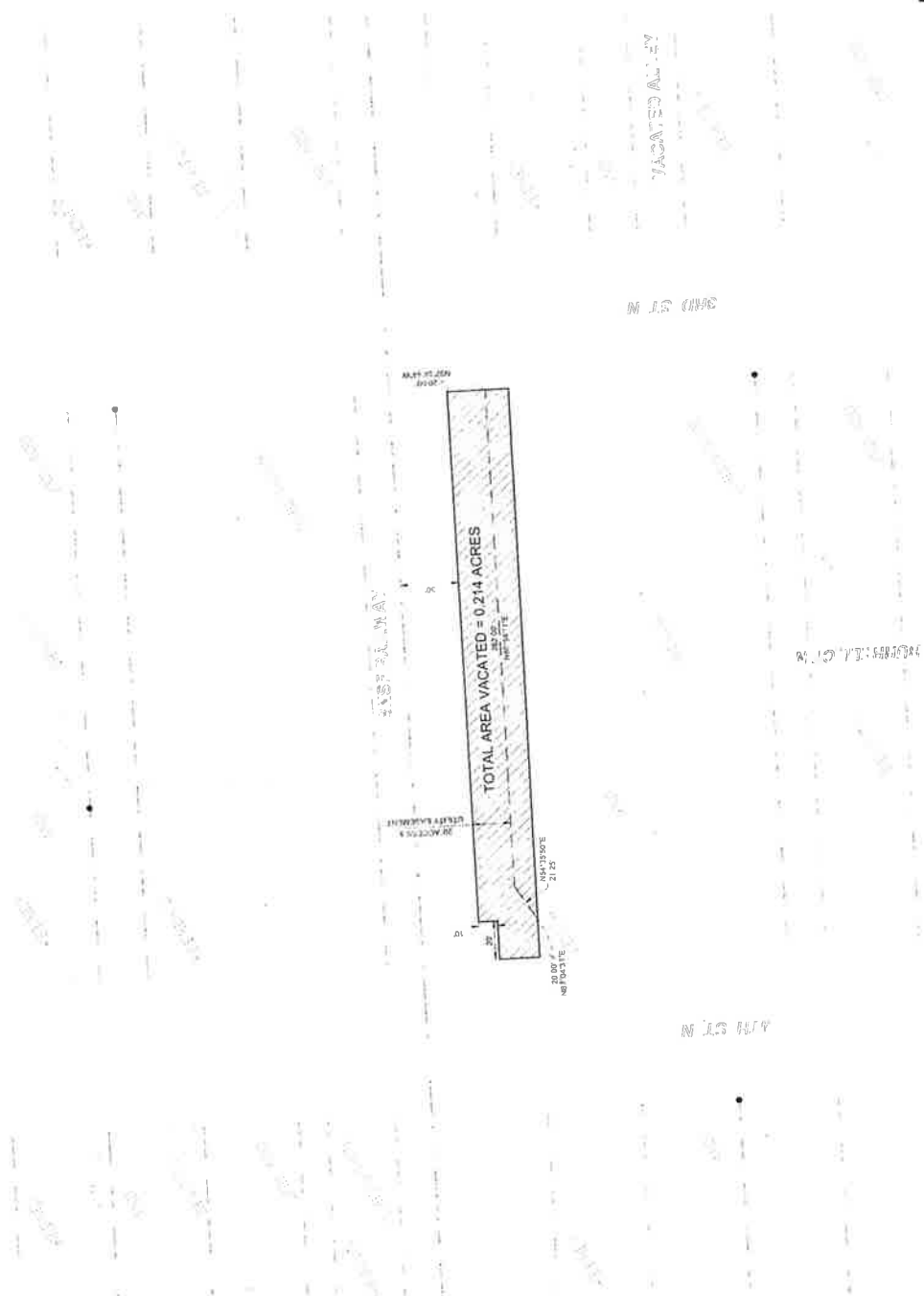


Legend

 City Limits

VACATION PLAT

OF A PORTION OF 5TH AVENUE NORTH ADJACENT TO
LEACH AND WELLS SUBDIVISION
IN THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA



- LEGEND**
- IRON MONUMENT FOUND
 - 1/2\"/>

BEARINGS SHOWN ARE BASED ON THE
CITY OF FARGO GROUND COORDINATE
SYSTEM DECEMBER 1992

HOUSTON
ENGINEERING, INC.
Sheet 1 of 2
Project No. 5421-10031

VACATION PLAT
OF A PORTION OF 5TH AVENUE NORTH
LEACH AND WELLS SUBDIVISION
IN THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

DESCRIPTION: AREA TO BE VACATED

A portion of a plat of way originally dedicated as Fern Avenue lying northerly of Leach and Wells Subdivision in the City of Fargo, North Dakota, and more particularly the portion of the Great Northern Railway map, Fargo No. 1, dated May, 1904, bounded on the east by the northerly line of the westerly line of said Leach and Wells Subdivision, bounded on the west by the northerly line of the easterly line of said Leach and Wells Subdivision, bounded on the north by a line that is 30.00 feet southerly of and parallel with the centerline of the existing BNSF Railway, Cass County, North Dakota, and on the south by the northerly line of said Leach and Wells Subdivision, all in the City of Fargo, Cass County, North Dakota.

Excepting therefrom the North 10 00 feet of the West 20 00 feet thereof

And do hereby dedicate to the public the access and utility easement as shown on the plat for access

OWNER

Fargo Public Schools

Jackie Gapp Business Manager

State of North Dakota

County of Cass

On this _____ day of _____, 20____, before me personally appeared Jackie Gapp, Business Manager, Fargo Public Schools, known to me to be the person who is subscribed in and who executed the within instrument and acknowledged to me that she executed the same on behalf of Fargo Public School District.

Voluntary Practice

SURVEYORS CERTIFICATE AND ACHIEVEMENT

James A. Schleman, Professional Land Surveyor, under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the area located

Completed this _____ day of _____ 20____

James A Schlieman Professional Land Surveyor No. 6086

State of North Dakota

Number of Cases

on this _____ day of _____, 20____, before me personally appeared James Schleman, Professional Land Surveyor, known to me to be the person who is concerned in and who executed the within instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

... ..

CITY ENGINEER'S APPROVAL _____

Approved by the Fargo City Engineer this _____ day of _____ 20____

Tom Knakmuhs, PE, City Engineer

State of North Dakota

Country of Cuba

On this _____ day of _____, 20____, before me personally appeared Tom Knakmuth, PE, Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Secretary Public

LARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this _____ day of _____, 20____.

Rocky Schneider Chair

Cargo Planning Commission

State of North Dakota

Country of CAVE

In this _____ day of _____, 20____, before me personally appeared Rocky Schneider, Chair Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the Fargo Planning Commission.

Country Profile

FARGO CITY COMMISSION APPROVAL:

Approved by the Board of City Commissioners and ordered filed this _____ day _____, 2006.

Timothy J. Mahoney Mayor

Steven Sprague City Auditor

State of North Dakota

County of Calaveras

On this _____ day of _____, 20____, before me personally appeared
 Timothy J. Mahoney, Mayor, City of Fargo and Steven Sprague, City Auditor, City of Fargo
 known to me to be the persons who are described in and who executed the within instrument
 and acknowledged to me that they executed the same on behalf of the City of Fargo.

Abstract



HOUSTON
ENGINEERING, INC.

Sheet 2 of 2

Project No. 5421-0031

(36)

City of Fargo Staff Report			
Title:	First Industrial Subdivision of Beardsley's Addition—Vacation of ROW	Date: Update:	3/27/2024 7/3/2024
Location:	2213 7 th Avenue North	Staff Contact:	Donald Kress, current planning coordinator
Legal Description	The West 23.5 feet of 22nd Street North right of way between 7th and 8th Avenues North, adjacent to Lots 1 and 21 of First Industrial Subdivision of Beardsley's Addition		
Owner(s)/Applicant:	John T. Jones Construction—Tim Vanderzanden / Cole Neset	Engineer:	Neset Land Surveying
Reason for Request:	Right of Way Vacation (a vacation plat of the West 23.5 feet of 22nd Street North right of way between 7th and 8th Avenues North, adjacent to Lots 1 and 21 of First Industrial Subdivision of Beardsley's Addition)		
Status:	City Commission Public Hearing: July 8th, 2024		

Proposal:

The applicant is seeking approval of a vacation plat of the West 23.5 feet of 22nd Street North right of way between 7th and 8th Avenues North, adjacent to Lots 1 and 21 of **First Industrial Subdivision of Beardsley's Addition**. This portion of 22nd Street North is not used as a public street.

The proposed street vacation encompasses approximately 0.032 acres of public right of way. The area to be vacated is adjacent to Lots 1 and 21, First Industrial Subdivision of Beardsley's Addition. Upon vacation, the vacated area will become part of Lots 1 and 21, which are both owned by John T. Jones Construction Company.

This 23.5 foot right of way was dedicated by the First Industrial Subdivision of Beardsley's Addition plat in 1951. This dedication widened the original 70-foot wide dedication for 22nd Street North, which was done on the plat of Beardsley's Addition (1882).

This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

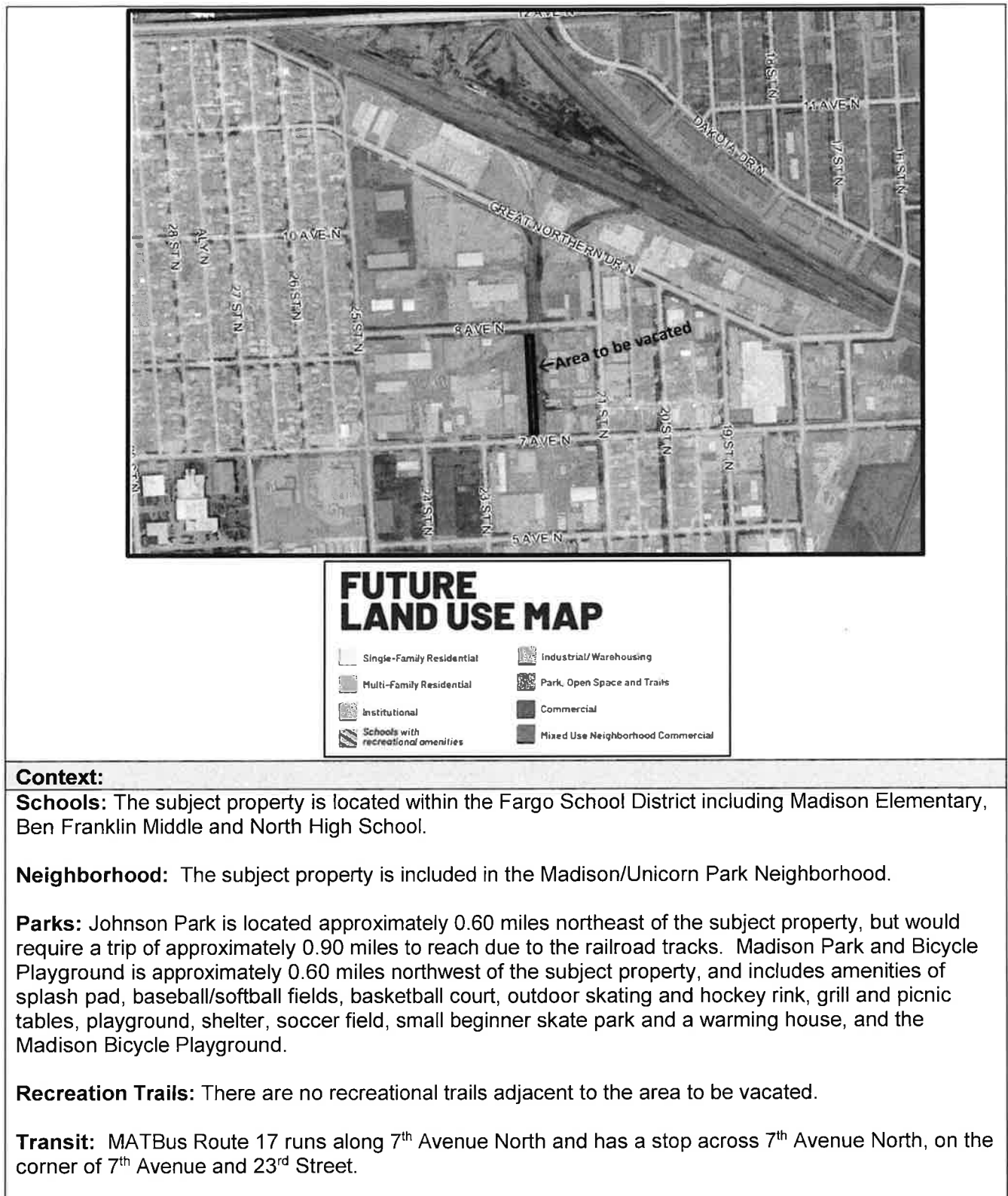
Notices of the proposed vacation have been sent out to property owners within 300 feet of the subject property. To date, staff has received one phone call about the application.

Surrounding Land Uses and Zoning Districts:

- North: LI, industrial uses; abandoned railroad spur
- East: LI, across 22nd Street right of way
- South: LI, across 7th Avenue North
- West: LI, industrial use

Area Plans

The area of the vacation is included in the Madison/Unicorn Park Neighborhood, and is designated as "industrial" on the Core Neighborhoods Plan, as shown in the graphic below. This plan does not specifically address vacations of public right of way.



NOTE ON CONTINGENT APPROVAL

The suggested motion below states that approval is contingent on final technical review of the plat, including the City Engineer's signature. The contingent motion allows the City Commission to approve the plat at this time. Once the final technical review is complete and the City Engineer has signed the plat, then the City can then proceed with recording the plat, if approval is received as referenced below.

Staff Analysis:

ROW Vacation Approval Criteria: The City of Fargo does not currently have any adopted regulation dealing with the vacation of rights-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacate Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant must submit a vacation plat (a major subdivision). Notwithstanding the Land Development Code's (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C.

N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions. No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality's grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of such electric facilities in the vacated streets.

It is the applicant's responsibility to contact all potential utility providers and submit documentation that there are no utilities in these easements. An easement is required accommodate one existing utility. **(Criteria Satisfied)**

N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification. No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.

