

FARGO CITY COMMISSION AGENDA
Monday, May 13, 2024 - 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. Minutes (Regular Meeting, April 29, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Grant Agreement with the ND Department of Corrections and Rehabilitation and its Division of Juvenile Services, the ND Association of Counties, City and County jurisdictions as listed and Youthworks for 2024.
- 2. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Amending Section 4-0101.1 of Article 4-01 of Chapter 4 of the Fargo Municipal Code Relating to the General Provisions Governing City Officials and Employees.
- 3. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Amending Section 5-0406(1) of Article 5-04 of Chapter 5 of the Fargo Municipal Code Relating to the Fargo Police Advisory and Oversight Board.
- 4. 1st reading of an Ordinance Amending Section 4-0402 of Article 4-04 of Chapter 4 of the Fargo Municipal Code Relating to Authorizing the City Commission to Approve Program of Interfund Loans.
- 5. 1st reading of an Ordinance Amending Section 25-1504.1 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
- 6. 2nd reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Erskine's Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 4/29/24.
- 7. Applications for Games of Chance:
 - a. Hudson Longtin Benefit for a raffle board on 6/26/24; Public Spirited Resolution.
 - b. Red River VW Club for a raffle on 7/27/24.
- 8. Contract and bond for Project No. SR-24-B1.
- 9. Memorandum of Understanding with the City of West Fargo and the City of Moorhead for the procurement of an Engineering Consultant to complete a grant application for a Regional Transportation Management Center.
- 10. Contract Amendment No. 1 with Houston Engineering, Inc. in the amount of \$19,414.00 for Project No. QR-23-A0.

11. Purchase Agreement with the Union of Sisters of the Presentation of the Blessed Virgin Mary United States Province for property located at 3000 11th Street South (Project No. NR-25-B1).
12. Agreement - Early Building Permit with Valor Contracting, LLC for 3601 46th Avenue North (Improvement District No. BN-23-J1).
13. Preliminary Engineering Reimbursement Agreement with the North Dakota Department of Transportation (Improvement District No. BN-27-A1).
14. Change Order No. 1 in the amount of \$4,675.00 and the Interim Duration Modifications as presented for Improvement District No. BR-24-A1.
15. Change Order No. 4 in the amount of \$15,335.00 for Improvement District No. BR-23-E1.
16. Memorandum of Offer to Landowner for Easement (Temporary Construction Easement) with Riley, Inc. (Improvement District No. BR-24-F1).
17. Easement (Temporary Construction Easement) with Amy R. Matejcek (Improvement District No. AN-24-B1).
18. Bid award to Dakota Underground Company, Inc. in the amount of \$10,156,047.56 for Improvement District No. BN-23-F1.
19. Bid award to Master Construction Company, Inc. in the amount of \$484,271.05 for Improvement District No. BR-24-G1.
20. Bid awards for Improvement District No. NR-23-C1:
 - a. General construction contract to Meyer Contracting, Inc. in the amount of \$523,902.20.
 - b. Electrical construction contract to Sun Electric, Inc. in the amount of \$405,000.00.
21. Bid award to FM Asphalt LLC in the amount of \$1,568,148.00 for Improvement District No. PN-24-A1.
22. Bid award to Northern Improvement Company in the amount of \$1,589,990.40 for Improvement District No. PR-24-H1.
23. Contract and bond for Improvement District No. PR-24-G1.
24. Items from the FAHR Staff meeting:
 - a. Receive and File - Sales Tax Update.
 - b. Budget Adjustment using Landfill Capital Improvement funds in the amount of \$200,000.00 for the purchase of front-load containers for Route 535.
 - c. Budget Adjustment in the amount of \$60,000.00 for fiber installation at Fire Station No. 8.
 - d. Budget adjustment in the amount of \$159,300.00 for the purchase of a portable basketball floor at the FARGODOME (RFP24167).
 - e. Promotion of three Firefighters to Captains in 2024, to coincide with the opening of Fire Station No. 8.
25. Purchase of Service Agreement with Northern Cass Public School District.

26. Purchase of Service Agreement with Central Cass Public School District.
27. Resolution Approving Plat of Buchholz Addition.
28. Resolution Approving Plat of South Ridge Second Addition.
29. Agreement for Emergency Veterinary Services with Red River Animal Emergency Clinic, LLC d/b/a Red River Animal Emergency Hospital and Referral Center.
30. Assignment and Assumption of Mosquito Spraying Agreement with Airborne Vector Control, LLC to Vector Disease Control International, LLC (RFP23049).
31. Authorization Application for Vector Disease Control International, LLC to provide aerial mosquito spraying.
32. Extension of FMLA leave for LeRoy Curry.
33. Contract Amendment with the NDDOT to provide funding for transit capital funds under the regulations of Section 5339, Bus and Bus Facilities Formula Program Grant (Contract #38231161).
34. Contract and bond for Project No. WW1707.
35. Purchase from Merrick Industries, Inc. in the amount of \$176,698.00 for Project No. WA2451 (EX24207).
36. Bills.

REGULAR AGENDA:

37. Recommendation to approve the First Amendment to the Developer Agreement with Grove Enclave, LLC for a one-year extension.

***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**

38. **PUBLIC HEARING** – Section 5307 Federal Transportation Administration Grant Preliminary Program of Projects for 2024.
39. **PUBLIC HEARING** – Permanent Route and Service Changes for MATBUS.
40. Recommendation to declare protests insufficient for Improvement District No. BN-23-G.
41. Recommendation for appointment to the Economic Development Incentives Committee.
42. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. Dream Homes LLC, 312 10th Avenue North (5 years).
 - b. David and Pamela Olson, 1233 9th Street North (5 years).
 - c. Rommesmo Family LLP, 4438 Carrie Rose Lane South (5 years).
 - d. Matthew and Katie Chaussee, 2314 18th Avenue South (5 years).
43. Liaison Commissioner Assignment Updates.
44. **RESIDENT COMMENTS** – (Fargo residents or Fargo business owners will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments.

Residents or business owners 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).

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MEMORANDUM

TO: Fargo City Commission

FROM: Jim Gilmour, Director of Strategic Planning and Research 

DATE: May 7, 2024

SUBJECT: Grove Enclave LLC time extension

Grove Enclave LLC has requested a one-year time extension in the deadline to construct the minimum improvements for the redevelopment of the former Kmart property on South University Drive. The deadline to complete the project is December 31, 2024.

The minimum improvements included 20,000 square feet of retail space and two new stand-alone commercial buildings. The developer has constructed 30,000 square feet of commercial space, but work has not started on the stand-alone commercial buildings.

The developer indicated that construction will start within two months on a stand-alone building. Construction may start this fall on the second stand-alone commercial building.

The developer has kept me informed on the status of the project. It has been more difficult than expected to find tenants for the commercial spaces.

The City Attorney have prepared the amendment for your consideration.

The Economic Development Incentives Committee has reviewed the request and recommends approval.

Recommended Motion:

Approve a one-year extension in the deadline to complete the minimum improvements in the agreement with Grove Enclave LLC.

**FIRST AMENDMENT TO
DEVELOPER AGREEMENT**

[CITY OF FARGO and GROVE ENCLAVE, LLC]

THIS AMENDMENT TO DEVELOPER AGREEMENT, is dated as of the 14th day of May, 2024; is entered into by and between the City of Fargo, a North Dakota municipal corporation (“City”), and Grove Enclave, LLC, a North Dakota Limited Liability Company (“Developer”); and provides as follows:

RECITALS:

WHEREAS, Developer and City have entered into a Developer Agreement dated as of June 27, 2022 [hereinafter the “Developer Agreement”] pertaining to a project commonly known as the Kmart Plaza Redevelopment Project or the “Project”;

WHEREAS, the Developer Agreement contained a deadline for completion of the Improvements, at Section 3.1, thereof; and,

WHEREAS, the parties wish to extend said deadline and to amend the Developer Agreement, accordingly;

NOW, THEREFORE, in consideration of the foregoing Recitals, which are hereby incorporated into this First Amendment to Developer Agreement, and the mutual promises, undertakings and covenants hereinafter set forth, and intending to be legally bound hereby, the City and Developer covenant and agree as follows:

- I. As provided in Section 3.1 of the Developer Agreement, subject to Unavoidable Delays as provided in Section 4.2 of the Developer Agreement, the date by which the Developer is to have substantially completed the Improvements is extended by a period of one year-- from December 31, 2024 to December 31, 2025.
- II. In all other respects the Developer Agreement shall remain in full force and effect.
- III. Effective Date. This amendment shall be effective as of May 14, 2024.

IN WITNESS WHEREOF, the Parties have executed this Amendment to Developer Agreement as of the date stated in the first paragraph of this Agreement.

[Execution pages to follow]

IN WITNESS WHEREOF, the City and Developer have caused this First Amendment to Developer Agreement to be executed by their duly authorized representatives.

CITY OF FARGO,
a North Dakota municipal corporation

(SEAL)

By _____
Timothy Mahoney, M.D., its Mayor

ATTEST:

By _____
Steven Sprague, City Auditor

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

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Timothy Mahoney, M.D. and Steven Sprague, the Mayor and City Auditor, respectively, of the City of Fargo on behalf of said City.

Notary Public

This document drafted by:

Erik R. Johnson
Assistant City Attorney
608 24th Ave S
Fargo, ND 58103
(701) 371-6850
ejohnson@lawfargo.com

GROVE ENCLAVE, LLC

By: Syndica, LLP

Its: Manager

By *Austin Morris*,
Austin Morris, General Partner

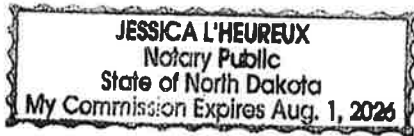
STATE OF NORTH DAKOTA)

)

COUNTY OF CASS)

The foregoing instrument was acknowledged before me this 30th day of April, 2024, by Austin Morris, the General Partner of Syndica, LLP, a North Dakota limited liability partnership, the Manager of GROVE ENCLAVE, LLC, a North Dakota limited liability company.

Jessica L'Heureux
Notary Public





NOTICE OF PUBLIC HEARING

Notice is hereby given that the Fargo City Commission will hold a public hearing on May 13, 2024 at 5:15 pm in the City Commission chambers for the purpose of considering the City's Section 5307 Federal Transportation Administration grant preliminary program of projects for 2024. Unless amended, the proposed POP and projects contained in this advertisement will become the final POP. People with disabilities who need special accommodations (alternative format, interpreter/signer) should contact Julie Harris in the Transit Department at 701-241-8140 or by email: jharris@matbus.com. A Final Program of Projects will be available to the public at the Transit Department, 650 23rd Street N, Fargo, ND 58102.