In accordance with the requirement of this section, a petition signed by the adjacent owner has been submitted for review and consideration, along with a plat of such public street. **(Criteria Satisfied)**

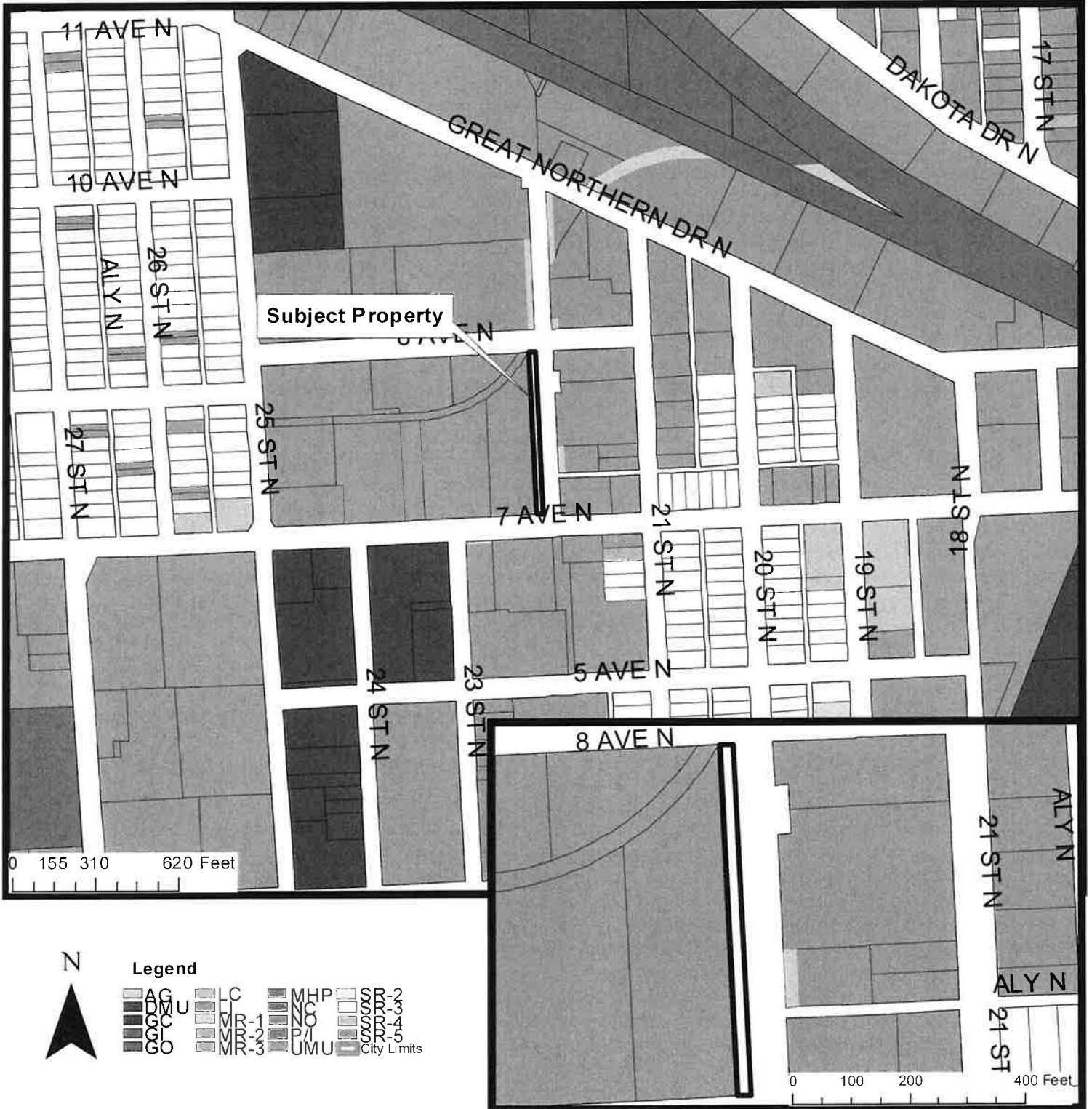
N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice. If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and

<p><i>considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.</i></p> <p>The vacation has been advertised as required by this section prior to the hearing before the City Commission (the City's governing body). (Criteria Satisfied)</p> <p><i>N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body. The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.</i></p> <p>This action is scheduled for the July 8th, 2024 City Commission agenda. (Criteria Satisfied)</p>
<p>Staff Recommendation:</p> <p>Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and move to approved the First Industrial Subdivision of Beardsley's Addition right-of-way vacation plat, contingent on final technical review of the plat, including the City Engineer's signature, as presented; as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places."</p>
<p>Planning Commission Recommendation: April 2nd, 2024</p> <p>At the April 4th, 2024 Planning Commission public hearing, that Commission, by a vote of by a vote of 8-0 with one Commissioner absent and two Commission seats vacant, moved to accept the findings and recommendations of staff and recommended approval to the City Commission of the First Industrial Subdivision of Beardsley's Addition right-of-way vacation plat as presented; as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places.</p>
<p>Attachments:</p> <ol style="list-style-type: none"> 1. Zoning Map 2. Location Map 3. Vacation Plat

Vacation of Right of Way

First Industrial Subdivision of Beardsley's Addition

2213 7th Avenue North



Vacation of Right of Way

First Industrial Subdivision of Beardsley's Addition

2213 7th Avenue North



VACATION PLAT

THAT PART OF 22ND STREET NORTH RIGHT-OF-WAY ORIGINALLY DEDICATED BY FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION TO THE CITY OF FARGO, ADJOINING LOTS 1 AND 21 OF FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA

JOHN T. JONES DEDICATION STATEMENT

I, THE UNDERSIGNED, VICE PRESIDENT OF JOHN T. JONES CONSTRUCTION COMPANY, HEREBY AGREE TO THE REAL PROPERTY RIGHTS TO THE VACATED RIGHT-OF-WAY VACATED HEREIN.

JOHN T. JONES CONSTRUCTION COMPANY

OWNER OF THE LAST 175 FEET OF LOT 1 AND LOT 21, FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION

ON THIS 15th DAY OF MAY, 1924, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED JOHN T. JONES, VICE PRESIDENT OF JOHN T. JONES CONSTRUCTION COMPANY, AND HE DECLARED THAT HE IS THE OWNER OF THE LAST 175 FEET OF LOT 1 AND LOT 21, FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION, AND HE DECLARED THAT HE IS THE OWNER OF THE LAST 175 FEET OF LOT 1 AND LOT 21, FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION, AND HE DECLARED THAT HE IS THE OWNER OF THE LAST 175 FEET OF LOT 1 AND LOT 21, FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION.

ADJOINING OWNERS DEDICATION STATEMENTS

NORTH AS STATION POWER COMPANY, A MINNESOTA CORPORATION, HEREBY AGREE TO THE RIGHT-OF-WAY VACATION AREA SHOWN HEREIN, HEREBY AGREE TO THE REAL PROPERTY RIGHTS TO THE SUBJECT AREA.

ON THIS 15th DAY OF MAY, 1924, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED NORTH AS STATION POWER COMPANY, A MINNESOTA CORPORATION, AND HE DECLARED THAT HE IS THE OWNER OF THE LAST 175 FEET OF LOT 1 AND LOT 21, FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION, AND HE DECLARED THAT HE IS THE OWNER OF THE LAST 175 FEET OF LOT 1 AND LOT 21, FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION, AND HE DECLARED THAT HE IS THE OWNER OF THE LAST 175 FEET OF LOT 1 AND LOT 21, FIRST INDUSTRIAL SUBDIVISION OF BEARDSLEY'S ADDITION.

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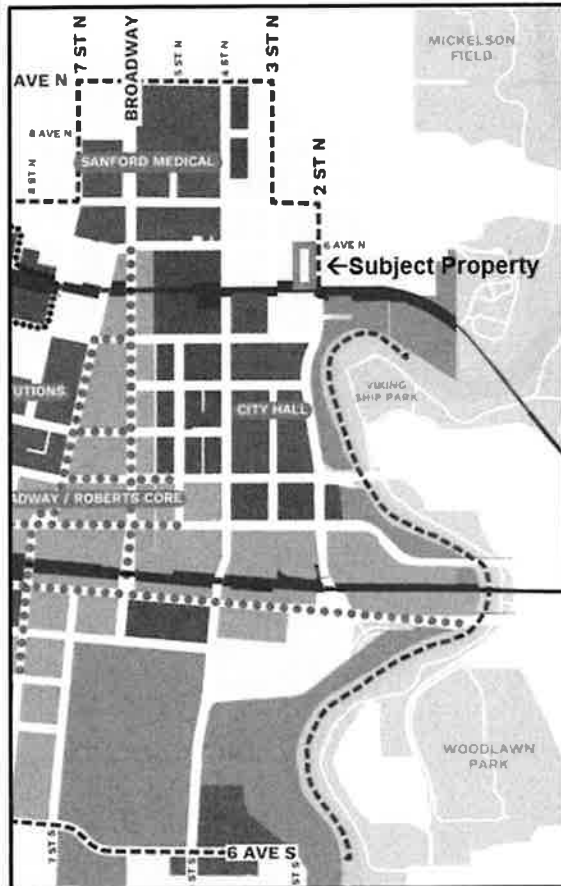
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(37)

City of Fargo Staff Report			
Title:	Cityside Addition	Date: Update:	11/30/2023 7/3/2024
Location:	202, 208, 210, and 212 6th Avenue North; 509, 511, and 515 3rd Street North (see "Note On Addresses" below)	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Lots 2-7, Block 31, Keeney and Devitts Second Addition to the City of Fargo, Cass County, North Dakota.		
Owner(s)/Applicant:	Sterling Properties LLLP; Sanford / Nate Vollmuth—Goldmark Design and Development	Engineer:	Ulteig Engineering, Inc.
Entitlements Requested:	Major Subdivision , (replat of Lots 2-7, Block 31, and a vacation of a portion of the public alley within Block 31, Keeney and Devitts Second Addition to the City of Fargo, Cass County, North Dakota.); Zone Change a Zoning Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use,		
Status:	City Commission Public Hearing: July 8th, 2023		
Existing		Proposed	
Land Use: Residential		Land Use: No change proposed	
Zoning: MR-3, Multi-Dwelling Residential		Zoning: DMU, Downtown Mixed Use	
Uses Allowed: MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, daycare centers up to 12 children or adults, parks and open areas, religious institutions, safety services, schools, and basic utilities		Uses Allowed: DMU – Downtown Mixed Use. Allows detached houses, attached houses, duplexes, multi-dwelling structures, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, commercial parking, retail sales and service, vehicle repair, limited vehicle service, and major entertainment events.	
Maximum Density Allowed: 24 dwelling units per acre		Maximum Density Allowed: No limit	
Proposal:			
<p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> 1. A major subdivision, to be known as Cityside Addition, a replat of Lots 2-7, Block 31, and a vacation of a portion of the public alley within Block 31, Keeney and Devitts Second Addition to the City of Fargo, Cass County, North Dakota. 2. A zone change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use <p>The subject property is located at 202, 208, 210, and 212 6th Avenue North; 509, 511, and 515 3rd Street North and encompasses approximately 1.05 acres.</p> <p><u>Note On Addresses:</u> <i>The 3rd Street North addresses are those of properties adjacent to the portion of alley to be vacated, though these properties—portion of Lot 9 and all of Lots 10, 11, and 12, Block 31, Keeney and Devitts Second Addition---are not part of the plat.</i></p> <p>This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.</p> <p>(continued on next page)</p>			

Area Plans:

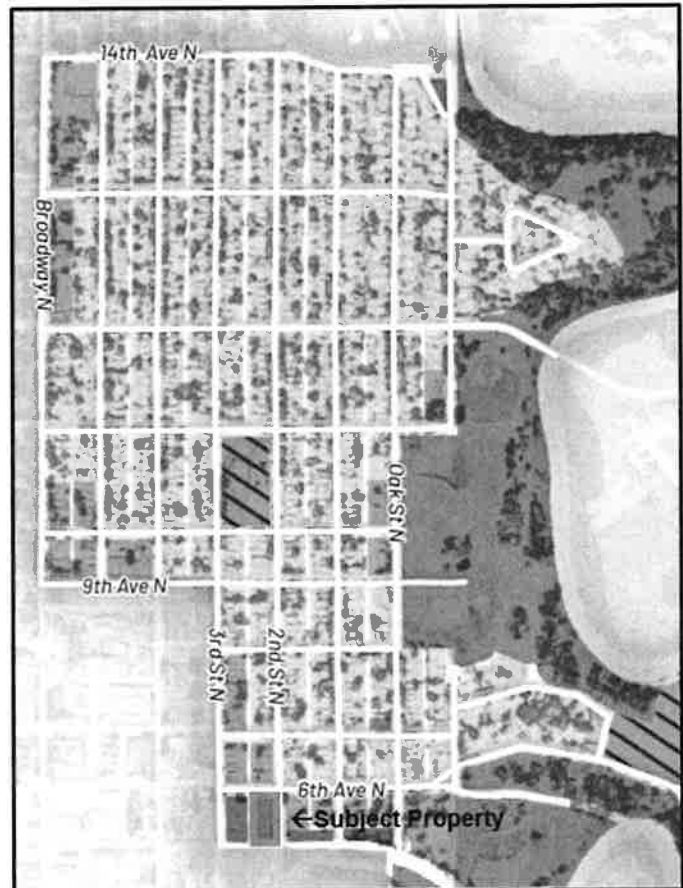
The subject property is covered by two future land use plans. The Downtown in Focus Plan identifies the future land use as "Residential." The Horace Mann Neighborhood Future Land Use Plan of the Core Neighborhoods Plan identifies the future land use as "Mixed Use Neighborhood Commercial." The proposed DMU, Downtown Mixed Use zoning is consistent with both of these land uses. Both plans are illustrated below. Note that the colors in the legend mean different things on the different plans.

DOWNTOWN IN FOCUS PLAN

Future Land Use

Source: Interface Studio

- RETAIL FOCUS
- INDUSTRIAL PRESERVATION
- RESIDENTIAL
- COMMERCIAL
- MIXED-USE
- INDUSTRIAL
- PARKS & RECREATION
- PUBLIC & INSTITUTIONAL
- UTILITY & OTHER
- RAIL
- OPEN SPACE
- DOWNTOWN FOCUS AREA

CORE NEIGHBORHOODS PLAN**HORACE MANN****FUTURE LAND USE MAP**

- Single-Family Residential
- Multi-Family Residential
- Institutional
- Schools with recreational amenities
- Industrial/Warehousing
- Park, Open Space and Trails
- Commercial
- Mixed Use Neighborhood Commercial

Surrounding Zoning Districts and Land Uses:

- North: MR-3 and MR-2, Multi-Dwelling Residential, with residential uses
- East: MR-2, Multi-Dwelling Residential with residential uses and GC, General Commercial with commercial uses (storage)
- South: BNSF railroad; across the tracks DMU with residential use under construction
- West: DMU, Downtown Mixed Use with residential and commercial uses

Context

Neighborhood: The subject property, on the edge of downtown, is a transitional area and is located in both the Horace Mann and Downtown neighborhoods

Schools: The subject property is located within the Fargo Public School District and is served by Horace Mann/Roosevelt Elementary, Ben Franklin Middle, and Fargo North High schools.

Parks: Oak Grove Park, located at 170 Maple Street North, is approximately 0.25 miles from the subject property, and includes amenities of disc golf, horseshoes, picnic table, playground, ages 5-12, recreational trails, restrooms, shelter, and tennis court.

Pedestrian / Bicycle: There is an off-street shared use path on the east side of 2nd Street North, which connects to the metro area path system.

MATBUS Routes: The subject property is not along a MATBUS route.

Staff Analysis:

MAJOR SUBDIVISION

Cityside Addition is a major subdivision as it includes vacation of right of way (see below). Cityside Addition will combine three existing lots into a single lot for future high-density residential development, and vacate a portion of the alley adjacent to the subject property.

ZONE CHANGE

The proposed zoning is DMU, Downtown Mixed Use. Multi-dwelling residential uses are allowed by right in DMU; there is no limit on density in the DMU zone as there is in the current MR-3 zone (24 units per acre). This zone change is consistent with both the Downtown in Focus and Core Neighborhoods Plan land use designation.

VACATION OF RIGHT OF WAY

The plat includes a vacation of a portion of alley right of way (ROW) in Block 31, Keeney & Devitts 2nd Addition adjacent to the subject property. Findings specific to this vacation are below.

Major Subdivision

The LDC stipulates that the following criteria is met before a major subdivision plat can be approved

1. **Section 20-0907.C.1 of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.**

The subject property is zoned MR-3, Multi-Dwelling Residential. The proposed zoning is DMU, Downtown Mixed Use. This zoning is consistent with the land use designations in the Downtown in Focus future land use map and the Horace Mann Neighborhood future land use map, as noted above. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property, as well as to representatives of the Horace Mann and Downtown neighborhoods. To date, Planning staff has received and responded two inquiries. **(Criteria Satisfied)**

2. **Section 20-0907.C.4.c of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

The property is currently zoned MR-3, Multi-Dwelling Residential. The applicant proposes zoning of DMU, Downtown Mixed Use. This zoning is consistent with the land use designations in the Downtown in Focus future land use map and the Horace Mann Neighborhood future land use map, as noted above. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

3. **Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

The applicant has provided a draft amenities plan to address stormwater requirements. No additional public improvements will be required for this subdivision. This amenities plan has been reviewed by the Public Works Project Evaluation Committee (PWPEC). Any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles.
(Criteria Satisfied)

Zoning

Section 20-0906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned MR-3, Multi-Dwelling Residential. The applicant proposes zoning of DMU, Downtown Mixed Use. This zoning is consistent with the land use designations in the Downtown in Focus future land use map and the Horace Mann Neighborhood future land use map, as noted above. DMU zoning is intended to allow intensive development. The Downtown in Focus Plan encourages greater densities along the periphery of downtown. The DMU zone enables such greater density as this zone does not have a maximum residential density. The dimensional standards of the zone allow 100 percent lot coverage and do not require setbacks, so this property, which is at an entry to downtown (the 2nd Street underpass), can be developed with a downtown look and feel. At the same time, development in the DMU zoning district is intended to be pedestrian oriented with a strong emphasis on a safe and attractive streetscape, which is important as this location is also a transition from downtown to the residential neighborhood to the north and east. **(Criteria Satisfied)**

Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subdivision is along dedicated public rights of way—2nd Street North and 6th Avenue North—which will provide access and public utilities.
(Criteria satisfied)

Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property, as well as to representatives of the Horace Mann and Downtown neighborhoods. To date, Planning staff has received and responded to two inquiries. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**

Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." As noted above, both the Downtown in Focus Plan and the Core Neighborhoods Plan cover the subject property. The proposed zoning of DMU is consistent with the land use designations for the subject property shown in both plans. **(Criteria satisfied)**

ROW Vacation Approval Criteria: The City of Fargo does not currently have any adopted regulation dealing with the vacation of rights-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacate Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant must submit a vacation plat (a major subdivision). In this case, the petition for vacation and the plat are included in the applicant's overall subdivision application and plat. Notwithstanding the Land Development Code's (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 24-07 (outside of municipal limits) and Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C. The final decision on vacation of right of way is made by the City Commission.

N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions. No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality's grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of such electric facilities in the vacated streets.

There are no City of Fargo utilities installed in this right of way. It is the applicant's responsibility to contact all potential utility providers and submit documentation regarding the presence of utilities and the necessity to retain any easements. The plat depicts an easement for access and utilities over the vacated area.

(Criteria Satisfied)

N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification. No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.

In accordance with the requirement of this section, a petition signed by the adjacent owner has been submitted for review and consideration, along with a plat of such public alley. **(Criteria Satisfied)**

N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice. If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.

The vacation has been advertised as required by this section prior to the hearing before the City Commission (the City's governing body). **(Criteria Satisfied)**

N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body. The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.

This action is scheduled for the July 8th, 2024 City Commission agenda **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff hereby waive the requirement to receive the rezoning Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading and move to approve the 1) zone change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use and 2) proposed plat of the **Cityside Addition**, including vacation of right of way, as outlined in the staff report, as the proposal complies with the Standards of Article 20-06, and Sections 20-0907.C and 20-0906. F (1-4) of the LDC and all other applicable requirements of the LDC, and of North Dakota Century Code Chapter 40-39."

Planning Commission Recommendation: December 5th, 2023

At the December 5th, 2023 Planning Commission public hearing, that Commission, by a vote of 8-0 with one Commissioner absent and two Commission seats vacant, moved to accept the findings and recommendations of staff and move to recommend approval to the City Commission of the 1) zone change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use and 2) proposed plat of the **Cityside Addition**, including vacation of right of way, as outlined in the staff report, as the proposal complies with the Standards of Article 20-06, and Sections 20-0907.C and 20-0906. F (1-4) of the LDC and all other applicable requirements of the LDC, and of North Dakota Century Code Chapter 40-39.

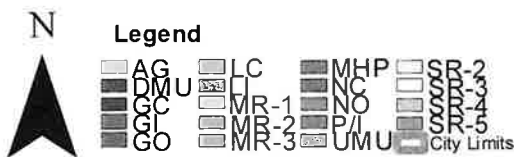
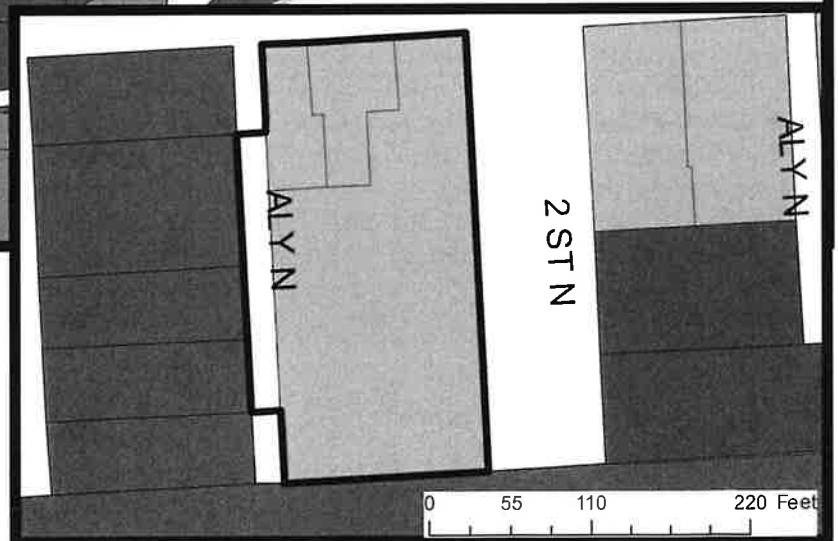
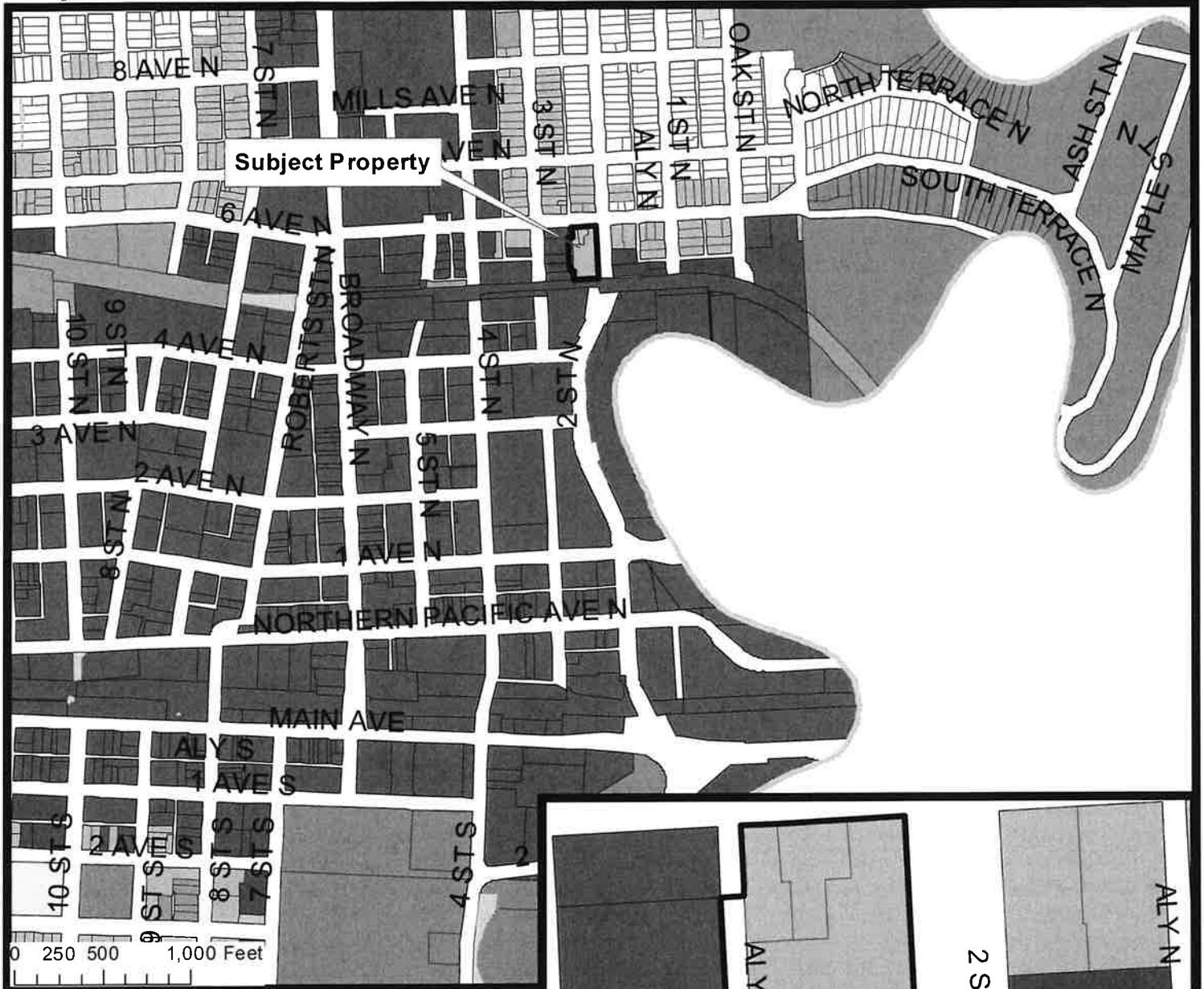
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Plat

Zone Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use & Major Subdivision, including Vacation of Right-of-Way

202, 208 & 212 6th Avenue North;
509, 511 & 515 3rd Street North

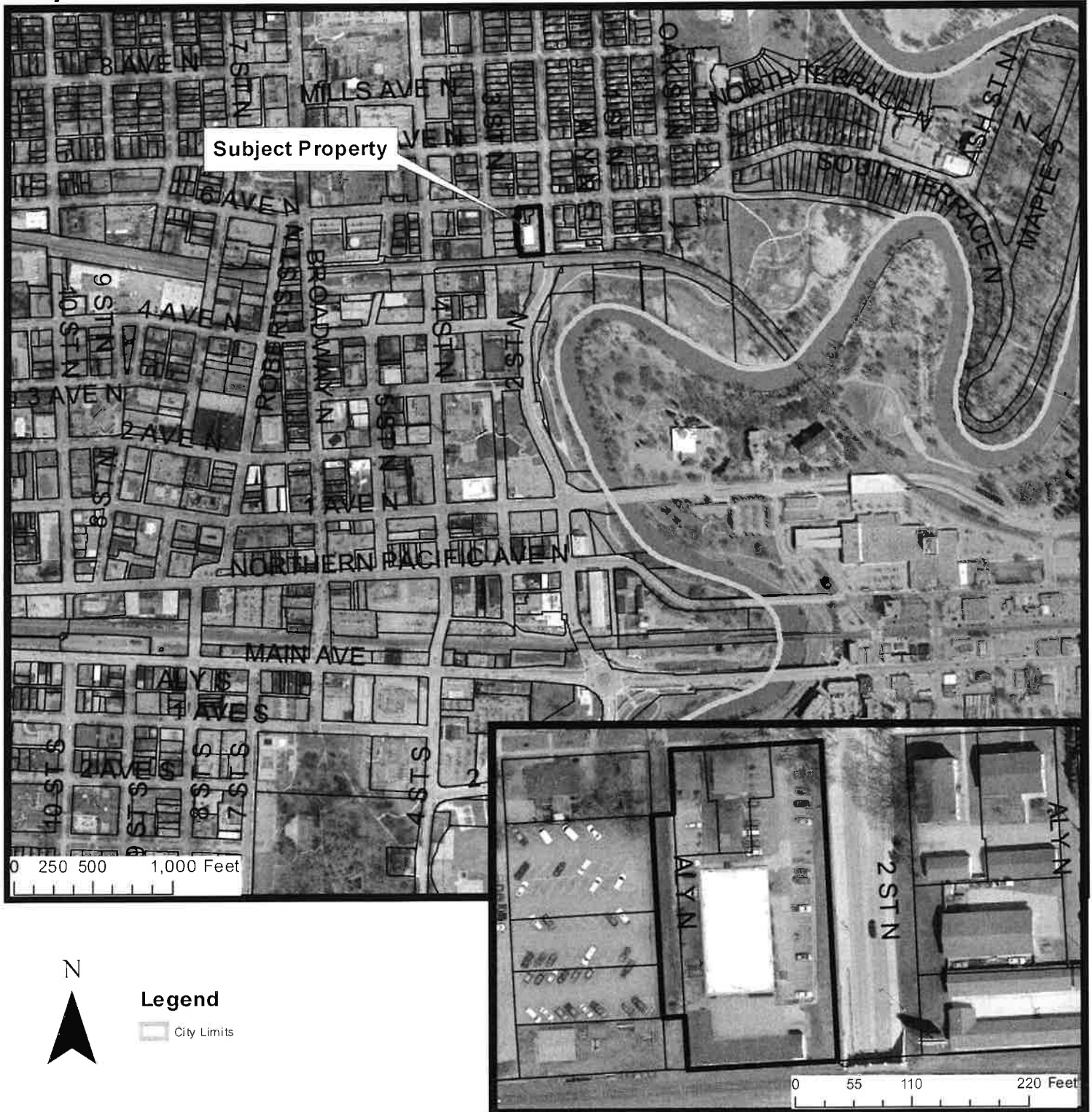
Cityside Addition



Zone Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use & Major Subdivision, including Vacation of Right-of-Way