A. The program is below:

**CITY OF FARGO, NORTH DAKOTA
METROPOLITAN AREA TRANSIT
2024 PROGRAM OF PROJECTS AND BUDGETS**

**URBANIZED AREA: Fargo, ND - Moorhead, MN
DESIGNATED RECIPIENT: City of Fargo, North Dakota
APPLICANT: City of Fargo, North Dakota**

FEDERAL APPORTIONMENT FOR FY2024	\$ 2,965,773
CARRYOVER FUNDS FROM PREVIOUS YEARS	\$0
FY2023 FUNDS AVAILABLE - NOT APPLIED FOR	\$0
TOTAL CARRYOVER FUNDS	\$0
TOTAL FEDERAL FUNDS AVAILABLE	\$2,965,773
TOTAL FEDERAL FUNDS REQUESTED FOR 2024 PROGRAM OF PROJECTS	\$2,965,773

PROGRAM OF PROJECTS DESCRIPTIONS	LOCAL SHARE	FEDERAL SHARE	PROJECT TOTALS
I. CAPITAL PROJECTS			
A. 20%/80% Funding			
1. Maintenance Cost Funded as Capital	221,731	886,923	1,108,654
2. 10% of ADA Costs Funded as Capital	59,568	297,842	357,410
II. PLANNING ASSISTANCE			
A. 20%/80% Funding			
1. Transit Planning	12,000	48,000	60,000
III. OPERATING ASSISTANCE			
A. Maximum Federal Funding			
1. Eligible net operating expenses of the Fargo Transit System for the period of January 1, 2024 through December 31, 2024 (50% Federal Funding Level)	1,718,179	1,718,179	3,436,358
2. 1% Security	14,829	14,829	29,658
Section 5307 Program of Project Totals	\$2,026,307	\$2,965,773	\$4,992,080

B. RELOCATION

No persons, families, or businesses will be displaced by this project.

C. ENVIRONMENT

This project will not have a significant environmental impact upon the transit services in the area identified above.

D. COMPREHENSIVE PLANNING

This preliminary program of projects is in conformance with comprehensive land use and transportation planning for the area and is consistent with the locally adopted programming of projects in the annual element of the Transportation Improvement Plan (TIP).

E. ELDERLY AND PERSONS WITH DISABILITIES

This project takes into consideration the special transportation needs of the elderly by providing elderly and paratransit services.

F. CHARTER BUS

The City of Fargo will not provide any charter bus operations without first notifying all private operators in the area who claim to be willing and able to provide such service. If a private operator claims to be willing and able to provide charter services, then the City must review the evidence to determine whether or not the private operator will physically be able to provide the charter service, and if the provider has the required legal authority and necessary safety certifications that are required. If it is found that there is at least one willing and able provider which meets all of the aforementioned legal requirements by law, the City is prohibited from using FTA funded vehicles and equipment for charter service.

G. SCHOOL BUS OPERATIONS

The City of Fargo will not be engaged in school bus operations exclusively for the transportation of students or school personnel.

H. PRIVATE ENTERPRISE

Private enterprise is considered in all potential procurement contracts and subcontracts necessary in the operation of the transit system.

Interested persons or agencies desiring an opportunity to be heard with respect to social, economical, and environmental aspects of the program of projects may be heard at a this public hearing.

A copy of the preliminary program of projects, the current Transportation Development Plan, the current Transportation Improvement Plan, and a draft copy of the proposed grant application is available for public inspection at the City Transit Office, 650 23rd Street N, Fargo, North Dakota.

Julie Bommelman
Transit Director

(Publish Date April 24 and May 1, 2025)

May 13, 2024

Board of City Commissioners
City Hall – 225 N 4th
Fargo, ND 58102

Dear Commissioners:

The Federal Transit Administration (FTA) made available to the City of Fargo \$2,965,773 to be used for the transit system. Grant allocations were published in the federal register and there is a 26% decrease over last year. The City of Fargo is required to hold a public hearing prior to submitting and executing an application. The attached Program of Projects was developed by the Transit Division to be submitted and executed with the application for the funds.

RECOMMENDED MOTION: Approve the attached 2024 Program of Projects and submit/execute the grant.

Sincerely,



Julie Bommelman
Transit Director
City of Fargo

Attachment

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**NOTICE OF PUBLIC HEARING
CITY OF FARGO
PERMANENT ROUTE AND SERVICE CHANGES**

The City of Fargo in coordination with the City of Moorhead is considering service changes to operating hours and routes, generally described below, to become effective July 1, 2024. From 2021 to 2024, MATBUS has enacted various temporary reductions in service to provide consistent, and reliable service levels in the face of a long-term driver shortage. In addition, MATBUS has seen a decrease in ridership post COVID-19, dropping from 1.8 million rides in 2019 to 1.2 million rides in 2023. MATBUS is proposing to make a portion of the previously enacted temporary service changes permanent. This service change will allow for MATBUS to provide levels of service based on current ridership demands while addressing long-term driver shortages and a decrease in federal funding due to new allocation formulas applied to the Fargo-Moorhead urbanized area.

Changes to Service Hours: The proposed change would permanently reduce MATBUS fixed route and paratransit service hours to 6:15am-10:15pm, Monday through Friday and 7:15am-8:15pm on Saturdays. Previously, MATBUS would operate 6:15am-11:15pm, Monday through Friday and 7:15am-11:15pm on Saturdays.

Changes to Route 13: The proposed change would reduce Route 13 from 30-minute service to 60-minute service on Saturdays only.

Changes to Route 15: The proposed change would reduce Route 15 from 15-minute service to 30-minute service from 6:15am to 9:45am.

Changes to Route 32W: The proposed change would eliminate Route 32W.

Changes to Route 33: The proposed change would reduce Route 33 from 10-minute service with 7-minute service during peak ridership times to 10-minute service all day.

Changes to Route 36: The proposed change would eliminate Route 36. Currently, Route 13 services the same area as Route 36.

Informational Display: An informational display on the proposed route and service changes, as well as comment cards, will be in the lobby of the Ground Transportation Center from April 22nd through May 8th. Staff will be at the Ground Transportation Center to answer questions on May 6, 2024, from 4:00pm to 6:00pm. Written comments may be turned into the customer care center window and will be considered by staff prior to the final recommendation to the Fargo City Commission.

Public Hearing Dates: Notice is hereby given that public hearings will be held for the purpose of permanent route and service changes:

Fargo City Commission
Monday, May 13, 2024
5:15 p.m.
Fargo City Hall
225 4th Street North

Fargo, ND 58102

At the hearing, interested persons will be afforded an opportunity to be heard with respect to the route reduction. In addition, written comments may be submitted in advance of the public hearing to:

Cole Swingen
Fargo Assistant Transit Director – Operations
502 NP Avenue North
Fargo, ND 58102
(701) 476-5989
For TDD Relay Service call 7-1-1
cswingen@matbus.com

Upon request, accommodations for people with disabilities, language barriers, or other needs to allow participation in meetings will be provided. To arrange assistance, call at least 48 hours before the meeting to give staff adequate time to make arrangements. For the Fargo City Commission call 701-241-1310 or 7-1-1 (TDD/TTY).

Publish in *The Forum*
North Dakota Legals
Wednesday April 24 and Wednesday May 1
Send 4 Affidavits of Publication



Metropolitan Area Transit

650 23rd Street N
Fargo, ND 58102
Phone: 701-241-8140
Fax: 701-241-8558

May 9, 2024

Board of City Commissioners
City Hall – 225 4th St N
Fargo, ND 58102

Dear Commissioners:

The Cities of Fargo and Moorhead are considering service changes to operating hours and routes, generally described below, to become effective July 1, 2024, with extended Saturday service hours to begin on August 26, 2024.

From 2021 to 2024, MATBUS has enacted various temporary reductions in service to provide consistent, and reliable service levels in the face of a long-term driver shortage. In addition, MATBUS has seen a decrease in ridership post COVID-19, dropping from 1.8 million rides in 2019 to 1.2 million rides in 2023. MATBUS is proposing to make a portion of the previously enacted temporary service changes permanent. This service change will allow for MATBUS to provide levels of service based on current ridership demands while addressing long-term driver shortages and a decrease in federal funding due to new allocation formulas applied to the Fargo-Moorhead urbanized area.

Notices of the proposed changes, informational meetings and public hearings were published in The Forum and provided to passengers by posting notices at the Ground Transportation Center (GTC), posting on the MATBUS website, digital display board at the GTC and social media. An informational meeting or open house was held on May 6, 2024, from 4-6 p.m. at the GTC to gather public comments and input. Ridership data was displayed at the GTC, and comment sheets were available. As of May 7, comments were received from 17 people. After receiving public input on the proposed route/service changes, an adjustment was made to the notice. Previously, Saturday service hours were proposed to permanently end at 8:15pm. This was updated to propose that Saturday service will end at 10:15pm instead. This service hour change would take place on August 26, 2024. The public hearing notice, posters and detailed comments received are attached.

Proposed Changes:

Changes to Service Hours: The proposed change would permanently reduce MATBUS fixed route and MAT paratransit service hours to 6:15am-10:15pm, Monday through Friday and 7:15am-10:15pm on Saturdays. Currently Saturday service operates until 8:15pm. This will be extended to the proposed end time of 10:15pm, starting on August 26, 2024. Previously, MATBUS would operate 6:15am-11:15pm, Monday through Friday and 7:15am-11:15pm on Saturdays.

Changes to Route 13: The proposed change would reduce Route 13 from 30-minute service to 60-minute service on Saturdays only.

For Schedule Information: 701-232-7500

Changes to Route 15: The proposed change would reduce Route 15 from 15-minute service to 30-minute service from 6:15am to 9:45am.

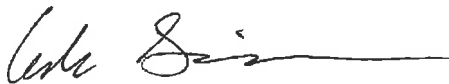
Changes to Route 32W: The proposed change would eliminate Route 32W.

Changes to Route 33: The proposed change would reduce Route 33 from 10-minute service with 7-minute service during peak ridership times to 10-minute service all day.

Changes to Route 36: The proposed change would eliminate Route 36. Currently, Route 13 services the same area as Route 36.

The requested motion is to approve all proposed route changes for the City of Fargo Transit Department effective July 1, 2024 with extended Saturday service hours to begin on August 26, 2024.

Thank you.

A handwritten signature in black ink, appearing to read 'Cole Swingen', with a long horizontal flourish extending to the right.

Cole Swingen
Assistant Transit Director – Operations
City of Fargo

Attachments

2022 Ridership	Route 1	Route 2	Route 3	Route 4	Route 5	Route 6	Route 9	Route 11	Route 13	Route 14	Route 15	Route 16	Route 17	Route 18	Route 20	Route 24	Route 13U	Route 31	Route 32E & 32W	Route 33	Route 34	LinkFM	Total by Time Period	%age of Ridership
600pm-6:29pm	481	434	356	941	805	17	678	259	126	2,118	3,152	557	844	400	519	81	516		1,255	354			11,311	0.93%
630pm-6:59pm	1,301	1,054	759	1,320	714	678	2,158	1,128	1,628	3,061	4,223	726	561	1,072	623	317	567		1,422	456			18,891	1.62%
700pm-7:29pm	2,049	1,788	2,141	2,481	1,480	247	326	740	2,131	3,476	5,085	877	1,422	994	583	515	567		1,575	4,607			29,744	2.55%
730pm-7:59pm	1,868	2,012	896	2,533	1,185	648	113	2,031	2,361	5,527	1,598	1,598	1,032	2,185	889	656	2,005		1,681	4,466			37,665	3.23%
800pm-8:29pm	1,606	1,664	1,408	2,590	1,488	123	283	968	2,817	3,894	6,729	817	1,433	504	498	874	1,118		2,806	4,083			45,955	3.94%
830pm-8:59pm	1,893	1,874	1,148	3,192	1,517	207	21	1,662	2,907	2,495	6,655	873	1,166	1,749	959	657	1,131		697	6,169			42,848	3.67%
900pm-9:59pm	1,871	2,240	1,594	4,126	1,447	105	211	777	2,675	3,428	6,685	839	1,381	1,251	844	528	1,113		3,707	7,377			49,555	4.24%
1000pm-10:29am	1,503	2,181	1,561	3,382	1,281	448	30	1,823	2,403	3,148	7,072	1,443	910	1,617	960	678	1,108		2,875	3,665			40,477	3.47%
1030pm-10:59am	1,866	2,907	1,674	2,644	1,513	88	202	1,690	2,354	2,710	8,491	924	1,426	1,602	872	676	1,108		4,480	3,370			48,550	4.17%
1100am-11:29am	2,427	2,147	1,586	3,735	1,460	500	38	2,034	2,343	3,462	6,389	889	1,440	1,307	873	408	1,119		2,950	3,854			45,522	3.85%
1130am-11:59am	1,842	2,539	1,633	4,001	1,527	546	41	2,318	1,922	2,514	8,388	1,025	1,417	1,503	889	703	1,169		3,820	4,120			44,155	3.78%
1200pm-12:29pm	1,373	2,640	1,793	4,291	1,744	110	351	1,227	2,060	4,020	9,174	1,010	1,003	1,247	790	517	1,499		4,532	6,245			48,539	4.16%
1230pm-12:59pm	2,139	2,931	1,828	4,480	1,676	591	68	2,090	2,671	3,986	8,703	1,400	980	1,339	1,311	516	909		3,969	9,392			53,990	4.53%
1300pm-1:29pm	2,423	3,305	1,806	4,645	1,429	128	210	1,168	2,444	3,070	10,064	1,458	1,524	1,231	897	538	878		3,370	3,662			46,511	3.95%
1300pm-1:59pm	2,401	3,334	1,547	4,400	1,195	613	101	2,542	2,451	2,295	9,192	1,297	842	1,819	1,071	915	1,019		3,012	3,151			49,919	4.23%
2000pm-2:29pm	2,448	3,449	1,611	4,519	1,547	103	287	1,010	2,954	4,873	9,845	988	1,509	1,123	902	654	1,225		3,012	2,978			51,468	4.43%
2300pm-2:59pm	2,173	3,988	1,685	4,620	1,386	742	54	1,925	2,498	4,844	7,669	1,096	694	2,255	1,326	892	478		3,549	3,754			45,974	4.33%
3000pm-3:29pm	2,998	3,967	1,741	4,606	1,669	91	448	1,221	2,558	4,864	8,669	1,052	1,258	1,225	1,620	864	772		4,020	3,876			50,551	4.33%
3300pm-3:59pm	1,370	3,681	1,412	4,759	1,697	753	753	1,772	2,889	3,480	10,145	1,510	1,317	1,582	835	733	817		3,261	4,052			49,313	4.27%
4000pm-4:29pm	2,530	3,760	2,103	4,231	1,713	103	440	1,421	2,682	4,744	9,667	1,532	1,378	1,483	831	840	1,039		3,632	2,480			46,936	4.12%
4300pm-4:59pm	2,470	4,052	1,613	4,218	1,645	626	45	1,758	2,732	3,716	9,529	1,432	598	1,628	1,017	624	686		5,977	2,861			47,240	4.05%
5000pm-5:29pm	2,401	3,397	1,703	4,114	1,534	75	361	924	2,251	4,047	8,005	598	1,552	1,085	1,072	176	509		5,349	1,085			43,776	3.75%
5300pm-5:59pm	2,139	3,078	1,536	3,111	1,420	656	32	1,331	2,271	2,400	7,718	1,337	805	1,413	503	531	534		3,726	1,762			37,612	3.23%
6000pm-6:29pm	1,916	3,300	1,710	2,842	1,226	169	15	1,385	1,672	3,414	6,239	713	1,185	913	364	541	72		3,726	1,674			29,445	2.52%
6300pm-6:59pm	1,840	2,463	1,394	2,944	1,007	73	15	1,385	1,672	1,936	5,534	797	541	1,161	760	506	72			1,674			25,715	2.20%
7000pm-7:29pm	2,156	1,671	1,366	2,892	1,007	73	15	507	1,379	2,274	5,686	499	675	687	555	551				551			22,108	1.90%
7300pm-7:59pm	1,652	2,189	1,102	2,403	983	769	269	981	1,574	2,081	5,134	126	423	851	387	582				765			20,211	1.73%
8000pm-8:29pm	835	1,970	849	1,526	1,215	1,215	769	2,089	1,813	4,276	4,526	423	423	851	387	582				851			18,366	1.57%
8300pm-8:59pm	1,589	2,121	954	1,509	796	1,589	1,081	2,066	1,066	4,741	3,584	198	198	506	311	311				506			15,047	1.29%
9000pm-9:29pm	1,271	1,515	745	566	652	652	257	257	845	761	2,702	621	621	998	36	36				998			11,061	0.95%
9300pm-9:59pm	300	125	134	62	122	122	24	24	45	36	146	34	34	246	10	10							1,098	0.09%
Total by Route	59,869	79,804	45,624	103,004	41,787	8,433	3,962	42,085	65,746	91,308	218,954	28,643	31,602	39,829	25,446	17,537	24,172	13,064	81,653	115,938	25,693	2,241	1,166,592	

Route	Route 1	Route 2	Route 3	Route 4	Route 5	Route 6	Route 9	Route 11	Route 13	Route 14	Route 15	Route 16	Route 17	Route 18	Route 20	Route 24	Route 26	Route 31	Route 32	Route 33	Route 34	Line FM	Total by Time Period	Percentage of Ridership		
6:00am - 6:29am	840	545	883	1,379	728	20																		11,706	0.9%	
6:30am - 6:59am	1,921	911	980	1,669	724	626																		11,007	1.56%	
7:00am - 7:29am	2,580	2,255	2,037	2,999	1,586	1,129	645																	30,659	2.49%	
7:30am - 7:59am	1,792	1,709	1,631	3,199	1,269	615	209	1,863	2,654	2,535	5,973	1,509	593	2,290	916	921	444	704	653	1,892	4,971	384		38,756	3.1%	
8:00am - 8:29am	2,157	1,859	1,500	2,650	1,657	68	272	498	2,556	4,323	7,014	797	2,045	948	645	1,357	479	428	2,145	4,587	4,587	1,023		47,749	3.84%	
8:30am - 8:59am	1,747	1,662	1,487	2,884	1,586	609	35	1,643	3,105	2,212	6,602	816	1,115	2,042	1,108	630	642	787	787	4,488	7,328	3,052		47,979	3.91%	
9:00am - 9:29am	2,005	2,354	1,724	4,512	1,595	49	249	698	2,982	3,640	7,183	782	1,233	970	762	642	816	668	4,400	4,400	7,711	3,052		51,514	4.20%	
9:30am - 9:59am	1,883	2,188	1,662	3,420	1,737	581	31	2,277	2,767	2,012	6,349	896	774	2,252	1,156	618	576	653	1,438	3,370	4,594	1,455		51,514	4.20%	
10:00am - 10:29am	2,308	3,281	1,815	3,150	1,952	54	272	581	2,711	4,288	9,654	780	1,550	990	721	581	550	616	2,526	3,994	4,594	1,455		51,619	4.30%	
10:30am - 10:59am	2,031	2,347	1,822	4,400	1,645	623	42	1,628	2,579	2,018	7,448	1,056	619	2,188	1,592	727	446	446	3,994	2,050	3,650	1,272		52,786	4.36%	
11:00am - 11:29am	2,154	2,401	1,622	4,524	1,716	655	34	1,816	2,925	3,456	8,164	981	530	1,478	1,272	728	534	633	2,050	3,650	4,594	1,272		52,786	4.36%	
11:30am - 11:59am	1,491	2,506	1,818	4,547	2,140	58	504	663	2,724	3,046	9,087	1,299	1,851	1,593	952	648	648	899	3,089	3,089	5,518	2,772		47,472	3.87%	
12:00pm - 12:29pm	2,129	3,042	2,241	4,811	2,252	439	82	1,799	3,751	2,416	8,056	1,088	954	1,503	1,294	718	718	691	1,046	2,509	7,601	2,383		49,791	4.05%	
12:30pm - 12:59pm	2,640	2,693	2,067	4,756	1,786	67	413	448	2,714	4,117	10,006	919	1,116	913	1,036	491	441	628	2,421	4,462	4,462	1,710		56,989	4.59%	
1:00pm - 1:29pm	2,774	3,536	1,897	4,612	1,313	664	186	2,173	2,300	2,367	6,999	1,347	907	2,084	1,209	935	497	927	5,972	6,484	3,098	3,098		47,458	3.87%	
2:00pm - 2:29pm	2,765	3,325	2,175	4,469	1,649	93	403	588	3,571	4,857	9,414	1,021	1,499	852	1,021	930	457	927	5,972	6,484	3,098	3,098		51,871	4.23%	
2:30pm - 2:59pm	2,985	3,574	2,255	4,692	1,558	686	167	1,696	2,912	9,744	10,495	896	2,223	1,339	1,311	892	356	515	2,848	3,413	2,057	2,057		59,448	4.86%	
3:00pm - 3:29pm	3,676	3,429	1,560	4,494	1,909	682	152	1,768	2,811	3,713	9,766	1,249	945	1,695	1,015	1,262	454	625	3,337	4,180	2,744	1,682		52,232	4.26%	
3:30pm - 3:59pm	3,340	3,382	1,744	6,059	2,053	42	480	1,685	3,522	4,276	10,807	1,462	1,516	1,660	943	688	498	430	3,360	3,155	1,832	1,832		51,419	4.19%	
4:00pm - 4:29pm	3,383	3,929	2,010	4,133	1,746	718	194	1,766	2,790	2,708	9,496	1,016	554	2,054	1,268	722	922	514	5,242	3,565	3,565	1,230		52,585	4.28%	
4:30pm - 4:59pm	2,851	3,462	1,727	3,245	1,063	82	509	1,050	2,422	3,843	9,482	662	1,619	1,202	952	942	400	400	4,398	3,893	3,893	1,116		45,764	3.73%	
5:00pm - 5:29pm	2,911	2,717	1,775	3,613	1,464	594	100	1,218	2,122	2,372	7,672	490	659	1,004	1,002	952	777	514	4,398	2,171	2,171	67		37,549	3.06%	
6:00pm - 6:29pm	3,004	1,920	1,750	3,443	1,177	156	61	450	2,772	3,118	6,753	675	1,207	882	709	229	239	284	3,477	1,977	1,977	137		30,657	2.50%	
6:30pm - 6:59pm	1,981	2,310	1,933	2,665	1,015	3		1,081	1,224	1,429	5,302	609	789	1,266	702	229	239	284	3,477	1,977	1,977	137		24,234	1.97%	
7:00pm - 7:29pm	1,755	2,978	1,536	3,101	1,277	63		796	1,350	1,044	4,105	490	340	1,273	680	519									19,358	1.58%
7:30pm - 7:59pm	1,981	2,002	1,094	2,357	947	3		997	1,350	1,044	4,105	490	340	1,273	680	519									18,406	1.5%
8:00pm - 8:29pm	1,715	1,915	1,211	2,266	903			298	1,292	2,248	4,255	754	534	443	397										15,077	1.23%
8:30pm - 8:59pm	1,634	1,915	861	1,843	855			871	882	1,007	2,989	197	1,106	426	371										12,917	1.05%
9:00pm - 9:29pm	1,455	1,574	805	1,530	733			378	832	1,289	2,876	633	536	126	121										12,917	1.05%
9:30pm - 9:59pm	660	682	434	616	360			378	391	111	607	31	31	4	10										4,441	0.36%
10:00pm - 10:29pm	34		56	26	30			18	19	2	10														243	0.02%
Total by Route	71,407	78,230	51,113	111,859	47,322	9,091	5,852	35,318	73,344	87,633	222,626	26,286	32,254	42,638	27,584	20,834	11,191	13,603	71,402	142,791	41,206			1,227,255	100.0%	