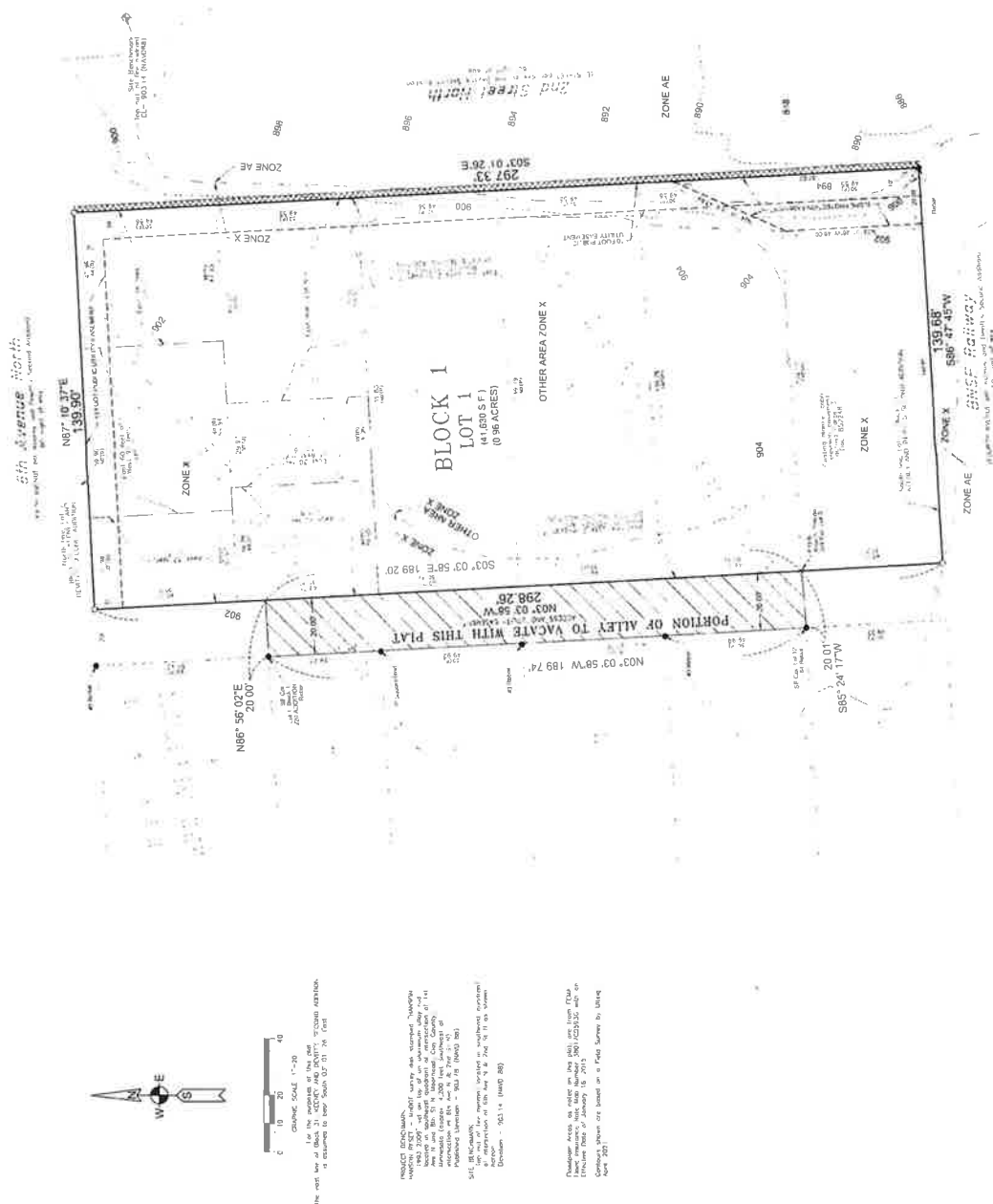
202, 208 & 212 6th Avenue North;
509, 511 & 515 3rd Street North

Cityside Addition



CITYSIDE ADDITION

A REPLAT OF LOTS 2, 3, 4, 5, 6, & 7 OF BLOCK 31 AND VACATION OF A PORTION OF "THE PUBLIC ALLEY IN BLOCK 31, OF KEENEY AND DEVITT'S SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)



REPAIRED BY _____

Ulteig

Ultra

SHEET 2 OF 2 SHEETS

TABLE 1

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

376

ORDINANCE NO. _____

AN ORDINANCE REZONING A CERTAIN PARCEL
OF LAND LYING IN CITYSIDE ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in the proposed Cityside Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on December 5, 2023; and,

WHEREAS, the rezoning changes were approved by the City Commission on July 8, 2024,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

All of Cityside Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "MR-3", Multi-Dwelling Residential, District to "DMU", Downtown Mixed Use Residential, District.

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

Timothy J. Mahoney, M.D., Mayor

(SEAL)

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

MEMORANDUM

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TO: BOARD OF CITY COMMISSIONERS

FROM: NICOLE CRUTCHFIELD, PLANNING DIRECTOR
KRISTI SYLSKAR, HUD GRANT ADMINISTRATOR *KS*

DATE: JULY 3, 2024

**RE: PUBLIC HEARING FOR PROPOSED AMENDMENT TO COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) / HOME INVESTMENT
PARTNERSHIPS PROGRAM (HOME) 2023 HUD ACTION PLAN**

Planning & Development Department staff are proposing an amendment to the 2023 HUD Action Plan, which was originally approved by the City Commission on June 12, 2023. The proposed amendment further defines details of the Affordable Single-Family Housing for Ownership project as outlined below:

Project Sites, Budgets and Scopes Identified for "Affordable Single-Family Housing for Ownership" Project: Lake Agassiz Habitat for Humanity

The locations for two housing projects have been identified at 213 24 Street South and 221 24 Street South. The activity at these two, adjacent sites includes new construction of affordable, single-family residential twinhome units. The proposed HOME budget for each twinhome unit is \$200,000 (for a total of \$400,000 in HOME funds). The project will result in two affordable, single-family housing units. Of the \$550,000 in 2023 HOME funds that was approved in the 2023 Action Plan for this "Affordable Single-Family Housing for Ownership" project, the remaining \$150,000 in 2023 HOME funds for this Action Plan project is being utilized for a project that was already identified and approved in the original 2023 Action Plan.

Per the adopted Citizen Participation Plan, this proposal is being presented at the July 8th City Commission meeting as a Public Hearing. Details of the proposed 2023 Action Plan Amendment timeline, including the 30-day public comment period, are outlined in the attached public notice (published in *The Forum* newspaper on June 19, 2024). Once approved by citizens and the City, the 2023 Action Plan amendment, along with all comments received, will be submitted to HUD for approval. To date, no public comments have been received.

Attachment: Notice of Public Hearing & Public Comment Period

Recommended Motion: No action is required at this time; public hearing only. Final consideration of the 2023 Action Plan Amendment is scheduled for July 22, 2024.

City of Fargo
Notice of Public Hearing & Public Comment Period
Community Development Block Grant (CDBG) & HOME Programs
Amendment to 2023 Action Plan

The City of Fargo is opening a 30-day public comment period starting June 20, 2024, which also includes a public hearing on Monday, July 8, 2024 during the regular Fargo City Commission meeting. Final consideration will be at the July 22, 2024 City Commission meeting. The purpose for the public comment period is to consider a proposed amendment to the City's 2023 HUD Action Plan, which is summarized in this notice.

Proposed Amendment to 2023 HUD Action Plan

1. Project Sites, Budgets and Scopes Identified for "Affordable Single-Family Housing for Ownership" Project: Lake Agassiz Habitat for Humanity

The locations for two housing projects have been identified at 213 24 Street South and 221 24 Street South. The activity at these two, adjacent sites includes new construction of affordable, single-family residential twinhome units. The proposed HOME budget for each twinhome unit is \$200,000 (for a total of \$400,000 in HOME funds). The project will result in two affordable, single-family housing units. Of the \$550,000 in 2023 HOME funds that was approved in the 2023 Action Plan for this "Affordable Single-Family Housing for Ownership" project, the remaining \$150,000 in 2023 HOME funds for this Action Plan project is being utilized for a project that was already identified and approved in the original 2023 Action Plan.

COMMENTS, ACCESSIBILITY, & SCHEDULE

Comments and suggestions from the public are encouraged through a public comment period and/or at the public hearing. Contact information and schedule are provided below:

30-DAY PUBLIC COMMENT PERIOD: June 20 through July 19, 2024

PUBLIC HEARING: Monday, July 8, 2024 - 5:15 pm
Fargo City Commission Chambers
225 4th Street North, Fargo, ND 58102

CITY COMMISSION VOTE: Monday, July 22, 2024 – 5:00 pm

CONTACT INFORMATION: City of Fargo
Planning and Development Department
Attn: HUD Grant Administrator
225 4th Street North, Fargo ND 58102
701.241.1474
Planning@FargoND.gov

DRAFT PLAN AVAILABLE AT: www.fargond.gov/planninganddevelopment/plansandstudies
OR request through Planning & Development Department

Accessibility – Fargo City Hall is serviced by public transit, fully accessible and can accommodate persons with disabilities. Alternative formats of this information (e.g., Braille, American Sign Language, etc.) or reasonable accommodations for persons with hearing/vision impairments and/or other disabilities will be

made upon request. Contact City of Fargo's Section 504/ADA Coordinator Bekki Majerus at 701.298.6966 to arrange for services (a 48 hour notice may be needed). To access TTY/ND Relay service dial 800.366.6888 or 711

Limited English – Reasonable steps will be taken to provide persons with limited English proficiency (LEP) meaningful access, including the availability of interpretation and translation services. Contact the City of Fargo Planning and Development Department at 701.241.1474 or Planning@FargoND.gov if services are needed.

Non-Discrimination Notice – In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

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PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Type: Scooter Rental in the Street Right of Way

Location: Citywide

Date of Hearing: 6/15/2024

Routing

City Commission

Date

7/8/24

PWPEC File

X

Project File

Kevin Gorder

The Committee reviewed the attached correspondence from Division Engineer, Kevin Gorder, regarding a request for permit or license to place scooters in the City right of way.

Engineering has discussed this item with Planning and had brief discussion with the City Attorney's Office. Currently there is no path to authorize the use of scooters in our municipal code and would require a rewrite of Section 8-20 to include a section addressing the requirements on getting a license and actions if the municipal code is not followed.

City staff does not support the addition of scooters in the City right of way and seeking PWPEC's support.

On a motion by Ben Dow, seconded by Nicole Crutchfield, the Committee voted to recommend support of City staff and deny licensing of scooter rental businesses.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and deny the request for licensing of scooter rental businesses.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: N/A

Developer meets City policy for payment of delinquent specials
 Agreement for payment of specials required of developer
 Letter of Credit required (per policy approved 5-28-13)

Yes No

N/AN/AN/ACOMMITTEE

Present Yes No Unanimous

☒

Tim Mahoney, Mayor

☒☒☐

Nicole Crutchfield, Director of Planning

☒☒☐

Steve Dirksen, Fire Chief

☒☒☐

Brenda Derrig, Assistant City Administrator

☒☒☐

Ben Dow, Director of Operations

☒☒☐

Steve Sprague, City Auditor

☐☐☐

Tom Knakmuhs, City Engineer


☒☒☐

Susan Thompson, Finance Director

☐☐☐

ATTEST:

C: Kristi Olson


 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: Members of PWPEC
From: Kevin Gorder, Division Engineer
Date: June 14, 2024
Re: Scooter Rental in the Street Right of Way

Background

In the last month, Engineering has been contacted by two different individuals about getting permitted to provide private scooter rental in the City right of way. This is not the first request received to place scooters in the City right of way. There have been a number of requests over the last few years but the previous requests were not pursued either by staff or the requesting party. The last two requests are actually people looking for a permit or license to bring scooters to Fargo.

Engineering has discussed this item with Planning and had brief discussions with the City Attorney's Office. The general consensus is there is no path to authorize the use of scooters in our current municipal code. It appears there is some general update needed to various sections but the biggest change would be to rewrite Section 8-20. A section would need to be added to our municipal code with the requirements on getting a license are well defined along with items like insurance, safety, any desired restrictions, and actions if municipal code is not followed by the scooter companies.

City staff does not support the addition of scooters in the City right of way. Staff is asking PWPEC for the concurrence in not allowing scooters in the City right of way and this recommendation be forwarded to the City Commission for their action. If the City Commission would like to allow scooters in the City right of way, City staff along with the City Attorney would work diligently to rewrite the municipal code and bring it back to the Commission for their approval. After this action is complete, licensing of scooter rental businesses would begin.

Recommended Action

Concur with staff on not changing the ordinance to allow scooter rentals in Fargo.

Meridian, Idaho

The City of Meridian, Idaho, recently used a Memorandum of Understanding (MOU) to allow Neutron Holdings, Inc. DBA Lime (Lime) the right to operate a bike sharing service within city limits. The MOU agreement lasted for just over one week, with the city terminating the agreement for several reasons including:

- Public complaints
- Law enforcement was unaware of the deployment and spent a lot of time chasing complaints ranging from scooter drag-races to broken scooters
- On October 1st, the Ada County Highway District (ACHD) impounded 13 Lime scooters that were blocking sidewalk accessibility

For the one week of deployment, rider data revealed 3,000 individual users in the City of Meridian. **(Attachment 1)**

The City of Meridian, Lime, and now BIRD, another ride sharing company, have agreed to set a new launch date of mid-March 2019. This will give the City, ACHD, and the Idaho Department of Transportation (ITD) time to ensure a safe launch, and give the ride sharing companies time to educate riders about safety, rules, and regulations that apply to the scooters.

The City of Meridian and Lime signed a six-page MOU **(Attachment 2)**, which spelled out terms of the agreement to allow Lime the right to operate Bike Sharing Services within city limits. A couple things to note in regards to the MOU:

- Vague language or description of where the bikes should be parked **(MOU agreement 3)**
- Reference to unclear City, County, and State laws or regulations governing bike share services **(MOU recital 5)**
- Lime agreed to share all rider data with _____ the City of Meridian including routes and usage **(MOU agreement 10)**

Under Idaho State Code, electric assist bicycles and electric scooters are defined as a moped and would be governed by vehicle regulations **(Attachment 3)**. Riders are required to have a valid driver's license, but no title or motorcycle license is needed for vehicle operation. Vehicles cannot operate on sidewalks and all rules of the road apply. **(Attachment 4)**

If Lime were to deploy pedal bicycles there are State regulations governing their use in Meridian. Of note, the state governs bicycles to abide by traffic laws; however, a bicycle may yield at a red light if there is no oncoming traffic. Bicycles must also be visible from a distance at night, with reflectors clearly visible from 500 feet on the front and back of the bicycle. **(Attachment 5)**

In summation, Meridian's approach to allowing bike sharing services may have been rushed. It goes to show that although less regulation may allow a city to deploy the service in a more timely manner, more regulation may have provided for a safer and more organized deployment.

Minneapolis, MN

The City of Minneapolis, Minnesota, recently amended city ordinances shortly after scooter sharing services arrived in the city. Ordinance requires the bicycle/scooter sharing business to acquire a license or a contract with Minneapolis before entering the local market. The initial license is a trial run, or interim operational permit that expires on November 30 of this year (**attachment 1 & 9**). The interim agreement establishes:

- Four month pilot-program ends November 30, 2018
- Application process for interested vendors
- Maximum number of 200 scooters for the first two months, and 400 scooters for the last two months; can be divided among multiple vendors
- Impoundment authority & associated fee
- License agreement fee (\$20/scooter or \$8,000/four month pilot)
- Voluntary agreement fee (\$1/scooter/day approx. \$36,000 in total over four month pilot) which would be used for shared City infrastructure improvements

The City will analyze the data of the scooters by Spring of 2019 to determine if they are indeed a viable transit option for Minneapolis (**attachment 2**).

BIRD and Lime have been operating their respective scooter sharing services in Minneapolis since July, and the City was in the process of passing a new city ordinance to govern motorized scooters and the scooter sharing services.

Motorized foot scooter operations are governed by the City of Minneapolis and require a contract or license agreed upon by the City and vendor (**attachment 3**). Of major importance, Minneapolis prohibits scooter parking outside of the furniture zone of sidewalks that impedes pedestrian movement (**attachment 1, agreement 6**).

Minneapolis also has a bicycle sharing operation, Nice Ride, which offers traditional bicycles that are parked at docking stations. Nice Ride also offers a dockless bicycle, and the bike share operator, Motivate International, Inc. was recently purchased by the rideshare company, Lyft, which is also integrating motorized foot scooters into its transportation service options in various cities across the country. Bicycle sharing operations are governed by the City of Minneapolis and require a contract or license agreed upon by the City and vendor (**attachment 4**). One of the most important regulations is that any shared bike must be parked in a permitted bicycle sharing station, including dockless bicycles, which have designated areas marked with signage or sidewalk paint where they can be picked up or parked. Nice Ride fines users if bikes are not docked correctly or are not parked in a designated area (**attachment 5**).

Under Minnesota state statute, bicycles, electric-assisted bicycles, and motorized foot scooters are individually defined (**attachment 6**). Under MN statute the minimum age of a motorized foot scooter operator is 12 years old, and no driver's license is required. Motorized foot scooters are required to have a maximum operational speed of 15 miles per hour. BIRD and Lime require scooter riders to be at least 18 years old and have a valid driver's license as part of their rental agreements. The State also prohibits any motorized foot scooter from using the sidewalk, unless to enter or leave adjacent property (**attachment 7**).