2023 Ridership

2023 Saturday Ridership	Route 1	Route 2	Route 3	Route 4	Route 5	Route 6	Route 9	Route 11	Route 13	Route 14	Route 15	Route 16	Route 17	Route 18	Route 20	Route 24	Total by Time Period	Percentage of Ridership
7:15am - 7:29am	200	88	181	345	92	-	50	15	92	299	633	95	122	61	99	35	2,401	1.91%
7:30am - 7:59am	261	178	199	429	163	95	19	169	211	321	826	114	86	294	162	116	3,643	2.89%
8:00am - 8:29am	208	176	187	439	214	6	29	25	272	434	932	102	287	146	97	191	3,745	2.97%
8:30am - 8:59am	222	255	216	448	253	62	4	128	260	218	977	125	157	220	173	129	3,897	3.10%
9:00am - 9:29am	265	287	228	655	219	2	31	56	427	541	948	76	218	119	93	182	4,347	3.42%
9:30am - 9:59am	294	341	241	478	223	108	7	206	306	310	987	116	127	237	200	121	4,302	4.30%
10:00am - 10:29am	290	401	258	490	250	9	44	151	225	562	1,084	112	276	110	81	71	4,414	3.51%
10:30am - 10:59am	325	336	277	620	248	93	12	145	336	368	1,177	189	124	262	206	69	4,787	3.80%
11:00am - 11:29am	431	270	243	762	284	4	36	70	355	366	1,298	163	151	192	98	86	4,838	3.84%
11:30am - 11:59am	234	368	231	701	219	81	8	251	326	473	1,171	151	69	173	160	106	4,722	3.75%
12:00pm - 12:29pm	195	394	290	681	338	1	56	88	328	394	1,317	197	267	166	131	109	4,952	3.93%
12:30pm - 12:59pm	385	423	364	641	397	126	13	256	342	276	1,335	165	152	131	165	77	5,248	4.17%
1:00pm - 1:29pm	461	455	292	654	266	11	63	90	394	576	1,390	142	246	152	122	76	5,348	4.25%
1:30pm - 1:59pm	472	577	184	630	101	91	32	212	363	379	1,145	179	158	278	197	158	5,248	4.10%
2:00pm - 2:29pm	479	567	260	585	130	9	51	78	412	620	1,452	144	134	80	164	176	5,341	4.24%
2:30pm - 2:59pm	486	622	301	653	207	81	14	236	306	360	1,178	141	57	183	194	180	5,199	4.13%
3:00pm - 3:29pm	483	591	302	649	254	3	51	106	492	572	1,327	129	244	77	136	178	5,594	4.44%
3:30pm - 3:59pm	441	577	247	541	221	83	15	156	375	384	1,198	147	151	158	213	152	5,059	4.02%
4:00pm - 4:29pm	459	506	292	875	221	9	77	118	389	519	1,340	94	271	144	94	43	5,501	4.37%
4:30pm - 4:59pm	372	563	345	572	226	79	17	224	311	367	1,334	107	86	232	203	117	5,155	4.09%
5:00pm - 5:29pm	394	531	277	521	250	7	88	109	380	465	1,295	125	288	112	138	126	5,106	4.06%
5:30pm - 5:59pm	439	385	338	546	190	61	10	193	295	327	1,108	114	74	226	79	102	4,487	3.56%
6:00pm - 6:29pm	471	317	284	668	187	2	23	52	357	482	1,058	83	194	84	80	82	4,424	3.51%
6:30pm - 6:59pm	244	380	266	460	147	-	-	137	224	251	861	91	44	181	128	123	3,537	2.81%
7:00pm - 7:29pm	170	379	256	421	118	-	-	54	303	309	818	52	208	86	86	54	3,314	2.63%
7:30pm - 7:59pm	296	328	196	383	165	-	-	149	215	161	735	32	125	197	98	80	3,160	2.51%
8:00pm - 8:29pm	225	360	210	363	129	-	-	50	158	278	748	21	76	94	60	32	2,804	2.23%
8:30pm - 8:59pm	277	318	169	307	149	-	-	107	110	149	537	12	41	222	75	46	2,519	2.00%
9:00pm - 9:29pm	230	382	151	300	126	-	-	19	136	199	354	2	102	84	14	10	2,109	1.68%
9:30pm - 9:59pm	126	134	98	114	67	-	-	57	35	15	78	-	7	18	-	-	753	0.60%
10:00pm - 10:15pm	1	5	9	2	-	-	-	3	5	15	-	-	-	-	-	-	25	0.02%
Total by Route	9,836	11,494	7,392	15,933	6,104	1,023	750	3,760	8,740	10,969	30,641	3,220	4,571	4,577	3,746	3,031	125,887	

Route 13



13

GTC, Klai Hall, Barry Hall, Roosevelt, Hornbacher's, U32 Apartments, NDSGS, SHAC, Memorial Union, Family Fare, Renaissance Hall

	GTC	Barry Hall	Minard Pulouise East	SHAC Shelter	NDSU Transit Hub	Roosevelt Park Shelter	Fargo North High School	Northport Shelter	U32 Apartments	SHAC Shelter	NDSU Transit Hub	Family Fare Shelter	Renaissance Hall	GTC	
	T	A	B	C	D	E	F	G	H	I	J	K	L	M	A
6:15	6:20	6:25	6:29	6:35	6:37	6:42	6:43	6:47	6:54	7:00	7:03	7:06	7:10		
6:45	6:50	6:55	6:59	7:05	7:07	7:12	7:13	7:17	7:24	7:30	7:33	7:36	7:40		
7:15	7:20	7:25	7:29	7:35	7:37	7:42	7:43	7:47	7:54	8:00	8:03	8:06	8:10		
7:45	7:50	7:55	7:59	8:05	8:07	8:12	8:13	8:17	8:24	8:30	8:33	8:36	8:40		
8:15	8:20	8:25	8:29	8:35	8:37	8:42	8:43	8:47	8:54	9:00	9:03	9:06	9:10		
8:45	8:50	8:55	8:59	9:05	9:07	9:12	9:13	9:17	9:24	9:30	9:33	9:36	9:40		
9:15	9:20	9:25	9:29	9:35	9:37	9:42	9:43	9:47	9:54	10:00	10:03	10:06	10:10		
9:45	9:50	9:55	9:59	10:05	10:07	10:12	10:13	10:17	10:24	10:30	10:33	10:36	10:40		
10:15	10:20	10:25	10:29	10:35	10:37	10:42	10:43	10:47	10:54	11:00	11:03	11:06	11:10		
10:45	10:50	10:55	10:59	11:05	11:07	11:12	11:13	11:17	11:24	11:30	11:33	11:36	11:40		
11:15	11:20	11:25	11:29	11:35	11:37	11:42	11:43	11:47	11:54	12:00	12:03	12:06	12:10		
11:45	11:50	11:55	11:59	12:05	12:07	12:12	12:13	12:17	12:24	12:30	12:33	12:36	12:40		
12:15	12:20	12:25	12:29	12:35	12:37	12:42	12:43	12:47	12:54	1:00	1:03	1:06	1:10		
12:45	12:50	12:55	12:59	1:05	1:07	1:12	1:13	1:17	1:24	1:30	1:33	1:36	1:40		
1:15	1:20	1:25	1:29	1:35	1:37	1:42	1:43	1:47	1:54	2:00	2:03	2:06	2:10		
1:45	1:50	1:55	1:59	2:05	2:07	2:12	2:13	2:17	2:24	2:30	2:33	2:36	2:40		
2:15	2:20	2:25	2:29	2:35	2:37	2:42	2:43	2:47	2:54	3:00	3:03	3:06	3:10		
2:45	2:50	2:55	2:59	3:05	3:07	3:12	3:13	3:17	3:24	3:30	3:33	3:36	3:40		
3:15	3:20	3:25	3:29	3:35	3:37	3:42	3:43	3:47	3:54	4:00	4:03	4:06	4:10		
3:45	3:50	3:55	3:59	4:05	4:07	4:12	4:13	4:17	4:24	4:30	4:33	4:36	4:40		
4:15	4:20	4:25	4:29	4:35	4:37	4:42	4:43	4:47	4:54	5:00	5:03	5:06	5:10		
4:45	4:50	4:55	4:59	5:05	5:07	5:12	5:13	5:17	5:24	5:30	5:33	5:36	5:40		
5:15	5:20	5:25	5:29	5:35	5:37	5:42	5:43	5:47	5:54	6:00	6:03	6:06	6:10		
5:45	5:50	5:55	5:59	6:05	6:07	6:12	6:13	6:17	6:24	6:30	6:33	6:36	6:40		
6:15	6:20	6:25	6:29	6:35	6:37	6:42	6:43	6:47	6:54	7:00	7:03	7:06	7:10		
7:15	7:20	7:25	7:29	7:35	7:37	7:42	7:43	7:47	7:54	8:00	8:03	8:06	8:10		
8:15	8:20	8:25	8:29	8:35	8:37	8:42	8:43	8:47	8:54	9:00	9:03	9:06	9:10		
8:15	8:20	8:25	8:29	8:35	8:37	8:42	8:43	8:47	8:54	9:00	9:03	9:06	10:10		

Shaded areas do not run on Saturdays

Evening service is hourly.

Route 15




15 GTC, Holiday, Bathany Homes, Fraser, CVS, West Acres, Target, TJ Maxx, Walmart, Job Service of ND, Courthouse

GTC	Holiday	Bathany	Fraser	CVS	West Acres	Target	TJ Maxx	Walmart	Job Service of ND	Courthouse	PeoplePantry	GTC	
A	B	C	D	E	F	G	H	I	J	K	L	M	A
6:15	6:18	6:19	6:21	6:25	6:27	6:36	6:40	6:44	6:53	6:57	7:06	7:07	7:10
6:45	6:48	6:49	6:51	6:55	6:57	7:06	7:10	7:14	7:23	7:27	7:36	7:37	7:40
7:15	7:18	7:19	7:21	7:25	7:27	7:36	7:40	7:44	7:53	7:57	8:06	8:07	8:10
7:45	7:48	7:49	7:51	7:55	7:57	8:06	8:10	8:14	8:23	8:27	8:36	8:37	8:40
8:15	8:18	8:19	8:21	8:25	8:27	8:36	8:40	8:44	8:53	8:57	9:06	9:07	9:10
8:45	8:48	8:49	8:51	8:55	8:57	9:06	9:10	9:14	9:23	9:27	9:36	9:37	9:40
9:15	9:18	9:19	9:21	9:25	9:27	9:36	9:40	9:44	9:53	9:57	10:06	10:07	10:10
9:45	9:48	9:49	9:51	9:55	9:57	10:06	10:10	10:14	10:23	10:27	10:36	10:37	10:40
10:00	10:03	10:04	10:06	10:10	10:12	10:21	10:25	10:29	10:38	10:42	10:51	10:52	10:55
10:15	10:18	10:19	10:21	10:25	10:27	10:36	10:40	10:44	10:53	10:57	11:06	11:07	11:10
10:30	10:33	10:34	10:36	10:40	10:42	10:51	10:55	10:59	11:08	11:12	11:21	11:22	11:25
10:45	10:48	10:49	10:51	10:55	10:57	11:06	11:10	11:14	11:23	11:27	11:36	11:37	11:40
11:00	11:03	11:04	11:06	11:10	11:12	11:21	11:25	11:29	11:38	11:42	11:51	11:52	11:55
11:15	11:18	11:19	11:21	11:25	11:27	11:36	11:40	11:44	11:53	11:57	12:06	12:07	12:10
11:30	11:33	11:34	11:36	11:40	11:42	11:51	11:55	11:59	12:08	12:12	12:21	12:22	12:25
11:45	11:48	11:49	11:51	11:55	11:57	12:06	12:10	12:14	12:23	12:27	12:36	12:37	12:40
12:00	12:03	12:04	12:06	12:10	12:12	12:21	12:25	12:29	12:38	12:42	12:51	12:52	12:55
12:15	12:18	12:19	12:21	12:25	12:27	12:36	12:40	12:44	12:53	12:57	1:06	1:07	1:10
12:30	12:33	12:34	12:36	12:40	12:42	12:51	12:55	12:59	1:08	1:12	1:21	1:22	1:25
12:45	12:48	12:49	12:51	12:55	12:57	1:06	1:10	1:14	1:23	1:27	1:36	1:37	1:40
1:00	1:03	1:04	1:06	1:10	1:12	1:21	1:25	1:29	1:38	1:42	1:51	1:52	1:55
1:15	1:18	1:19	1:21	1:25	1:27	1:36	1:40	1:44	1:53	1:57	2:06	2:07	2:10
1:30	1:33	1:34	1:36	1:40	1:42	1:51	1:55	1:59	2:08	2:12	2:21	2:22	2:25
1:45	1:48	1:49	1:51	1:55	1:57	2:06	2:10	2:14	2:23	2:27	2:36	2:37	2:40
2:00	2:03	2:04	2:06	2:10	2:12	2:21	2:25	2:29	2:38	2:42	2:51	2:52	2:55
2:15	2:18	2:19	2:21	2:25	2:27	2:36	2:40	2:44	2:53	2:57	3:06	3:07	3:10
2:30	2:33	2:34	2:36	2:40	2:42	2:51	2:55	2:59	3:08	3:12	3:21	3:22	3:25
2:45	2:48	2:49	2:51	2:55	2:57	3:06	3:10	3:14	3:23	3:27	3:36	3:37	3:40
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5:45	5:48	5:49	5:51	5:55	5:57	6:06	6:10	6:14	6:23	6:27	6:36	6:37	6:40
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6:45	6:48	6:49	6:51	6:55	6:57	7:06	7:10	7:14	7:23	7:27	7:36	7:37	7:40
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8:45	8:48	8:49	8:51	8:55	8:57	9:06	9:10	9:14	9:23	9:27	9:36	9:37	9:40
9:15	9:18	9:19	9:21	9:25	9:27	9:36	9:40	9:44	9:53	9:57	10:06	10:07	10:10

The first trip of Route 15 starts at Walmart at 6:14 a.m. MF & 7:14 a.m. on Saturday.
The last trip of Route 15 ends at Walmart 8:14 p.m. on Saturday.
Evening service runs every 30 minutes.



 32W						
Minard, West Port on Dakota, Dakota Creek Lofts CJ/PP, RDC, Fargodome, University Village, High Rises						
NDSU Minard Pullout West	West Port on Dakota Drive	NDSU Minard Pullout East	Fargodome (East)	University Village	NDSU High Rises	NDSU Minard Pullout West
A	B	C	D	E	F	A
7:25	7:30	7:35	7:40	7:45	7:50	7:55
7:55	8:00	8:05	8:10	8:15	8:20	8:25
8:25	8:30	8:35	8:40	8:45	8:50	8:55
8:55	9:00	9:05	9:10	9:15	9:20	9:25
9:25	9:30	9:35	9:40	9:45	9:50	9:55
9:55	10:00	10:05	10:10	10:15	10:20	10:25




33 NDSU Hub, Family Fare, Klai Hall, Berrig Hall, University Village, SHRC

NDSU Transit Hub	Family Fare	Klai Hall	NDSU H.H. Berrig Hall	University Village	SHRC	General NDSU Transit Hub	
T A	B C	D E	F G			T A	
6:55	6:58	6:59	7:03	7:10	7:11	7:12	7:15
7:05	7:08	7:09	7:13	7:20	7:21	7:22	7:25
7:15	7:18	7:19	7:23	7:30	7:31	7:32	7:35
7:25	7:28	7:29	7:33	7:40	7:41	7:42	7:45
7:35	7:38	7:39	7:43	7:50	7:51	7:52	7:55
7:45	7:48	7:49	7:53	8:00	8:01	8:02	8:05
7:55	7:58	7:59	8:03	8:10	8:11	8:12	8:15
8:05	8:08	8:09	8:13	8:20	8:21	8:22	8:25
8:15	8:18	8:19	8:23	8:30	8:31	8:32	8:35
8:25	8:28	8:29	8:33	8:40	8:41	8:42	8:45
8:35	8:38	8:39	8:43	8:50	8:51	8:52	8:55
8:45	8:48	8:49	8:53	9:00	9:01	9:02	9:05
8:55	8:58	8:59	9:03	9:10	9:11	9:12	9:15
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9:15	9:18	9:19	9:23	9:30	9:31	9:32	9:35
9:25	9:28	9:29	9:33	9:40	9:41	9:42	9:45
9:35	9:38	9:39	9:43	9:50	9:51	9:52	9:55
9:45	9:48	9:49	9:53	10:00	10:01	10:02	10:05
9:55	9:58	9:59	10:03	10:10	10:11	10:12	10:15
10:05	10:08	10:09	10:13	10:20	10:21	10:22	10:25
10:15	10:18	10:19	10:23	10:30	10:31	10:32	10:35
10:25	10:28	10:29	10:33	10:40	10:41	10:42	10:45
10:35	10:38	10:39	10:43	10:50	10:51	10:52	10:55
10:45	10:48	10:49	10:53	11:00	11:01	11:02	11:05
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11:55	11:58	11:59	12:03	12:10	12:11	12:12	12:15
12:05	12:08	12:09	12:13	12:20	12:21	12:22	12:25
12:15	12:18	12:19	12:23	12:30	12:31	12:32	12:35
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12:35	12:38	12:39	12:43	12:50	12:51	12:52	12:55
12:45	12:48	12:49	12:53	1:00	1:01	1:02	1:05
12:55	12:58	12:59	1:03	1:10	1:11	1:12	1:15
1:05	1:08	1:09	1:13	1:20	1:21	1:22	1:25
1:15	1:18	1:19	1:23	1:30	1:31	1:32	1:35
1:25	1:28	1:29	1:33	1:40	1:41	1:42	1:45
1:35	1:38	1:39	1:43	1:50	1:51	1:52	1:55
1:45	1:48	1:49	1:53	2:00	2:01	2:02	2:05
1:55	1:58	1:59	2:03	2:10	2:11	2:12	2:15
2:05	2:08	2:09	2:13	2:20	2:21	2:22	2:25
2:15	2:18	2:19	2:23	2:30	2:31	2:32	2:35
2:25	2:28	2:29	2:33	2:40	2:41	2:42	2:45
2:35	2:38	2:39	2:43	2:50	2:51	2:52	2:55
2:45	2:48	2:49	2:53	3:00	3:01	3:02	3:05
2:55	2:58	2:59	3:03	3:10	3:11	3:12	3:15
3:05	3:08	3:09	3:13	3:20	3:21	3:22	3:25
3:15	3:18	3:19	3:23	3:30	3:31	3:32	3:35
3:25	3:28	3:29	3:33	3:40	3:41	3:42	3:45
3:35	3:38	3:39	3:43	3:50	3:51	3:52	3:55
3:45	3:48	3:49	3:53	4:00	4:01	4:02	4:05
3:55	3:58	3:59	4:03	4:10	4:11	4:12	4:15
4:05	4:08	4:09	4:13	4:20	4:21	4:22	4:25
4:15	4:18	4:19	4:23	4:30	4:31	4:32	4:35
4:25	4:28	4:29	4:33	4:40	4:41	4:42	4:45
4:35	4:38	4:39	4:43	4:50	4:51	4:52	4:55
4:45	4:48	4:49	4:53	5:00	5:01	5:02	5:05
4:55	4:58	4:59	5:03	5:10	5:11	5:12	5:15
5:05	5:08	5:09	5:13	5:20	5:21	5:22	5:25
5:15	5:18	5:19	5:23	5:30	5:31	5:32	5:35
5:25	5:28	5:29	5:33	5:40	5:41	5:42	5:45
5:35	5:38	5:39	5:43	5:50	5:51	5:52	5:55
5:45	5:48	5:49	5:53	6:00	6:01	6:02	6:05
5:55	5:58	5:59	6:03	6:10	6:11	6:12	6:15
6:05	6:08	6:09	6:13	6:20	6:21	6:22	6:25
6:15	6:18	6:19	6:23	6:30	6:31	6:32	6:35
6:25	6:28	6:29	6:33	6:40	6:41	6:42	6:45
6:35	6:38	6:39	6:43	6:50	6:51	6:52	6:55
6:45	6:48	6:49	6:53	7:00	7:01	7:02	7:05
6:55	6:58	6:59	7:03	7:10	7:11	7:12	7:15

Route 36





36

**Transit Hub, Renaissance Hall, GTC
Klai Hall, R.H. Barry Hall, Niskanen**

	NDSU Transit Hub	Family Fare	NDSU Renaissance Hall (Pullover)	GTC	NDSU R.H. Barry Hall (Main Entrance)	Niskanen	
(T) (A)	(B)	(C)	(D)	(E)	(F)	(T) (A)	
-----	-----	-----	-----	-----	6:37	6:45	
6:45	6:49	6:52	7:00	7:02	7:07	7:15	
7:15	7:19	7:22	7:30	7:32	7:37	7:45	
7:45	7:49	7:52	8:00	8:02	8:07	8:15	
8:15	8:19	8:22	8:30	8:32	8:37	8:45	
8:45	8:49	8:52	9:00	9:02	9:07	9:15	
9:15	9:19	9:22	9:30	9:32	9:37	9:45	
9:45	9:49	9:52	10:00	10:02	10:07	10:15	
10:15	10:19	10:22	10:30	10:32	10:37	10:45	
10:45	10:49	10:52	11:00	11:02	11:07	11:15	
11:15	11:19	11:22	11:30	11:32	11:37	11:45	
11:45	11:49	11:52	12:00	12:02	12:07	12:15	
12:15	12:19	12:22	12:30	12:32	12:37	12:45	
12:45	12:49	12:52	1:00	1:02	1:07	1:15	
1:15	1:19	1:22	1:30	1:32	1:37	1:45	
1:45	1:49	1:52	2:00	2:02	2:07	2:15	
2:15	2:19	2:22	2:30	2:32	2:37	2:45	
2:45	2:49	2:52	3:00	3:02	3:07	3:15	
3:15	3:19	3:22	3:30	3:32	3:37	3:45	
3:45	3:49	3:52	4:00	4:02	4:07	4:15	
4:15	4:19	4:22	4:30	4:32	4:37	4:45	
4:45	4:49	4:52	5:00	5:02	5:07	5:15	
5:15	5:19	5:22	5:30	5:32	5:37	5:45	
5:45	5:49	5:52	6:00	6:02	6:07	6:15	
6:15	6:19	6:22	6:30	6:32	6:37	6:45	