For electric-assisted bicycles, the minimum age of an operator is 15 years old, and no driver's license is required (**attachment 8, subd. 6a**). Electric-assisted bicycles are to have a maximum operational speed of 20 miles per hour. Currently, no ride sharing companies operate electric-assisted bicycles in Minneapolis, although many privately owned e-bikes are used for getting around the city.

Per MN statutes, motorized foot scooters and electric-assisted bicycles are governed by the state statute governing bicycle operation; all traffic laws apply. Of note, bicycles are prohibited from sidewalks in business districts, and local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction. All forms of aforementioned transportation are allowed to operate on bike trails, bikeways, and road shoulder unless local laws applied, being marked with signage accordingly (**attachment 8**).

In summation, Minneapolis has cooperated with bicycle sharing and now motorized foot scooter sharing vendors, but remains cautious. The City wasted no time getting regulations in place, but is proceeding slowly with an interim contract to see how operations go. Through the winter months, Metro COG will look at the analysis and data that stems from the four-month trial, and monitor any additions or amendments to City Ordinance based on the trial's success.

Seattle, WA

The City of Seattle, Washington, became one of the first cities in the nation to allow shareable, dockless bikes on city streets, in part due to poor ridership from the city owned docked bike share, Pronto, which was scrapped on March 31, 2017 (**attachment 1**). Since then, the city has taken a different approach to bicycle sharing operations, adopting a robust permitting process for the Free-Floating Bike Share Program (**attachment 2**). Their 2017 pilot program allowed three companies to deploy up to 4,000 bikes each, but for 2018/19 that number has gone up to four companies, with a deployment of up to 5,000 bikes each. It comes at the steepest price in the nation, at \$250,000 per permit, with three applications approved so far including vendors: Jump, Lime, and Lyft. The 61-page permit requirements document (**attachment 3**) spells out exactly what is expected from the bike share program and vendors including:

- Goals of the program
- General information about the permit and process
- Equipment and safety
- Parking
- Operations
- Data Sharing
- Compliance and Enforcement
- Application and Fees

The Seattle Department of Transportation identifies parking as the biggest challenge of the free-floating program, and provides very specific guidance on where it is appropriate to park, including a diagram (**attachment 4**).

Bicycles, electric-assisted bicycles, and adaptive bicycles and similar approved devices are allowed to operate through the permit. An adaptive cycle offer features or configurations that make cycling possible and enjoyable for many people who have difficulty riding a conventional bike such as people with disabilities, seniors citizens, including people whom suffer from joint pain, balance problems, or even temporary injuries. Surprisingly, the free-floating bike share program does not allow motorized foot scooters as part of the program, and they are illegal devices if operated as part of a bike sharing program, although they can be operated privately in the public right-of-way (**attachment 3, pg 2**).

Motorized foot scooters are allowed in the public right-of-way, however they are not allowed to operate on the sidewalk, bike lane, or public path. Interestingly, electric personal assistive mobility devices (EPAMD) are allowed to ride on the sidewalk, bike lane, or public path. EPAMDs are not allowed to operate on the roadway or shoulder if the speed limit is greater than 35 miles per hour or if the roadway is classified as an arterial (**attachment 5**). An example of an EPAMD would be a Segway, or self-balancing one or two wheeled vehicle that has a maximum speed of 20 miles per hour (**attachment 6**).

Any 'motor vehicle' is not allowed to operate on park property, unless it is a roadway, excluding an electric-assisted bicycle. For instance, motorized foot scooters and EPAMDs are not allowed to operate on any path or bike path that is park property (**attachment 7**).

In relation to micro-mobility and shared transportation service, the State of Washington defines bicycles, electric-assisted bicycle, EPAMDs, and motorized foot scooters, and even breaks down the e-bike definition into three separate classes, but does not define bicycle sharing service or similar

(attachment 8). Per WA State Code, all bicyclists must abide by traffic laws and may operate on the sidewalk, however more restrictive than Idaho, the State provides some language for bicyclists that may exercise due care and proceed through a traffic signal if they did not trigger the vehicle detection device after 'one cycle' (attachment 9). In addition, King County has a bicycle helmet law and the city requires every device to inform riders of the law, however does not mention any enforcement measures related to the helmet law (attachment 10).

In summation, Seattle has one of the most comprehensive (and expensive) permitting processes in the country. The City has good regulations in place, most of which are spelled out in the Free-Floating Bike Share Program Permit Requirements. It will be exciting to follow the compliance reports and stringent data analysis from SDOT throughout the year. Although the City's permit is quite expensive, it allows the city to pay for enforcement, analysis, environmental justice, and even infrastructure as it relates to not only the Free-Floating Bike Share Program, but to other bicycle/pedestrian initiatives throughout the city.



Fargo-Moorhead Metropolitan
Council of Governments

Case Plaza Suite 232 | One 2nd Street North
Fargo, North Dakota 58102-4807
p: 701.232.3242 | f: 701.232.5043
e: metrococg@fmmetrococg.org
www.fmmetrococg.org

March 6, 2019

Subject: Shared electric scooters & dockless bikeshare bicycles

Dear City Administrators & City Staff:

In coordination with the Metropolitan Bicycle & Pedestrian Committee, Metro COG conducted research about shared electric scooters and dockless bikeshare bicycles. The Committee, which includes local technical staff and local bicycle/pedestrian advocates, believe there is a likelihood that shared electric scooter and dockless bikeshare bicycle companies will pursue deployment in our Metro Area. While these modes of transportation present some opportunities, issues experienced by other communities have convinced us that the potential deployment of shared electric scooters and dockless bikeshare bicycles in our area warrant the sharing of such issues with local city administrators and city staff.

Both shared electric scooters and dockless bikeshare bicycles are shared mobility services operated by private companies. A smartphone app allows anyone to 'check out' a shared mobility vehicle and the user can park the device at locations of their choosing. In some cases the operating companies have sought city approval prior to deployment, however in other cases they have not.

It is not uncommon for a fleet of over 100 of these vehicles to be implemented in an average-sized community such as ours. The presence of these vehicles has increased significantly. For example, the first shared electric scooters were deployed in September 2017. Today over 120 US cities are home to shared electric scooters.

Attached is information Metro COG researched regarding shared electric scooters and dockless bikeshare bicycles. We felt it appropriate to relay this information to you to: (1) make you aware of the potential deployment of these vehicles and (2) make sure you have a toolkit of information prepared should our area be of interest to these shared scooter or dockless bikeshare companies.

If you have any questions or concerns, please don't hesitate to contact Dan Farnsworth, Metro COG Transportation Planner at 701-532-5106 or farnsworth@fmmetrococg.org.

Sincerely,

A handwritten signature in black ink that reads "Dan Farnsworth". The signature is written in a cursive, flowing style.

Dan Farnsworth
Metro COG
Transportation Planner

Shared Electric Scooters

Overview

- Shared electric scooters are short distance publically-shared vehicles operated by a third party.
- Scooters are 'checked-out' using a smartphone app.
- Significant rise in popularity: Began in 2017. Now 120+ cities have scooters.
- **Advantages:** Affordable short distance travel, thus reducing need for auto trips and helping with parking demand.
- **Disadvantages:** Can travel up to 15 mph and often use the sidewalks, resulting in complaints and posing safety concerns. Scooters parked anywhere (unless properly enforced).



Case Studies

City	No. of scooters	Deployed	Issues	Solutions
Meridian, ID (pop. 99,926)	200	Sept 2018	<ul style="list-style-type: none"> • City claimed scooter company violated conditions of their agreement • Agreement & city ordinances also needed some improvements on City's end 	<ul style="list-style-type: none"> • City banned operations in Oct 2018 • City creating new agreement with clearer ordinances • City plans to allow operations after new agreement & ordinances pass
Boise, ID (pop. 226,570)	500	Oct 2018	<ul style="list-style-type: none"> • Few issues in Boise. 114,300 rides taken, only 75 complaints • Some ordinance revisions are being considered 	<ul style="list-style-type: none"> • Build on existing ordinances • Plans to double number of scooters allowed in City
Minneapolis (pop. 422,331)	400	July 2018	<ul style="list-style-type: none"> • No significant issues reported 	<ul style="list-style-type: none"> • Thorough agreement & ordinance made for smooth operations • City charges fee to company to help fund infrastructure and improvements within the right-of-way

F-M Area Scooter Ordinances

Metro COG researched the existing ordinances of the cities of West Fargo, Fargo, Moorhead, Dilworth as well as the states of ND and MN. Since shared electric scooters are a new concept, current ordinances do not address their usage within our area. If said scooters were to be implemented in the F-M Area, in many cases they would be in violation of the local ordinances.

Recommendation

If shared electric scooters were to be desired for deployed in the F-M Area, it may be in the best interest of the applicable city(s) to prohibit them until ordinances are in place and require a well-vetted agreement between the city and operating company. In addition, revised ordinances addressing such scooters should also be highly considered prior to any scooter operations.

Resources

- Shared Micromobility Playbook — www.playbook.t4america.org
- Metro COG — Metro COG has gathered numerous ordinances and scooter-city agreements of successful deployments of shared electric scooters. For more information please contact: Dan Farnsworth (Metro COG) at 701-532-5106 or Farnsworth@fmmetrocog.org

Dockless Bikeshare Bicycles

Overview

- Similar to the Great Rides Bikeshare system currently in Fargo, however without docking locations.
- Dockless bikes lock at the user's destination.
- Bikes are 'checked-out' using a smartphone app.
- Significant rise in popularity: Began in 2017. Estimated over 100 US cities have dockless bikeshare programs today.
- **Advantages:** Affordable and healthy in-town travel. Reduces need for auto trips and helps with parking demand.
- **Disadvantages:** Bicycles parked anywhere (unless properly enforced).



Case Studies

City	No. of bikes	Deployed	Case Study Takeaways
Minneapolis (pop. 422,331)	1,500	Sept 2018	<ul style="list-style-type: none"> • City charges \$5 annual fee per dockless bike. This funding goes toward improving infrastructure that the bikes use. • To overcome bikes being parked anywhere, City mandates all bikes parked within designated parking locations. User is fined unless parked within designated location. GPS on bike verifies proper parking.
Green Bay, WI (pop. 105,116)	150	July 2018	<ul style="list-style-type: none"> • City signed agreement with bikeshare company 2 months prior to deployment. • No revisions to ordinances found necessary. • City created specific webpage to inform and educate the public on use of dockless bicycles (https://greenbaywi.gov/916/Bike-Share). • City has marked parking zones for dockless bikes in their downtown.

Recommendation

If dockless bikeshare bicycles were to be introduced into our community, our existing bicycle ordinances should be sufficient. However, if a vendor was interested in bringing a dockless bikeshare system to the F-M Area, it would be recommended that the associated city(s) set up a comprehensive agreement with the bikeshare vendor prior to deployment of the system. It is recommended that the agreement incorporate best practices from other municipalities which have proven a successful dockless bikeshare system.



Resources

- Shared Micromobility Playbook — www.playbook.t4america.org
- Metro COG — Metro COG has researched case studies and best practices from cities with successful dockless bikeshare programs. For more information please contact: Dan Farnsworth (Metro COG) at 701-532-5106 or Farnsworth@fmmetrocog.org

DOCKLESS ELECTRIC SCOOTER & BIKESHARE ORDINANCE RESEARCH

Wednesday, January 23, 2019
Metro COG Conference Room
Fargo, North Dakota

Topics

- Dockless Electric Scooter Case Studies
- Dockless Bikeshare Case Studies
- Local Ordinances
- Definitions

Dockless Electric Scooters

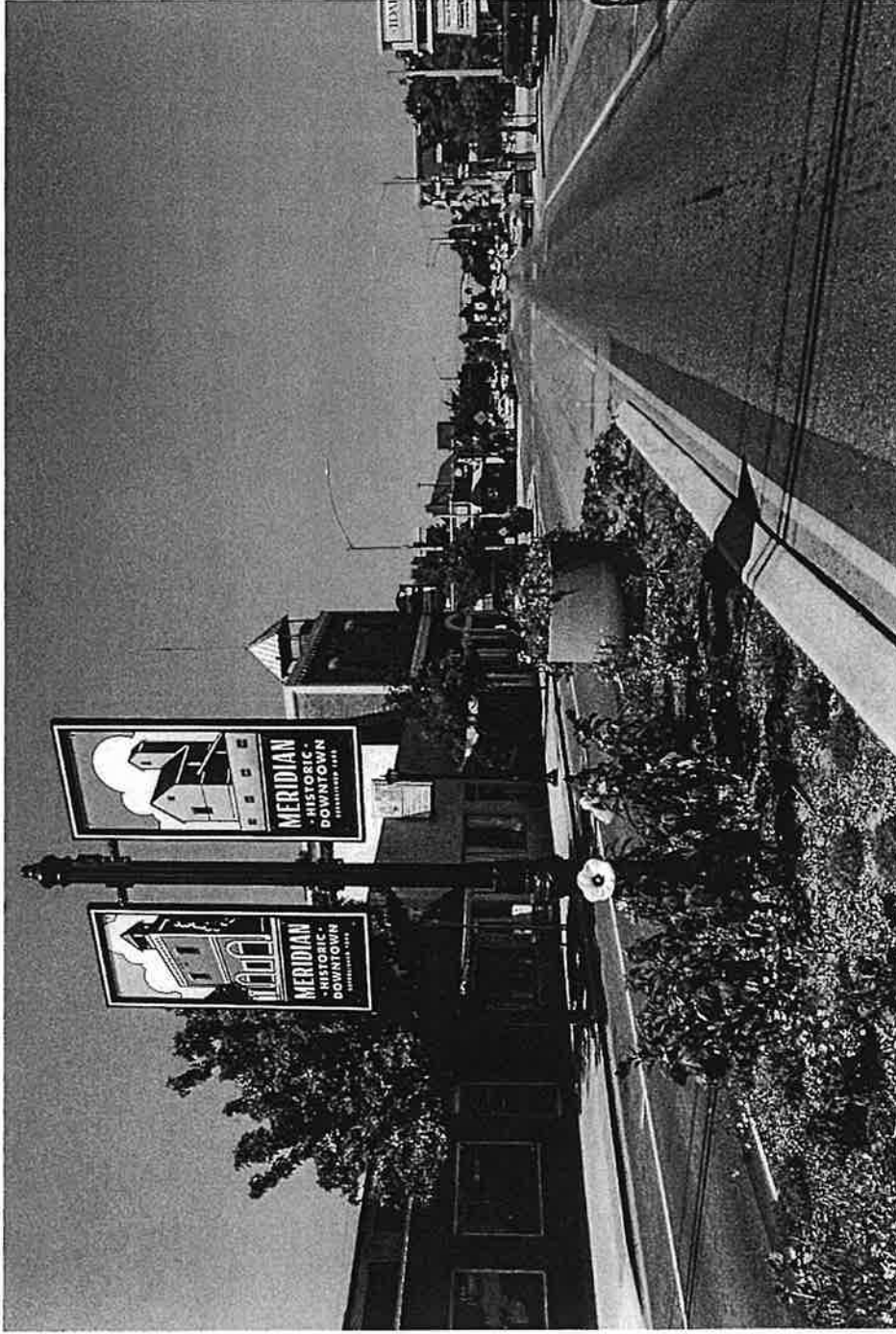


- Dockless application only
- Scooters only unlocked for a fee through mobile application
- Can be parked anywhere – up to the City to regulate
- Self-locking mechanism to end your ride
- Fully electric motor for speeds up to 15 miles per hour