**PUBLIC COMMENTS RECEIVED
ROUTE & SERVICE CHANGES
MAY 2024**

Comments received through email, social media and at GTC on evening and Saturday service hours:

- I work on Sat. If you change the hours it means I will need to have to leave work earlier than I do. That's not fair.
- Please have buses running at least an hour later than now.
- Really, really hope Saturday service hours will not be made permanent.
- Do not reduce Paratransit hours! My name is Jillian, and I moved to the Fargo Moorhead area a month ago. I am a Paratransit Rider. I tried to schedule a ride to be there tonight, but there were no times available. While I have not had a lot of experience using Paratransit since I moved here yet, I believe reducing hours would be doing a disservice to Riders and the community. It will affect our ability to work, spend time with friends and family and just be in the community. As I gain familiarity with Fargo Moorhead, I am excited to explore new places and meet new people. Trying to schedule some of my rides already three or four days in advance can be a difficult process. I want to have the option of going to later movies, socializing and doing parts of my job in the community later if I want to. The article in the Fargo Inforum states that the hours would be reduced to 6:15 a.m. to 10:15 p.m. Monday through Friday, and 7:15 a.m. to 8:15 p.m. Saturdays. For Paratransit users that actually would add another half an hour to 45 minutes reduction due to the current scheduling method. That would mean I can only be in the community between 6:45 a.m. and 9:45 p.m. Monday through Friday and 7:45 a.m. and 7:45 p.m. Saturdays. to me, that sends a message, that I, along with other paratransit riders, are not as welcome in the community as those who don't use MAT bus services, or those who do, but still have options of taxis, Uber, Lyft, or simply getting rides with other people.
- So MATBUS is extending your service to 10:15 p.m., instead of 9:15 p.m., while your ridership continues to decline?

Comments received through email, social media and at the GTC on Route cancellations and frequency reductions:

- NDSU Circulator Routes: No comments were received on elimination of Routes 32W and 36 or reducing frequency on Route 33.
- Do not change Route 15 from 15 min to 30 min. Already some of the drivers tend to be late and then have to skip that route time turning it into 30 min. People rely on every 15 min for route #15.
- Would Route 13 continue running every 30 minutes during the summer or would that change back running every 60 minutes. Response: This public hearing is just making portions of the current schedule permanent. Route 13 will continue with 30-minute weekday and 60-minute Saturdays year round.
- The proposed change would reduce Route 13 from 30-minute service to 60-minute service on Saturdays only.

Comments received through email, social media and at GTC unrelated to the Route and Service Changes Proposed:

- Add bus shall stop to Route 14 at Elliott Place, 4462 30th Ave S Fargo, instead of walking to bus stop and no shelter is very cold and wet.
- Don't reduce routes. Increase 14: to twice an hour. 11: to twice an hour.
- Although it wouldn't be hard to adjust to, I am a mature, responsible, sane, normal, smart person that worked all her life before she got disabled and maintained self care, I believe if we change it to 30 min bus rides on the 15 it will cause more entitlement, unsafe conditions for passengers and riders more violence yellin, etc. so please keep that in mind it is scary enough frankly with these losers that expect everything handed to them don't work and steal everything u own while getting everything handed to them & done for them while trashing our city getting dumber & dangerous and I who have worked since I was forced 2 quit due 2 injury at 31 & get disability gets everything stolen from her by him verbally & physically assaulted and not sitting(?) any help! Plz help!
- It's very easy for the disabled to get stranded in your city. 1. "Tree Lane Blowed(?)" by Landscape aka builders. 2. Calls for "help" when injured after could go unnoticed. 3. Hard time learning how to get (illegible).
- Lousy Transit System. Poor customer service. Inaccurate information on Routes. Buses don't show up. Too many missed connections. Dump Julie B. & get someone who cares.
- Would like Route #16 returned to Sat. I miss Route #16 on Saturdays. It's a very helpful route instead of Mhd Rt 1 & 3 or Rt. 24 to Cash Wise out there. Does Rt #18 go to Cash Wise in SW Fargo by Parkway? Please leave the other routes the way are. We all like those routes.
- The driver was nice & polite. Thank you! Jesus (heart) you!
- Can the HUB implement more security to mitigate exposure to drug consumption on premises? Alcohol bottles, needles, mem etc. paraphernalia. Thank you!
- One of my major concerns is that the buses need to leave the Marriott exactly on the dot. For example they need to leave at 12:30 p.m. not 12:27 p.m. This has led to a lot of people missing the bus because they go past the bus stops too early. This continues to be an issue.
- So keep screwing everyone. Gotcha.

Comments from Informational Meeting at GTC on May 6, 2024:

- You need to post paper public hearing notices inside the buses for those without computers.
- Return Routes 11/14 to 30-minute service all day.
- Return Route 16 service on Saturdays.
- I like that 11/14 are interlined, as this provides a one-seat ride to medical appointments.
- Moorhead hasn't cut service frequency from their routes and have reduced MSUM service.
- Reduce shuttle service to NDSU and allocate those drivers to the Fixed Routes to address the driver shortage. General public service should have the priority.
- Have you considered that the driver shortages is related to how the drivers are treated by First Transit and lack of good benefits? Find other alternatives or companies.
- Consider removing the Route 14 loop off of 32nd Avenue S.
- Return Route 13 frequency to 30-minutes.
- Add a few routes on Sundays. You have two buses on Paratransit on Sundays.
- Hire more dispatchers to cover after 7 p.m.
- Return Route 15 to 15-minute frequency.

- Do not reduce any morning service hours.
- Community events run later than the buses; need later service to Scheel's Arena, Red Hawks, Fargo Dome, LaCrosse games.
- Do not replace the fixed routes with on-demand Tapride, as not everyone has a computer or Smartphone.
- On-demand service to the industrial park and Amazon doesn't work well due to shift work.
- For storm cancellations, need to update the website and the GTC phone message earlier (the day before).
- Shelters are not clean - especially the one on 13th Ave. S. by Wendy's. Remove garbage more frequently.
- The times listed in the shelters have not been updated with the temporary suspensions. Passengers are not aware that routes are ending early.
- MATBUS needs to be dependable with their timetables and consistent service hours.

Responses to Comments from Informational Meeting at GTC on May 6, 2024:

- We will post notices of the public hearings in the bus this week to provide one-week notice to those without computers who haven't noticed the display at the GTC.
- Fargo does plan to return frequency to Routes 11/14, Route 16 Saturdays, Route 13 and Route 15 as drivers become available (by late August).
- NDSU purchases service from Fargo, similar to Dilworth purchasing from Moorhead and West Fargo purchasing from Fargo. NDSU does not own buses. NDSU has requested service reductions to some of the circulator routes, such as 32W and 33.
- It is more difficult to reduce frequency on Moorhead routes, due to interlining and connections at the Marriott hub.
- First Transit (or Transdev) has a contract for service through 2024 with a one-year option for 2025. Transdev is looking at ways to show more appreciation to employees through picnics. Wages were increased in 2024 and a pay differential was added for evening and weekend hours. More drivers are applying for jobs and we hope to have sufficient staff to reinstate some service in late-August.
- The Route 14 loop off of 32nd Avenue serves apartments and has good ridership; we would not reduce service to this area.
- MATBUS was moving towards implementing Sunday service before the COVID-19 Pandemic. However, ridership patterns and business openings have changed. Also, we would need to add staff to the garage, dispatch, driver supervision, etc., which is cost prohibitive at this time.
- In the 2025 budget request, Fargo has again asked for Dispatch staff to cover full operating hours.
- We have no plans to reduce morning hours.
- Regarding storm cancellation notices, MATBUS has signed up with WDAY and KVLV to post service cancellations online.
- MATBUS will monitor the shelter cleaning and look at frequency of garbage collection.
- MATBUS will change the times listed in shelters for temporary service changes that are expected to last longer than a brief detour.



May 6, 2024

Honorable Board of
City Commissioners
225 4th Street North
Fargo, ND 58102

Re: Declare protest insufficient for Improvement District No. BN-23-G

Dear Commissioners:

Improvement District No. BN-23-G was created by City Commission on March 18, 2024, and the resolution declaring the improvements necessary was first advertised on March 27, 2024. The NDCC 40-22-17 states that "within thirty days after the first publication of the resolution declaring the necessity of an improvement project of the type specified in any one of the subsections of section 40-22-01, the owners of any property within the improvement district file written protests describing the property which is the subject of the protest with the city auditor protesting against the adoption of said resolution, the governing body of the municipality, at its next meeting after the expiration of the time for filing such protests, shall hear and determine the sufficiency thereof".

Typically, the determination of sufficiency occurs at the same time City Commission considers Engineering's recommendation to award, or reject, a construction contract for improvements. However, due to a change in the original bid opening date, bids for the project have not been opened yet. Since one protest was received, amounting to 45.1% of the Improvement District, and to ensure compliance with Century Code, Engineering requests that City Commission take action to determine protests as insufficient.

The declaration of insufficient protest by the City Commission does not dictate any future decisions, such as award of the construction contract; it simply determines that the one protest received falls short of the 50% threshold required to bar the proceeding of Special Assessments upon property within the Improvement District. We are scheduled to open bids for this improvement project on May 22, 2024. I intend to present my recommendation to the City Commission, regarding the award of the contract or rejection of bids, as part of the regular agenda on May 28, 2024.

Recommended Motion

Declare protests insufficient for Improvement District No. BN-23-G.

Sincerely,

Tom Knakmuhs, PE
City Engineer

Attachments:

- Protest Letter Received
- Determination of Protest (map)

William P. Harrie*
Mark R. Hanson* •
Andrew L.B. Noah
Jacqueline S. Anderson*
Thaddeus E. Swanson*



*Cloe A. Kilwein
*Anthony J.R. Anderson
Nicholas Mino
Matthew A. Costello

Douglas W. Gigler, Retired

*Also Licensed in Minnesota
• Also Licensed in South Dakota

April 23, 2024

HAND-DELIVERED AND VIA EMAIL
ssprague@FargoND.gov

Fargo City Auditor's Office
225 4th St. North
Fargo, ND 58102

RE: Improvement District No. BN-23-G
Our File No. 80416.008

The Nilles Law Firm and I represent Mid America Steel, Inc., ("Mid America"), the owner of property located at 5101 19th Avenue North Fargo, ND 58102. Mid America is also the owner of Block 1 of the Mid America Steel Add. shown on the attached March 21, 2024, Property Notification Letter sent to Mid America. **THIS LETTER SERVES AS A FORMAL PROTEST TO IMPROVEMENT DISTRICT NO. BN-23-G, ALSO REFERENCED IN SOME CITY OF FARGO DOCUMENTS AS IMPROVEMENT DISTRICT NO. BN-23-G1 ("IMPROVEMENT DISTRICT")**.

Mid America, without waiver and with a full reservation of its rights and claims, protests, objects to, and appeals the creation of that Improvement District, the work contemplated by that Improvement District, and any assessment on Mid America's properties as a result of the Improvement District. By way of example only, and not intended as an exhaustive list, the Improvement District improperly includes Mid America's property. The Improvement District also improperly moves the location of 53 St. N as shown on the Location & Assessment Area drawing included in the attached. Mid America does not benefit from the Improvement District, including moving the location of 53 St. N. To the contrary, moving the location of 53 St. N. so it is adjacent to Mid America's property appears to have been done to improperly pass the cost of the Improvement District to Mid America Steel and/or underwrite the project for the benefit of the developer or others.

The Improvement District also fails to consider damage to Mid America including, but not limited to, (a) the need for Mid America to protect and secure its property because of the project and (b) concerns Mid America has with the project impacting water retention plans required by the City of Fargo on Mid America's property.

M. T. R. H.
M T R H



SPECIAL ASSESSMENTS
 225 4TH STREET NORTH
 FARGO, ND 58102
 specials@fargond.gov

IMPORTANT PROPERTY OWNER NOTIFICATION
- SPECIAL ASSESSMENT ESTIMATE -

March 21, 2024

MID AMERICA STEEL INC
 5101 19 AVE N
 FARGO, ND 58102

Why are you receiving this letter?

Your property is included within a newly-created special assessment district, which means the City and its contractors will be completing infrastructure improvements benefitting your property in the near future.

Which special assessment district is this letter addressing?

Improvement District # BN-23-G, New Construction & Incidentals - Sanitary Sewer, Water Main, Storm Sewer, Street Lighting, & Paving.

Parcel Number	Address	Estimate Only
01-8636-00100-000	5101 19 AVE N	\$633,494.85

What does 'estimate' mean? Are these actual costs? Can I pay my assessment now?

This is a project estimate only, based on the design engineers' estimate of the cost. The City of Fargo is sending this estimate as required by law. Actual assessments will vary based on contractor bid prices to complete the scope of work. At this time, no payments can be made on this assessment because it is an estimate only. Your assessment notice will be mailed with actual costs following the completion of the project.





How will this assessment be financed long-term?

The approved assessed amount will be payable over 25 years with interest. The interest rate will be determined by the rate The City of Fargo receives to finance the Special Assessment Revenue Bond plus 0.75%.

Could there be changes? What if you have questions?

As an estimate, this is subject to change. To view potential changes, visit www.FargoParcels.com. If you have questions, please contact The City of Fargo's Special Assessments office by calling 701.241.1326.

How does this process work?

 Step 01 Initiate	 Step 02 Install	 Step 03 Finance	 Step 04 Payment
When existing infrastructure is to be reconstructed the City of Fargo initiates a project. Special assessments are used to fund a portion of the project. With new projects, which are developer initiated, the infrastructure is typically 100% assessed.	The City of Fargo coordinates and completes construction. <ul style="list-style-type: none"> • A design is completed. • A Special Assessment District is established. • A financing proposal is approved by the Fargo City Commission. • Project is bid/installed. 	After work is complete, the City obtains permanent financing for the project and assigns costs based upon benefits received by property owners.	The City and Cass County collaborate to collect annual special assessment payments used to satisfy the debt associated with the completed work.

March 19, 2024

**Notice of Proposed Construction on 53rd Street North & 23rd Avenue North between
19th Avenue North and 57th Street North
NEW UTILITY AND PAVING CONSTRUCTION
Improvement District No. BN-23-G**

Attention Property Owner,

New construction is planned and approved this year to install underground utilities, concrete paving, and incidentals on 53rd Street North and 23rd Avenue North between 19th Avenue North and 57th Street North as part of The Veterans Industrial Park Addition.

You are receiving this letter because our records indicate your property is in the Improvement District No. BN-23-G, a zone created to fund project costs through an assessment.

Funding (Including Proposed Property Assessments)

The project will be funded with Special Assessments to the benefiting properties. The funding summary for this project can be seen below:

Project Funding Summary		
Special Assessments	100%	\$ 4,289,034.96
Total Estimated Project Cost		\$ 4,289,034.96

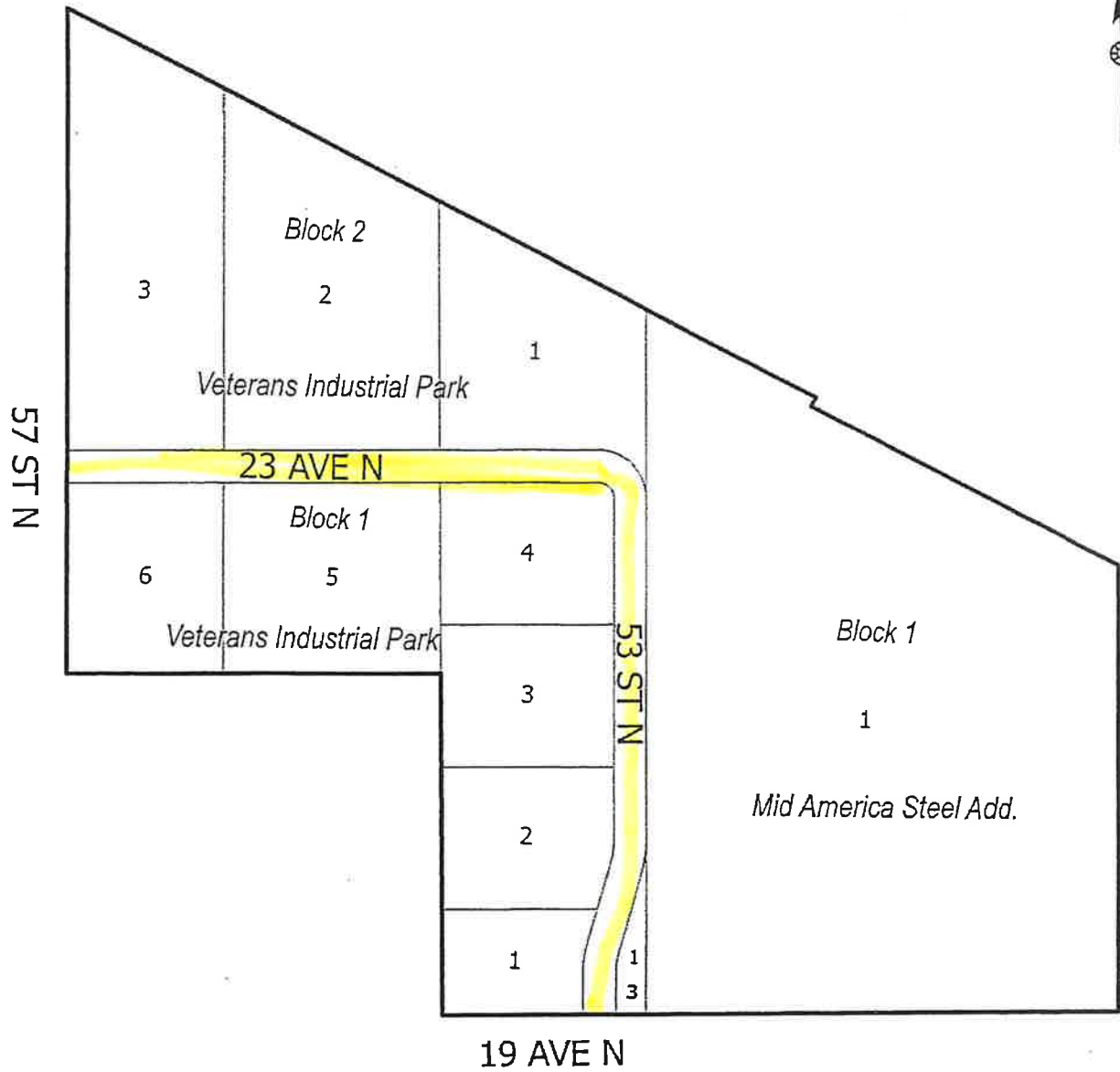
Assessed costs are apportioned according to the policy established by the Fargo City Commission. You can view the estimated Special Assessments for individual properties at fargoparcels.com. Your estimated property assessment is also attached.

Learn more and ask questions

- Construction is anticipated to start in May and should be wrapped up by the end of September. Not all areas will have construction going on the whole time. Stay updated on FargoStreets.com.
- You have a legal right to protest portions of this Improvement District. Protests must be in writing and received by the City Auditor's Office by the end of the business day on April 25, 2024, to be considered valid. The Assessment District for this project is being published in the legal section of the Forum on March 27 and April 3, 2024. If 50% or more of the benefitting area protests the Improvement District, portions of the project cannot proceed.
- For more information or questions, please contact the following:
 - Design Questions – Engineering Department – (701) 241-1545
 - Assessment Questions – Special Assessment Department – (701) 241-1326
 - Special Assessments Assistance – Planning Department – (701) 241-1474

The City of Fargo looks forward to the successful completion of this project.

Tyler Jacobs, Engineer Tech III



CITY OF FARGO
ENGINEERING DEPARTMENT
LOCATION & ASSESSMENT AREA
NEW PAVING AND UTILITY CONSTRUCTION
IMPROVEMENT DISTRICT NO. BN-23-G1

Project BN -23-G1 Plat by Square Foot Protested



William P. Harrie*
Mark R. Hanson* •
Andrew L.B. Noah
Jacqueline S. Anderson*
Thaddeus E. Swanson*



*Cloe A. Kilwein
*Anthony J.R. Anderson
Nicholas Mino
Matthew A. Costello

Douglas W. Gigler, Retired

*Also Licensed in Minnesota
• Also Licensed in South Dakota

May 9, 2024

VIA EMAIL ONLY

Nancy J. Morris
City Attorney
10 Roberts St. N.
P.O. Box 6017
Fargo, ND 58108-6017

nmorris@serklandlaw.com

Tom Knakmuhs
City Attorney
225 4th Street North
Fargo, ND 58102

TKnakmuhs@FargoND.gov

RE: Improvement District No. BN-23-G
Our File No. 80416.008

Dear Nancy and Tom:

As you know, the Nilles Law Firm and I represent Mid America Steel, Inc. (“Mid America”), the owner of property located at 5101 19th Avenue North, Fargo, ND 58102. Mid America and I thank you both, and also thank Doug Durgin, for meeting with me and representatives of Mid America on Wednesday, May 8, 2024, regarding the above matter, including Improvement District No. BN-23-G (“Improvement District”). Mid America filed a protest to that Improvement District (“Protest”). In the Protest, Mid America, without waiver and with a full reservation of its rights and claims, protests, objects to, and appeals the creation of that Improvement District, the work contemplated by that Improvement District, and any assessment on Mid America’s property as a result of the Improvement District. I am sending this letter to further explain Mid America’s position.

As explained below, **because a Developer Agreement signed by the City prevents Mid America from being assessed any special assessments for the development in question, the Improvement District and the Resolution approving it are invalid, null, void and of no effect.** The City cannot proceed with any special assessments or proceedings against Mid America. Those proceedings include whether there are sufficient protests under N.D.C.C. §40-22-18 and/or having the Special Assessment Commission consider assessing Mid America to fund the Veterans Industrial Park Addition.