Case Studies

- Meridian, ID
- Boise, ID
- Minneapolis, MN

Meridian, Idaho



- 10 miles west of Boise, Idaho
- Population: 99,926 (2017)

Meridian, Idaho

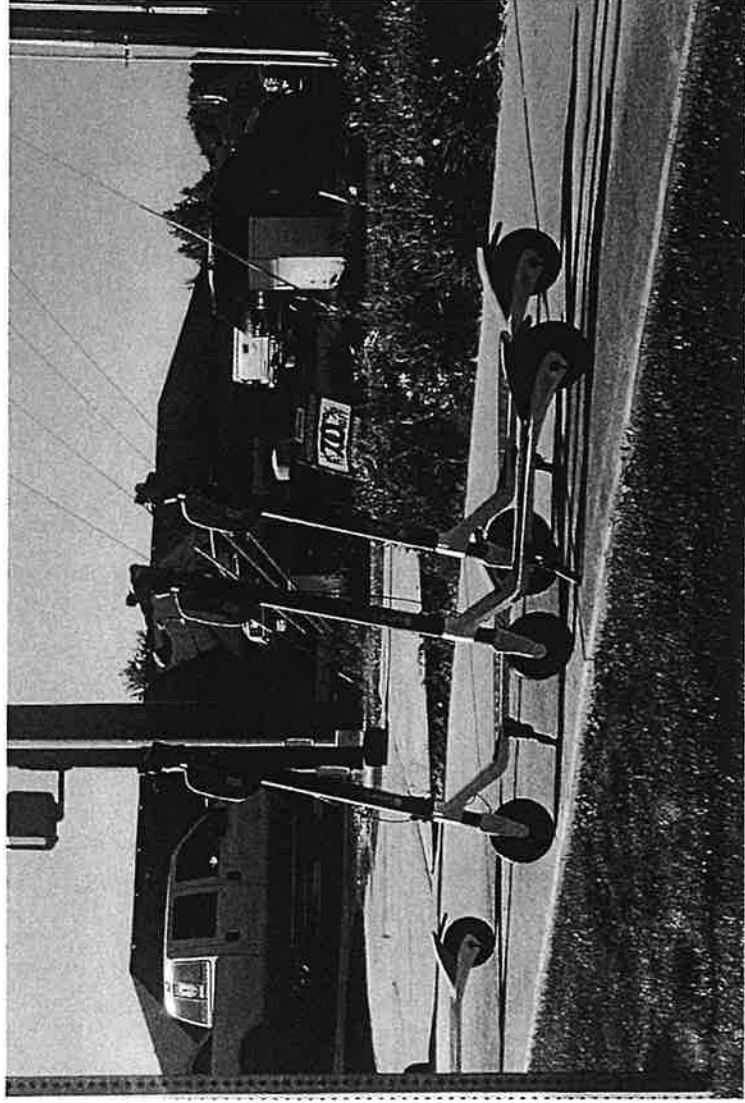
Dockless Electric Scooters

- Operator: Lime
- Number of scooters: 200
- Deployed: September 27th, 2018
- Agreement with City when deployed: Yes
- City asked Lime to terminate operations on October 2nd, 2018
- Reason for termination: City claimed Lime violated some conditions of their agreement (not fully educating public, not getting license agreements with all agencies/businesses). Agreement also needed some improvements from City's end.
- Future steps:
 - Feb 2019 – Revised agreement to be brought to City Council for consideration.
 - March 2019 – potential re-deployment of scooters

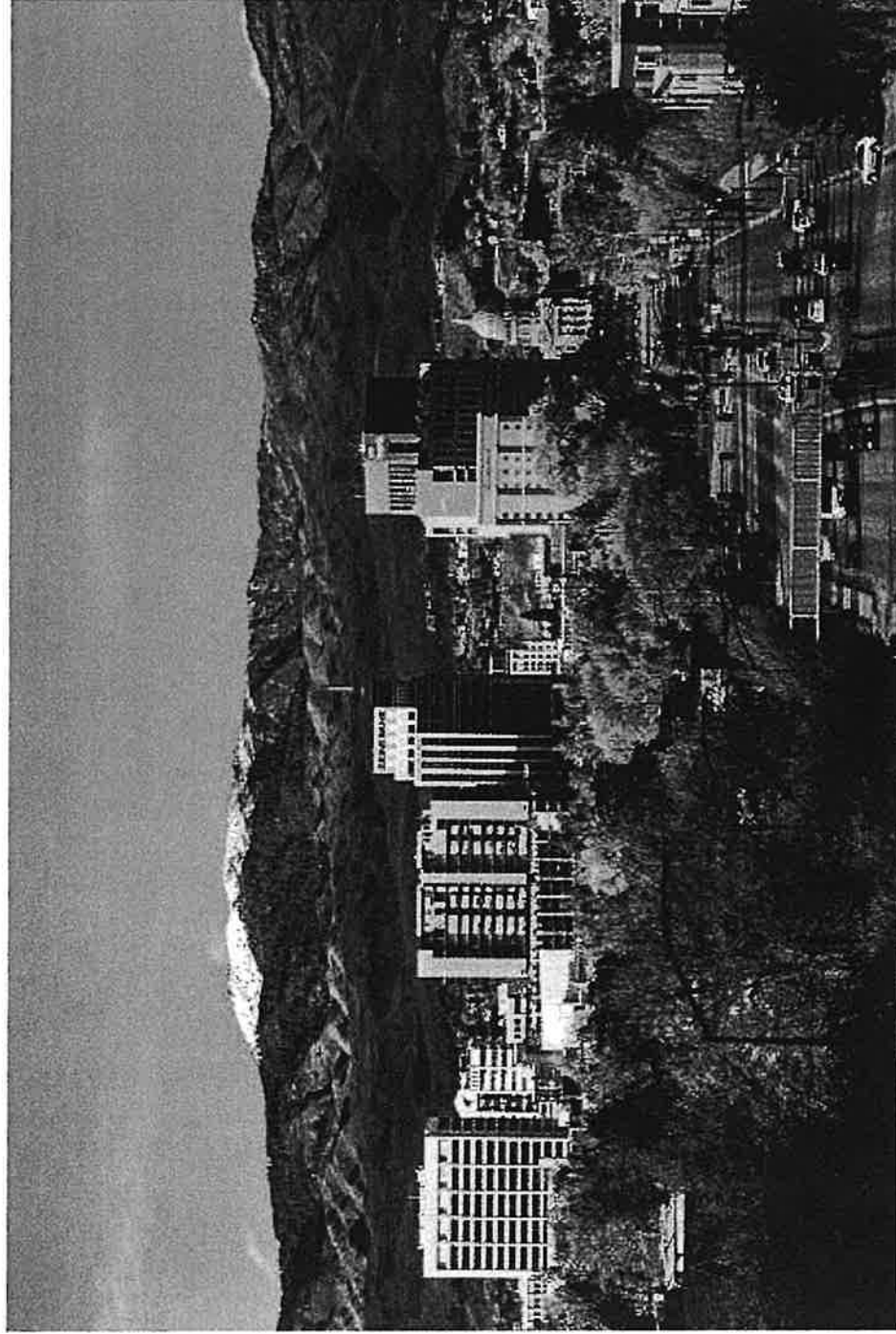
Meridian, Idaho

Proposed Electric Scooter Agreement/Ordinance

- Ordinance will dictate number of ride-share companies
- Fees associated with deploying and max number of scooters
- Possible mandatory geofences (geofences would lower speeds of scooters in certain areas of city (parks, etc.))



Boise, Idaho



- Population: 226,570 (2017)

Boise, Idaho

Dockless Electric Scooters

- Operators: Lime, Bird (Spin applied and may start Feb 2019)
- Deployed: October, 2018
- Number of scooters:
 - 500 (250 Lime, 250 Bird)
 - On Jan 15, 2019, City voted to consider doubling number of scooters allowed
- Agreement with City when deployed: Yes
- As of Jan 15, 2019 - 114,254 rides taken and only 75 complaints



Boise, Idaho

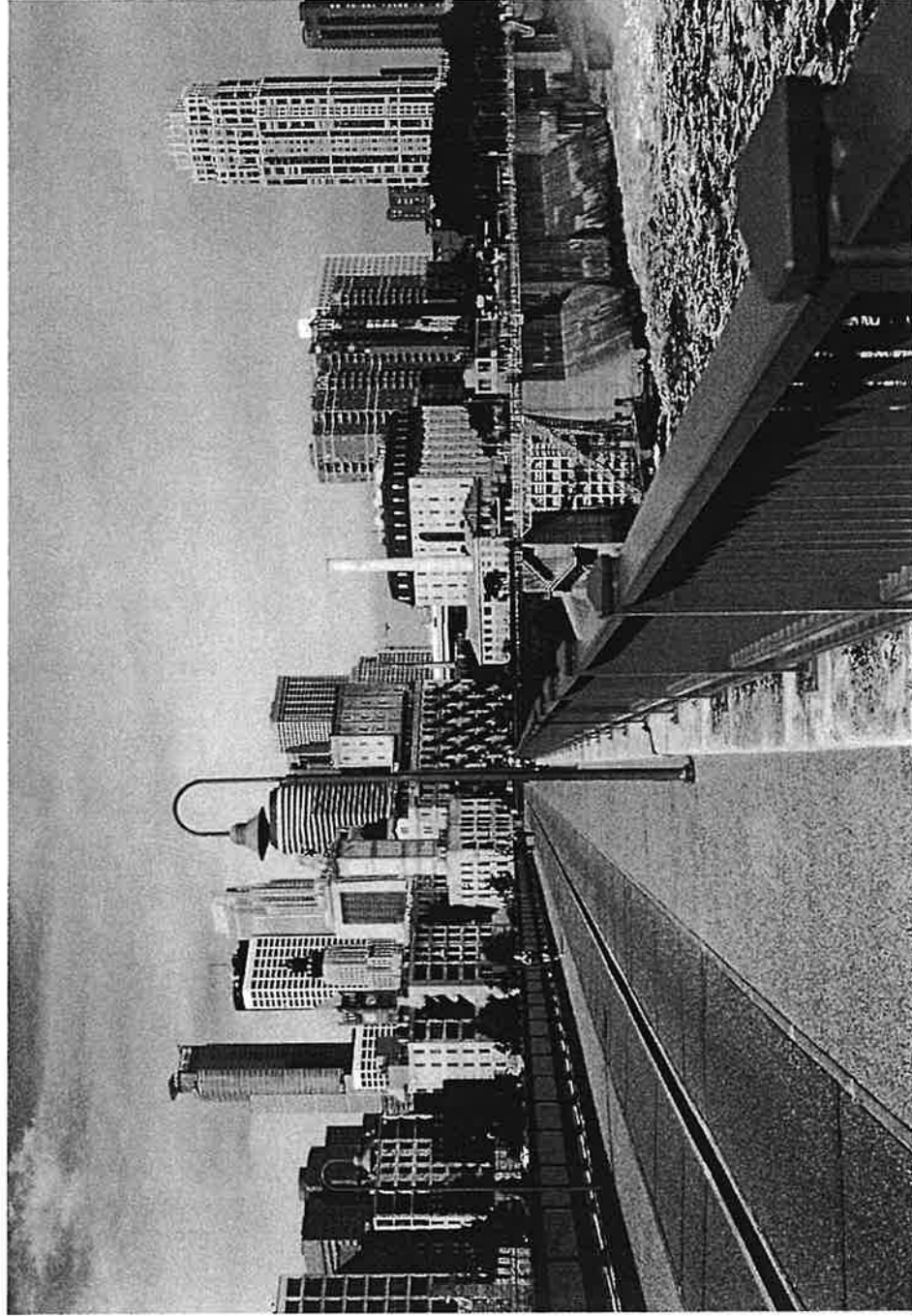
Current Ordinance

- Passed Aug 21, 2018
- Limits total number of scooters
- Limits speeds

Proposed Revisions to Ordinance

- Might be approved March 2019
- Might penalize companies for not addressing improperly placed scooters quickly enough
- Might require companies to take all scooters off city streets every night
- If snow is forecasted, scooters would not be put out as to not disrupt snow removal

Minneapolis, Minnesota



- Population: 422,331 (2017)

Minneapolis, Minnesota

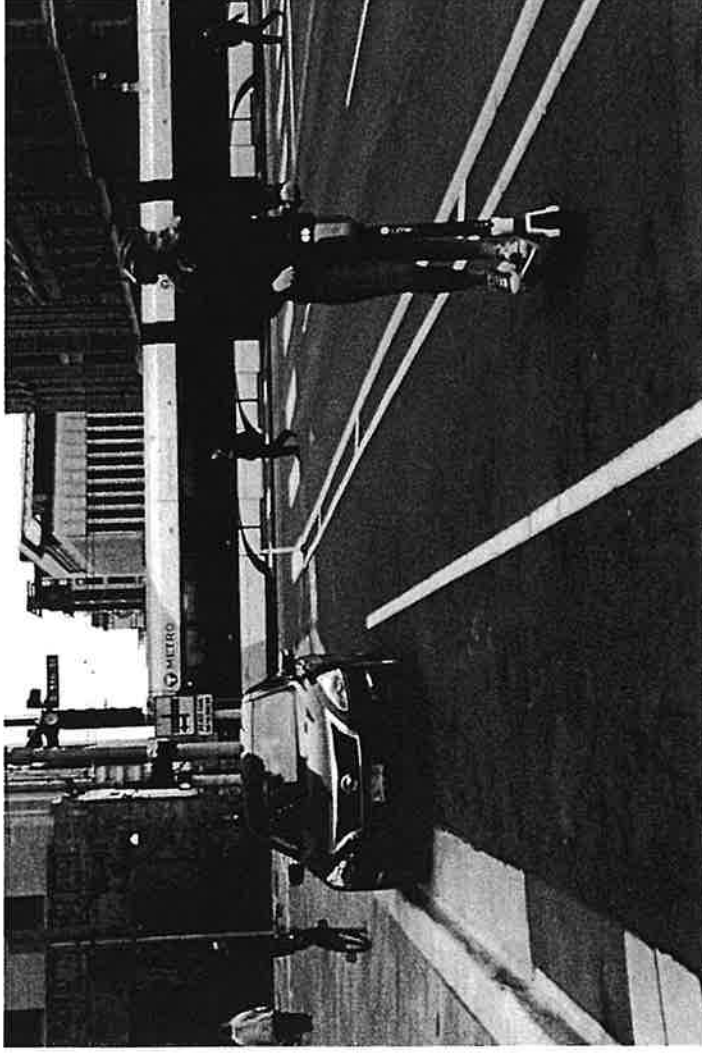
Shared Motorized Foot Scooter Pilot

- Operator: Bird & Lime
- Number of scooters:
 - 200 in the first two months
 - 400 in the final two months
- Deployed: July 10th, 2018(Bird) and July 23rd, 2018 (Lime)
- Agreement with City when deployed: No
- City had a signed license agreement August 3rd, 2018
- Reason for pilot: City used a pilot program to analyze if the scooters are a viable mobility option or if they are a novelty
- Fees:
 - \$20 per scooter or \$8,000 total
 - Voluntary \$1 per scooter per day or \$36,000 total for infrastructure improvements within the right-of-way
- Future steps:
 - Assess impact the pilot program had on the right-of-way, equitable access, and mode choice
 - Refined permitting process and license agreement

Minneapolis, Minnesota

Takeaways

- Fees vs. voluntary fees to help pay for infrastructure
- Robust user data privacy and protection requirements
- Clear city ordinance regarding 'low power vehicles' including 'low power vehicle sharing operations'
- 2019 program will be more refined
- Lime reported 200,000 rides during the pilot program



Fargo-Moorhead Metropolitan Council of Governments

Dockless Bikeshare



- Bicycles parked at designated locations OR bicycles parked anywhere
- Bicycles unlocked for a fee through mobile application
- Self-locking – simple button to lock and end your ride
- Can be 100% human powered or electric-assist

Case Studies

- **Minneapolis, MN**
- **Green Bay, WI**

Minneapolis, Minnesota



- Population: 422,331 (2017)

Minneapolis, Minnesota

Dockless Bicycle Sharing Pilot

- Operator: Nice Ride Minnesota (Motivate)
- Number of dockless bikes:
 - 1,500 in 2018
 - 1,500 additional bikes in 2019
 - 1,500 additional bikes in 2020 if usage targets are met
 - 1,500 additional bikes in 2021 if usage targets are met
- Deployed: September 18th, 2018
- Agreement with City when deployed: Yes
- Reason for pilot: Bike share market is moving in dockless direction
- Fees:
 - \$5 annual fee per dockless bicycle
 - Allows the Public Works Director to lower and or waive fee if bike primarily serve another ROW owner such as St. Paul or UMN

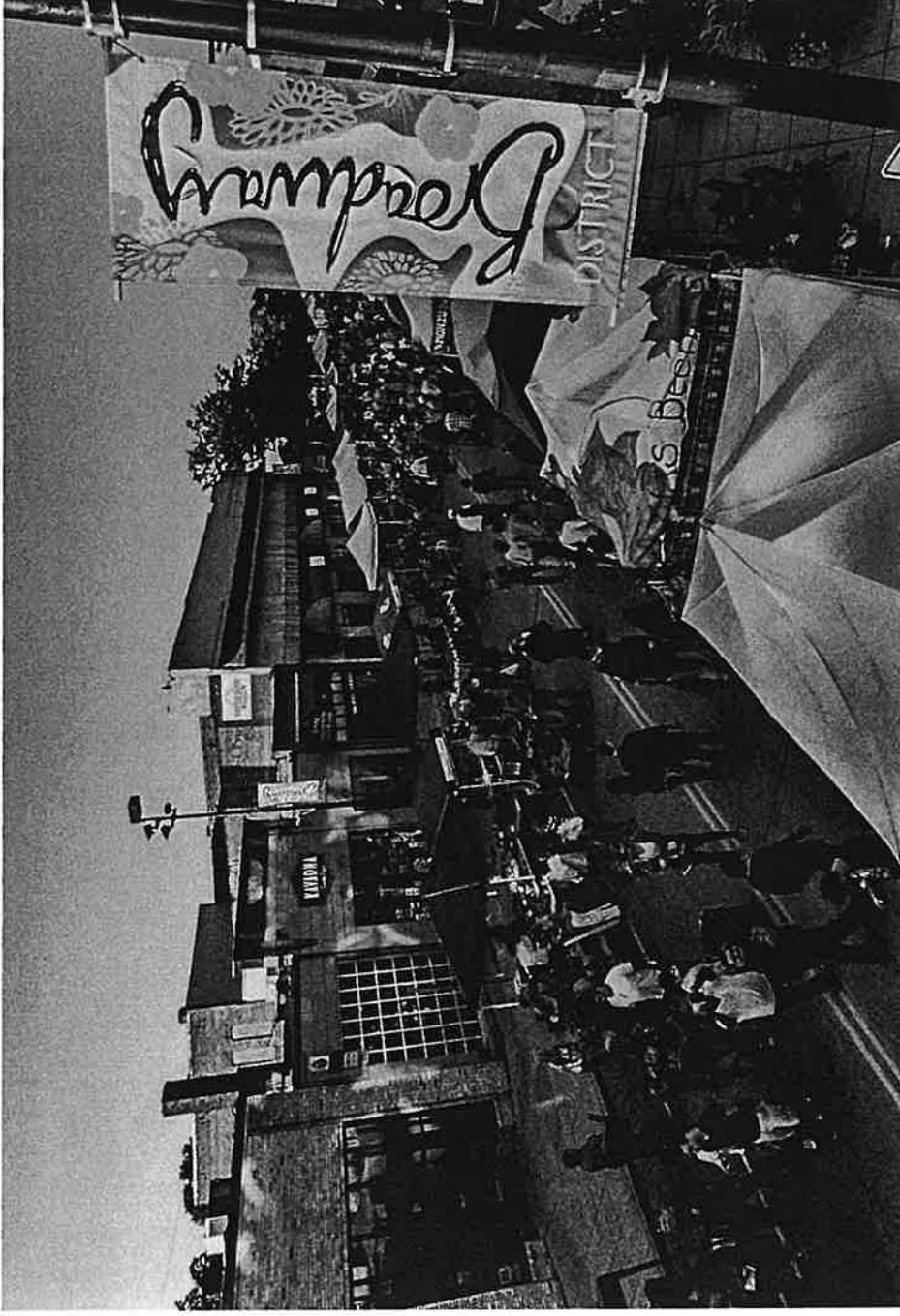
Minneapolis, Minnesota

Takeaways

- Geofenced virtual stations or 'hubs' designated on mobile app and website – approved by the Public Works Director – permitted virtual station will be identified in the field with signage, striping or other combination of such
- Promoted as more efficient, equitable, and flexible



Green Bay, Wisconsin



- Population: 105,116 (2017)

Green Bay, Wisconsin

Dockless Bicycle Sharing Program

- Operator: LimeBike
- Number of dockless bikes: 150
- Deployed: July 31st, 2018
- Agreement with City when deployed: Yes
- City had a signed license agreement May 15th, 2018
 - 3 year term
- No city ordinance regulating dockless bicycles
- Website has specific page for the bike share including:
 - How to ride and safety tips (including videos)
 - Where to park – even more clear than MOU
 - Dockless bike share parking map (interactive)
 - Quantitative ridership information
 - FAQs
- Seasonal Operation:
 - The dockless bikes were removed for the season on October 21st, 2018
 - Redeployed in the Spring, weather permitting

Green Bay, Wisconsin

Takeaways

- City has done a good job of educating and including helpful information on their website, including who to contact if there is an issue
- City has physically marked parking zones in their downtown
- Accessibility and affordability are highlighted on the City's Website



Current Ordinances: Electric Scooters

- Minnesota – Has ordinance
- Moorhead – No ordinance found
- North Dakota - Unclear
- City of Fargo – Has ordinance
- West Fargo – Has ordinance

Minnesota

State Operational Regulation

Per MN Statute 169.225

169.225 MOTORIZED FOOT SCOOTER

- May not operate on sidewalk, except to cross it
- May not be operated with a passenger
- No helmet required to ride unless under the age of 18 years
- No person under the age of 12 years may operate
- Must be equipped with a headlight and taillight if operated under conditions where lights are required by law
- May operate on bicycle path, lane, trail, or bikeway unless:
 - Reserved for exclusive use of nonmotorized traffic, or
 - Local authority or governing body prohibits operation by law

City of Fargo

Motorized Scooters

Article 8-20

Motorized Scooters

- Can not be operated on any sidewalk in the central business district or any sidewalk posted to prohibit scooter operation
- Operators are required to wear a helmet if under age of 18
- Operators required to dismount and push scooter across street and within crosswalk area
- Cannot be operated on any public street
- Can be operated on sidewalks or paths
- Scooters can only be operated from sunrise to sunset
- Scooters may be impounded if found in violation of ordinance
- Must yield to pedestrians

City of West Fargo

Motorized Scooters

Article 13-2006

Motorized Scooters

- Cannot operate on sidewalk, bikepath, or pedestrian trail
- Cannot operate on roadway with posted speed greater than 30 mph or four lane roadway
- Helmet must be worn if under age of 18
- No operation of scooter prior to sunrise or after sunset
- When operating on any street, scooter must be equipped with reflectors and shall have a florescent orange flag

Current Ordinances: Dockless Bikeshare

- Minnesota – None
- Moorhead – None
- North Dakota – None
- City of Fargo – None
- West Fargo - None

Scooter Definitions

- **Minnesota**
- **North Dakota (none)**
- **West Fargo**

Minnesota

Definition

Per MN Statute 169.011

Subd. 46. Motorized Foot Scooter.

- Has handlebars
- Is sat or stood on by operator
- Powered by internal combustion engine or electric motor
- 2 wheels no larger than 12-inches in diameter
- Maximum speed of 15 MPH on a flat surface
- Does not include:
 - Electric personal assistive mobility device
 - Motorized bicycle or electric-assisted bicycle
 - motorcycle

City of Fargo

Definition

Article 8-2001

Motorized Foot Scooter.

- Any wheeled, open device
- Powered by a motor
- Number of wheels not specified
- Not capable of traveling more than 15 mph

City of West Fargo

Definition

Article 13-2001

Motorized Foot Scooter.

- Self propelled vehicle with at least two wheels
- Typically operated with gas or electric motor
- Operate at speeds no greater than 20 mph
- Contains seat for sitting or deck for standing

National Association of City Transportation Officials (NACTO)

Guidelines for the Regulation and Management of Shared Active Transportation

“Document provides guidance for cities and public entities as they look to manage and regulate Shared Active Transportation Companies that are not otherwise managed through competitive procurement processes or contracts.”



FINANCE OFFICE
225 4th Street North
Fargo, ND 58102
Phone: (701) 241-1333
www.FargoND.gov

TO: Board of Commissioners

FROM: Susan Thompson, Director of Finance

RE: FAHR Staff meeting – Items for Commission Review/Approval

DATE: July 8, 2024

Receive & File: Sales Tax Update (monthly report – accrual basis)

Action Needed: Various Financial Approvals
FAHR endorsed the respective departments' requests for City Commissions approval. Reports of Action, along with supporting schedules, are included.

Budget Adjustments

Police Department - Donation Summary, Request to
Accept, & Budget Adjustment: Washington DC
Police Memorial Trip

Personnel Requests

Engineering – Reclassification Request; Technician III

Fargo Cass Public Health – (2) Contracted Fargo Public
School request

City of Fargo

Comparative Sales Tax Analysis of All Sales Tax Revenue - ACCRUAL BASIS

PB: SS/KAC (prior to 2022)

6/22/2024

Payment Date	month collected	Amount	County Collections	County Growth %	City Collections	City Growth %	
			6,950,335.02	4.7%	21,126,946.67	5.4%	
		County Sales Tax					
		County Sales Tax					
		County Sales Tax				21,126,946.67 City 2024	
		County Sales Tax				6,950,335.02 County 2024	
		County Sales Tax					
		County Sales Tax				20,047,829.03 City 2023	
		County Sales Tax				6,636,614.66 County 2023	
		County Sales Tax					
6/24/2025	Apr-24	County Sales Tax	1,759,660.73		City Sales Tax	5,404,517.72	
5/21/2024	Mar-24	County Sales Tax	2,276,388.27		City Sales Tax	6,980,911.25	
4/22/2024	Feb-24	County Sales Tax	1,023,591.77		City Sales Tax	3,163,097.74	
3/21/2024	Jan-24	County Sales Tax	1,890,694.25		City Sales Tax	5,578,419.96	
2/22/2024	Dec-24	County Sales Tax	2,781,114.42	23,106,462.71	8.2%	City Sales Tax	8,158,464.07
1/22/2024	Nov-24	County Sales Tax	1,559,305.60		City Sales Tax	4,709,032.00	
12/20/2023	Oct-24	County Sales Tax	1,916,009.28		City Sales Tax	5,684,255.33	
11/22/2023	Sep-24	County Sales Tax	2,480,655.78		City Sales Tax	7,615,211.78	
10/21/2023	Aug-24	County Sales Tax	1,509,750.17		City Sales Tax	4,530,239.98	
9/20/2023	Jul-24	County Sales Tax	2,012,131.70		City Sales Tax	6,030,106.74	
8/20/2023	Jun-24	County Sales Tax	2,337,746.99		City Sales Tax	6,739,403.04	
7/21/2023	May-24	County Sales Tax	1,873,134.11		City Sales Tax	5,735,919.99	
6/21/2023	Apr-24	County Sales Tax	2,076,304.07		City Sales Tax	6,368,293.95	
5/21/2023	Mar-24	County Sales Tax	1,528,002.65		City Sales Tax	4,619,852.76	
4/22/2023	Feb-24	County Sales Tax	1,455,198.19		City Sales Tax	4,544,116.43	
3/19/2023	Jan-24	County Sales Tax	1,577,109.75		City Sales Tax	4,515,565.89	
2/22/2023	Dec-22	County Sales Tax	2,331,087.61	21,358,922.89	-2.6%	City Sales Tax	7,015,548.33
1/24/2023	Nov-22	County Sales Tax	1,892,168.21		City Sales Tax	5,746,351.94	
12/21/2022	Oct-22	County Sales Tax	1,904,586.17		City Sales Tax	5,637,285.90	
11/22/2022	Sep-22	County Sales Tax	1,828,464.08		City Sales Tax	5,282,124.95	
10/21/2022	Aug-22	County Sales Tax	1,905,477.39		City Sales Tax	5,697,578.75	
9/20/2022	Jul-22	County Sales Tax	2,321,971.24		City Sales Tax	7,149,286.78	
8/20/2022	Jun-22	County Sales Tax	1,816,911.33		City Sales Tax	5,066,525.72	
7/21/2022	May-22	County Sales Tax	1,811,968.57		City Sales Tax	5,388,350.10	
6/21/2022	Apr-22	County Sales Tax	1,971,576.35		City Sales Tax	6,059,165.61	
5/21/2022	Mar-22	County Sales Tax	1,526,674.55		City Sales Tax	4,461,738.30	
4/22/2022	Feb-22	County Sales Tax	613,842.16		City Sales Tax	4,850,989.43	
3/19/2022	Jan-22	County Sales Tax	1,434,195.23		City Sales Tax	4,216,173.45	
2/22/2022	Dec-21	County Sales Tax	2,471,070.77	21,920,710.74	31.1%	City Sales Tax	7,455,248.61
1/25/2022	Nov-21	County Sales Tax	1,587,312.19		City Sales Tax	4,653,877.92	
12/21/2021	Oct-21	County Sales Tax	2,245,078.73		City Sales Tax	6,847,607.38	
11/22/2021	Sep-21	County Sales Tax	1,578,911.41		City Sales Tax	4,305,274.70	
10/21/2021	Aug-21	County Sales Tax	1,846,222.17		City Sales Tax	4,948,174.14	
9/20/2021	Jul-21	County Sales Tax	1,941,367.18		City Sales Tax	5,563,279.08	
8/20/2021	Jun-21	County Sales Tax	1,928,026.98		City Sales Tax	5,794,768.26	
7/21/2021	May-21	County Sales Tax	2,134,078.28		City Sales Tax	6,292,906.78	
6/21/2021	Apr-21	County Sales Tax	1,247,864.18		City Sales Tax	3,423,096.66	
5/21/2021	Mar-21	County Sales Tax	1,924,292.66		City Sales Tax	5,462,536.61	
4/22/2021	Feb-21	County Sales Tax	1,588,269.26		City Sales Tax	4,766,421.14	
3/19/2021	Jan-21	County Sales Tax	1,428,216.93		City Sales Tax	4,327,619.25	
2/22/2021	Dec-20	County Sales Tax	1,445,794.87	16,719,327.13	0.3%	City Sales Tax	4,232,187.56
1/25/2021	Nov-20	County Sales Tax	1,587,940.99		City Sales Tax	4,492,863.04	
12/21/2020	Oct-20	County Sales Tax	1,630,976.65		City Sales Tax	4,999,947.66	
11/23/2020	Sep-20	County Sales Tax	1,396,321.95		City Sales Tax	3,952,605.63	
10/21/2020	Aug-20	County Sales Tax	1,694,006.82		City Sales Tax	4,276,558.28	
9/22/2020	Jul-20	County Sales Tax	1,467,915.93		City Sales Tax	4,382,459.17	
8/21/2020	Jun-20	County Sales Tax	1,605,095.72		City Sales Tax	4,774,814.61	
7/22/2020	May-20	County Sales Tax	1,557,866.22		City Sales Tax	4,797,152.70	
6/19/2020	Apr-20	County Sales Tax	860,574.06		City Sales Tax	2,448,782.22	
5/21/2020	Mar-20	County Sales Tax	1,293,072.02		City Sales Tax	3,865,417.55	
4/22/2020	Feb-20	County Sales Tax	1,306,194.23		City Sales Tax	4,286,357.93	
3/20/2020	Jan-20	County Sales Tax	873,567.67		City Sales Tax	2,637,696.22	
2/24/2020	Dec-19	County Sales Tax	1,806,500.14	16,670,136.34	6.0%	City Sales Tax	5,542,185.17
1/23/2020	Nov-19	County Sales Tax	1,765,912.60		City Sales Tax	5,757,005.84	
12/20/2019	Oct-19	County Sales Tax	1,053,485.18		City Sales Tax	3,055,444.40	
11/22/2019	Sep-19	County Sales Tax	1,586,457.86		City Sales Tax	4,786,259.66	
10/21/2019	Aug-19	County Sales Tax	1,600,148.48		City Sales Tax	4,940,121.35	
9/23/2019	Jul-19	County Sales Tax	1,209,618.14		City Sales Tax	3,618,612.18	
8/21/2019	Jun-19	County Sales Tax	2,012,988.64		City Sales Tax	6,334,417.88	
7/22/2019	May-19	County Sales Tax	1,000,237.92		City Sales Tax	2,954,722.53	
6/21/2019	Apr-19	County Sales Tax	1,206,333.76		City Sales Tax	3,957,201.59	
5/21/2019	Mar-19	County Sales Tax	1,575,011.74		City Sales Tax	4,907,368.09	
4/22/2019	Feb-19	County Sales Tax	781,011.94		City Sales Tax	2,472,350.68	
3/21/2019	Jan-19	County Sales Tax	1,072,429.94		City Sales Tax	3,407,135.32	
2/22/2019	Dec-18	County Sales Tax	1,602,337.29	15,720,221.20		City Sales Tax	4,957,423.52
1/23/2019	Nov-18	County Sales Tax	1,331,035.62		City Sales Tax	4,232,397.07	
12/21/2018	Oct-18	County Sales Tax	1,343,355.18		City Sales Tax	4,113,930.12	
11/23/2018	Sep-18	County Sales Tax	1,718,685.28		City Sales Tax	5,054,359.80	
10/19/2018	Aug-18	County Sales Tax	991,141.62		City Sales Tax	2,924,184.95	
9/24/2018	Jul-18	County Sales Tax	1,438,831.10		City Sales Tax	4,290,954.46	
8/21/2018	Jun-18	County Sales Tax	1,796,550.82		City Sales Tax	5,462,231.25	
7/23/2018	May-18	County Sales Tax	1,042,677.94		City Sales Tax	3,258,203.14	
6/21/2018	Apr-18	County Sales Tax	1,142,864.18		City Sales Tax	3,527,756.41	
5/21/2018	Mar-18	County Sales Tax	1,508,616.11		City Sales Tax	4,674,211.89	
4/20/2018	Feb-18	County Sales Tax	713,349.48		City Sales Tax	2,264,455.70	
3/21/2018	Jan-18	County Sales Tax	1,090,776.58		City Sales Tax	3,425,857.59	
2/22/2018	Dec-17	County Sales Tax	1,871,667.76		City Sales Tax	6,232,808.91	
1/23/2018	Nov-17	County Sales Tax	924,357.13		City Sales Tax	2,809,247.58	
Totals Since 2018		\$ 113,951,386			\$ 344,902,586		

Report of Action:
FAHR Meeting of 7/1/2024



- ☐ Purchase Policy
- ☒ Budget Adjustment/Reallocation
- ☐ Personnel Request
- ☐ Other Financial

Department: Police
Description: Donation Summary, Request to Accept, & Budget Adjustment: Washington DC Police Memorial Trip

As a follow-up to the January City Commission request regarding the Washington DC Police Memorial Trip, Police has provided a summary of expenses and request for approval of the generous donation.

Net Financial Impact: \$0

At their meeting, FAHR endorsed this request.

Suggested Motion:

Accept the remaining Badges of Unity donation in the amount of \$158,790.07 to cover all of the costs associated with travel to the National Police Week Memorial in Washington DC in May 2024.



FARGO POLICE DEPARTMENT

A SAFE AND UNIFIED COMMUNITY BUILT ON TRUST, ACCOUNTABILITY AND INCLUSION

OFFICE OF THE CHIEF

MEMORANDUM

To: City Commissioners

From: Chief David B. Zibolski

Date: July 3, 2024

RE: Badges of Unity Donation for National Police Week Memorial in Washington D.C.

Dear City Commissioners,

We are formally asking permission to accept the generous donation of [\$158,790.07] raised through the Badges of Unity initiative. This substantial contribution made it possible for [70] members of our department to attend Police Week in Washington, DC, to honor our fallen hero, Jake Wallin, who tragically lost his life in the line of duty on July 14, 2023.

During Police Week, our team participated in significant events such as the Annual National Peace Officer's Memorial Service and the Candlelight Vigil. These moments of remembrance and solidarity were profoundly meaningful, providing an opportunity for our officers to come together and pay tribute to Jake and all those who have made the ultimate sacrifice to ensure the safety of their communities.

We owe a debt of gratitude to our community members, whose unwavering support and generosity have been instrumental in making this possible. In particular, we extend our heartfelt thanks to Gate City Bank, Corwin's and the Giving Hearts Day initiative. These contributions have not only honored Jake's memory but have also strengthened the bonds within our department and our community.

The mission of the Badges of Unity Fund is to foster a stronger, safer, and more connected community by supporting the Fargo Police Department in their mission to serve and protect. This mission is driven by three core pillars:

1. **Staff Wellness:** Enhancing opportunities for physical, mental, and emotional health of our law enforcement professionals, ensuring a resilient and supportive police force.
2. **Youth and Community Engagement:** Building trust and positive relationships between law enforcement and the community, especially through initiatives focused on youth.
3. **Expansion of Supportive Resources:** Providing the Fargo Police Department with the tools, technology, and training necessary to address the evolving challenges of modern policing.

Through the generosity of our community, we have demonstrated a commitment to these values and to the well-being of our officers and community. The Badges of Unity Fund envisions a future where law enforcement and residents work hand in hand to create a safer, more vibrant Fargo. These contributions have played a pivotal role in this vision, empowering us to uphold the highest standards of professionalism and integrity.

Once again, we thank you for your invaluable support. The support we received exemplifies the spirit of unity and shared responsibility that we hold dear. Together, we honor the memory of Officer Jake Wallin and all who have served with courage and dedication. We look forward to continuing this journey of unity, trust, and shared responsibility with our community.

**City of Fargo
Police Office Memorial Trip
Washington DC - May 2024**

Trip Expenses:

Flights	67,425.51
Hotels	91,601.38
Ground Transportation	1,763.89
Gala Dinner	5,453.10
Meals/Per Diem	2,345.80
Other	1,181.26
	<hr/>
	169,770.94

Less: Donations Received/Other

MN Chapter of C.O.P.S.	
(Concerns of Police Survivors)	-2,828.88
Officer Reimbursement Gala Ticket	-150.00
Fraternal Order of Police	-7,866.00
Travel Travel Overpayment - to City	-135.99
	<hr/>
	-10,980.87

Donations Due

158,790.07

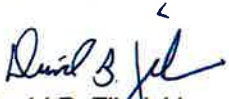
Recommended Motion:

Accept the Badges of Unity donation in the amount of [\$158,790.07] to cover all of the costs associated with travel to the National Police Week Memorial in Washington D.C. in May of 2024.

Revenue Account: 101-0000-365-85-00 Expense

Account: 101-5045-411-68-10 (PD95)

Sincerely,

A handwritten signature in blue ink, appearing to read "David B. Zibolski", with a stylized flourish at the end.

David B. Zibolski
Chief of Police

Report of Action:
FAHR Meeting of 7/3/2024



- ☐ Purchase Policy
- ☐ Budget Adjustment/Reallocation
- ☒ Personnel Request
- ☐ Other Financial

Department: Engineering

Description: Reclassification of currently vacant .8 FTE Engineering Technician III position to be posted as a FT 40-hour position.

Net Financial Impact: \$20,025 per year

At their meeting, FAHR endorsed this request.

Suggested Motion:

Approve to reclassify the vacant Engineering Technician III position to a 1.0 FTE from a .8 FTE in order to post the position as a full-time 40-hour position.



Memorandum

To: Members of FAHR Committee
From: Nathan Boerboom, Assistant City Engineer
Date: June 27, 2024
Re: Engineering Technician III Reclassification Request

In the 2025 Human Capital budget requests for the Engineering Department, we requested that an Engineering Technician III be reclassified from a 0.8 FTE (32 hours per week) to a 1.0 (40 hours per week) FTE. Since submitting this request, the current incumbent announced their retirement, creating a vacancy in the position.

With the vacancy, I am requesting immediate approval to reclassify the position rather than in conjunction with the 2025 budget process. This will expedite the job posting and allow us to fill the position as a 1.0 FTE rather than a 0.8 FTE. We believe that increasing the hours for the position now will help attract a stronger applicant pool.

The approximate additional cost to reclassify the position is \$20,025.00.

Report of Action:
FAHR Meeting of 7/1/2024



- ☐ Purchase Policy
- ☐ Budget Adjustment/Reallocation
- ☒ Personnel Request
- ☐ Other Financial

Department: Health

Description: Health requests to add two Home Health Aide positions at Contract 20-29 hrs for the school year only, in conjunction with Health's new contract with Fargo Public Schools. The total budget of \$76,732.22 will be covered by Fargo Public Schools.

Net Financial Impact: \$0 100% bill-back to Fargo Public Schools

At their meeting, FAHR endorsed this request.

Suggested Motion:

Authorize Health to add two contract 20-29 hr positions for the school year only, to be billed-back to Fargo Public Schools as per their contractual agreement.



Fargo Cass Public Health
 1240 25th Street South
 Fargo, ND 58103-2367
 Phone: 701.241.1360 | Fax: 701.298.6929
www.FargoCassPublicHealth.com

Fargo Cass



Public Health
 Prevent. Promote. Protect.

June 27, 2024

Attn: FAHR Committee,

The Fargo Cass Public Health nursing division is requesting the addition of two Home Health Aide positions. These positions would be Contract 20-29 hr positions, part time, working school year only. Total budget to include salary, benefits, mileage, and administrative fee is \$76,732.22. This amount was part of the Fargo Public School contract that was approved at the June 24th City Commission meeting consent agenda. This cost is 100% covered by the Fargo Public School System, so is a budget neutral request. Please see below for excerpt from the FPS budget details pertaining to this HHA request.

Thanks for consideration of this request, please let me know if anything else is needed to support this request.

Desi Fleming

Director, Fargo Cass Public Health

HEALTH AIDES AS REQUESTED BY FPS – FPS 100%					
<u>Staff</u>	<u>Hours/day</u>	<u>Days/week</u>	<u>Weeks</u>	<u>Hourly Compensation</u>	<u>Total</u>
AIDES	12	5	37	29.16	\$ 64,735.20
MILEAGE AT IRS RATE	Approximately 7,500 per year			Currently at 0.67/mile	\$ 5,025.00
				Total	\$ 69,760.20
ADMINISTRATION FEE	10% of total cost for Additional Health Aides				\$ 6,976.02
				Total (FPS at 100%)	\$ 76,736.22

Vision: Healthy People in Healthy Communities

Mission: To *prevent* disease and injury, *promote* wellness and *protect* community health.



**OFFICE OF
THE MAYOR**

41

DR. TIM MAHONEY
FARGO CITY HALL
225 Fourth Street North
Fargo, ND 58102
Phone: 701.241.1310 | Fax: 701.476.4136
FargoND.gov

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY

A handwritten signature in blue ink, appearing to read "TJ Mahoney", is placed to the right of the "FROM:" line.

DATE: JULY 8, 2024

SUBJECT: COMMISSION LIAISON ASSIGNMENTS

After careful consideration, I am recommending the Commission Liaison assignments outlined in the attachment.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: To approve the Commission Liaison assignments as recommended by Mayor Mahoney and attached hereto.

Attachment
mm24lia

FARGO CITY COMMISSION LIAISON ASSIGNMENTS

	<u>KOLPACK</u>	<u>TURNBERG</u>	<u>MAHONEY</u>	<u>PIEPKORN</u>	<u>STRAND</u>
DEPARTMENTS:	Communications & Govt. Affairs Solid Waste Water Treatment Water Reclamation Fire	Information Services Engineering Library	City Commission Finance/Assessors Human Resources Police Public Works	Facilities FARGODOME Inspections Planning Strategic Planning & Research	DEI Health Transit/Mobility
COMMITTEES:	Diversion Authority Metro Area Transit Coordinating Brd. Metro COG Vector Control Red River Regional Dispatch Center Brd.	Diversion Authority (alternate) Diversion Authority – Land Mgmt. Comm. Metro COG	Cass County Planning Commission Diversion Authority Diversion Authority – Finance Comm. Diversion Authority – Planning Comm. Economic Development Incentives Comm. GFMEDC Lake Agassiz Water Authority Red River Regional Dispatch Center Brd. Sustainability & Resiliency Committee	Diversion Authority Diversion Authority- Finance Comm. Economic Development Incentives Commission Fargo Dome Authority – Finance Comm. Lake Agassiz Water Authority (alternate) Liquor Control Metro COG	Ambulance Service Oversight Committee Cass Clay Food Commission Diversion Authority (alternate) Metro Area Transit Coordinating Board Metro COG Regional Housing Commission Sustainability & Resiliency Committee
STAFF APPOINTED COMMITTEES:	Utility Committee	Traffic Technical Advisory Committee	Public Works Projects Evaluation Committee	Core Neighborhoods	
BOARD LIAISON:	Arts & Culture Commission Fargo Youth Initiative	House Moving Board Library Board Red River Basin Board (alternate) Special Assessment Commission	Police Advisory and Oversight Board Renaissance Zone Authority	Board of Adjustment Board of Appeals Fargo Dome Authority Historic Preservation Commission Planning Commission Red River Basin Board Renaissance Zone Authority	Airport Authority Board of Health Civil Service Downtown Community Partnership/InFocus Housing Authority Human Rights Commission Native American Commission



**OFFICE OF
THE MAYOR**

DR. TIM MAHONEY
FARGO CITY HALL
225 Fourth Street North
Fargo, ND 58102
Phone: 701.241.1310 | Fax: 701.476.4136
FargoND.gov

(42)

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY



DATE: JULY 8, 2024

SUBJECT: APPOINTMENT OF DEPUTY MAYOR

I am recommending that Commissioner Denise Kolpack be appointed Deputy Mayor. Your favorable consideration of this request is greatly appreciated.

RECOMMENDED MOTION: To appoint Commissioner Denise Kolpack as Deputy Mayor.

mm24deputymayorkolpack