Nancy Morris/Tom Knakmuhs
May 9, 2024
Page 2

I UNDERSTAND YOU WILL INCLUDE THIS LETTER AND THE ATTACHMENT ALONG WITH MID AMERICA'S PROTEST IN THE AGENDA PACKET FOR THE CITY COMMISSION MEETING IN WHICH MID AMERICA'S PROTEST AND POSITION ARE ADDRESSED.

Process and Procedure

During the May 8 meeting we discussed, among other things, (1) the process with regards to the Protest and (2) the timing of Mid America's right to appeal any determination by the Special Assessment Commission ("SAC") of any eventual assessment to Mid America. I understand the SAC has not yet set the special assessment on Mid America's property, nor has the assessment list been published or a notice of hearing of objections been served on Mid America. Thus, Mid America need not, nor could it, file any additional appeal at this time. I, therefore, will focus on some of the issues that should be addressed when the Protest and any special assessments to Mid America are heard by the City Commission. As shown below, **the City Commission cannot proceed with the Improvement District.**

The Improvement District Improperly Includes Mid America

The Protest explains that "the Improvement District improperly includes Mid America's property." That issue is not limited solely to address whether Mid America has any benefit resulting from 53rd St. N. being located next to Mid America's property. Rather, as I explained during the May 8 meeting, and summarize herein, the City of Fargo and the Developer previously agreed that the developer would be responsible for all of the special assessments arising out of the Veterans Industrial Park Addition. Thus, Mid America is not responsible for any special assessments and cannot be part of the Improvement District.

The plat for the Veterans Industrial Park Addition was approved by the City Commission at its July 10, 2023, meeting. The Resolution Approving Veterans Industrial Park Addition adopted by the City Commission at its July 10, 2023, meeting, provides that "**the recommendations of staff and the Planning Commission be accepted and the plat entitled Veterans' Industrial Park Addition be and the same is hereby in all things affirmed and approved . . .**" City Staff's April 27, 2023, report regarding the Veterans Industrial Park Addition was attached to the July 10, 2023, Fargo City Commission Agenda at item 39. The Staff Recommendation was that the plat be accepted "**contingent on final technical review of the plat, including the City Engineer's signature; and City Commission Approval of the developer's agreement . . .**" (See page 5 of 5 of that Staff Report).

The Developer Agreement between the City of Fargo and the developer ("Eagle Ridge Development, LLC") is attached as Exhibit 1. The Developer Agreement was signed by the developer on July 21, 2023, and Mayor Mahoney on behalf of the City on August 7, 2023. See *id.* The "Development Property" in the Developer Agreement is the same parcel as in the development plat. *Id.* The Developer Agreement defines the public infrastructure work, including the construction of 23rd Avenue North and 53rd Street North within the Development, as the "Initial Project." The Developer Agreement then provides, in relevant part, as follows:

Nancy Morris/Tom Knakmuhs
May 9, 2014
Page 3

4. **Developer hereby** waives its right to protest the resolution(s) of necessity for the infrastructure and improvements for which such resolutions are required pursuant to North Dakota Century Code, Section 40-22-17, and **specifically consents to the construction of the Initial Project and Future Project, and to the assessment of the costs thereof to the Development Property.** Developer further waives its right to protest the amount, benefit, or any other assessment attribute related to the installation and construction of the Initial Project and Future Project. **The project costs which may be assessed against the Development Property include all costs of completing the construction of the Initial Project.**

(emphasis added). Thus, the City and the Developer agreed that the Developer will pay all of the assessment costs for what became the Improvement District. In other words, the Improvement District cannot include Mid America's property.

The Impact of Not Enforcing the Developer Agreement

I understand that if 53rd Street North is not adjacent to Mid America's property, then Mid America will not have any special assessments apportioned to it. The only logical reason why 53rd Street is placed so it touches Mid America's property is to allow the developer to have larger lots to the east of 53rd Street which, presumably, will result in a greater price for those lots. The result is that Mid America is now funding around \$630,000.00 for the Development only because the developer chose to place 53rd Street North next to Mid America's property. The Developer Agreement, in which the developer and City agreed that all of the special assessments will be paid by the Development Property, and therefore not Mid America, removes the City from requiring an employee-owned business from paying \$630,000.00 to underwrite a land developer. It also results in the City abiding by its contracts.

Sincerely,



Mark R. Hanson

mhanson@nilleslaw.com

Enc.

CC: client representatives (via email only)

PAGE: 1 of 5 AGREE 1701643
City of Fargo - Engineering 11/16/2023 11:07 AM
Recorded Electronically \$20.00

RECORDER'S OFFICE, CASS COUNTY, ND 11/16/2023 11:07 AM
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.
DEBORAH A. MOELLER, COUNTY RECORDER

by *Shena Garcia*, Dep 1701643
Recorded Electronically



Developer Agreement

This Agreement, made and entered into between EagleRidge Development, L.L.C, a North Dakota limited liability company ("Developer") and the City of Fargo, a municipal corporation ("City"), is for the purpose of establishing public infrastructure for the property identified below and legally described on the attached Exhibit A (the "Development Property"). For good and valuable consideration hereby acknowledged, the parties agree as follows:

1. Developer holds all right, title and interest in the Development Property, known as Lots One, Two, Three, Four, Five, and Six in Block One, Lots One, Two, and Three of Block Two, and Lot One, Block Three of the Veterans Industrial Park Subdivision in the City of Fargo, Cass County, North Dakota. Developer intends to develop the Development Property.
2. Developer agrees to make a request for infrastructure to the City for the design, bidding, and construction administration of public infrastructure of 23rd Avenue North and 53rd Street North within the Development Property (the "Initial Project"). The funding of this initial request for infrastructure will follow the City's Infrastructure Funding Policy in effect at the time of creation of the improvement district for the Initial Project.
3. City shall complete street construction and improvements of 57th Street North, from 19th Avenue North to the railroad right of way, at a future date to be determined by the City (the "Future Project"), which shall be determined at the sole discretion of the City. The funding of these future 57th Street North improvements will follow the City's Infrastructure Policy in effect at the time of creation of the improvement district for the Future Project.
4. Developer hereby waives its right to protest the resolution(s) of necessity for the infrastructure and improvements for which such resolutions are required pursuant to North Dakota Century Code, Section 40-22-17, and specifically consents to the



PAGE: 2 of 5 AGREE 1701643
City of Fargo - Engineering 11/16/2023 11:07 AM
Recorded Electronically \$20.00

construction of the Initial Project and Future Project, and to the assessment of the costs thereof to the Development Property. Developer further waives its right to protest the amount, benefit, or any other assessment attribute related to the installation and construction of the Initial Project and Future Project. The project costs which may be assessed against the Development Property include all costs of completing the construction of the Initial Project and Future Project.

5. This Agreement shall be binding upon the respective successors and assigns of the parties hereto, including a purchaser of any portion of the Development Property. Developer agrees to inform any purchasers of the Development Property of the existence and context of this Agreement. Developer also hereby agrees to notify the City no later than 10 days prior to an assignment or sale of the Development Property.
6. The parties hereby agree that this Agreement may be recorded against the Development Property.
7. This Agreement will be construed and enforced in accordance with North Dakota law. The parties agree any litigation arising out of this Agreement will be venued in District Court in Cass County, North Dakota, and the parties waive any objection to personal jurisdiction.
8. The failure or delay of a party to insist on the performance of any of the terms of this Agreement, or the waiver of any breach of any of the terms of this Agreement, will not be construed as a waiver by that party of those terms, and those terms will continue and remain in full force and effect as if no forbearance or waiver had occurred and will not affect the validity of this Agreement, or the right of the party to enforce each and every term of this Agreement.
9. If any court of competent jurisdiction finds any provision or part of this Agreement is invalid, illegal, or unenforceable, that portion will be deemed severed from this Agreement, and all remaining terms and provisions of this Agreement will remain binding and enforceable, and the parties' obligations under this Agreement will remain binding and enforceable.
10. This Agreement, together with any related documents, as well as any amendments to those agreements and documents, constitutes the entire agreement between the parties regarding the matters described in this Agreement.
11. Any modifications or amendments of this Agreement must be in writing and signed by both parties to this Agreement.

PAGE: 5 of 5 AGREE 1701643
City of Fargo - Engineering 11/16/2023 11:07 AM
Recorded Electronically \$20.00

Exhibit A- Development Property

Lots One, Two, Three, Four, Five, and Six in Block One, Lots One, Two, and Three of Block Two, and Lot One, Block Three of the Veterans Industrial Park Subdivision in the City of Fargo, Cass County, North Dakota




**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

41

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY 

DATE: MAY 13, 2024

SUBJECT: APPOINTMENT TO THE ECONOMIC DEVELOPMENT INCENTIVES COMMITTEE

Jessica Ebeling has served on the Economic Development Incentives Committee for several years and recently resigned her position.

Attached you will find an application for Matthew Schlenvogt. Mr. Schlenvogt is willing to serve and I am, therefore, recommending his appointment.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: Approve the appointment of Matthew Schlenvogt as a member of the Economic Development Incentives Committee.

Kember Anderson

From: noreply@cityoffargo.com
Sent: Thursday, March 14, 2024 9:32 AM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government
Attachments: Matthew Schlenvogt - City Committee.pdf

Name:
[Matthew Schlenvogt]

Mailing Address:
[REDACTED]

City:
[Fargo]

State:
[ND]

Zip:
[58102]

Work Phone:
[REDACTED]

Home Phone:
[REDACTED]

E-mail:
[REDACTED]

Which boards or commissions would you like to be considered for?
[Economic Development Incentives Committee]

Briefly state why you would like to be on this panel:

[I am a proud Fargo native, and have always enjoyed living in Fargo, and helping to better the community. I have had the great opportunity to watch the city grow from a relatively small city to the bustling business hub it is today. I now have the opportunity to grow in my profession in this city, and even more importantly, watch my family become educated and grow in Fargo.]

I have always taken a strong interest in local business, and the economic diversity this city thrives on. I sincerely look forward to working with city leadership, business owners, and general commerce to take a city that is already great, and make it even better.

I have a strong background in real estate, and banking, which is referenced in my resume, which I plan to use to create dialogue for the needs of the city both now, and in the future.

I am a firm believer there are two ways people try to create change, by complaining, or by doing. Those that "do," create the visions for tomorrow.]

How many hours per month could you volunteer as a panel member?

[I can volunteer 5-8 hours per month. I understand that some agendas may be heavier than others, and I am certainly willing to adapt to the needs of the committee.]

Please list any past experience you have with city government here or in other cities:

[I do not have prior experience with the city government, or with other cities.]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in:

[Please refer to my resume for a more in depth summary of my roles with Banking, Real Estate Appraisal, and Board Member Experience.]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.



42a

April 11, 2024

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 312 10 Ave N as submitted by Dream Homes LLC. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$1,663 with the City of Fargo's share being \$283.

Sincerely,

A handwritten signature in black ink that reads "Mike Splonskowski".

Mike Splonskowski
City Assessor

lml
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed Lot: W 1/2 of 1, Block: 1
 Addition Name: Dewitts

2. Address of Property 312 10th Ave N, Fargo, ND 58102

3. Parcel Number 01-0580-00010-000

4. Name of Property Owner Dream Homes LLC Phone No. 701-793-5813

5. Mailing Address of Property Owner 2809 11th St S, Fargo, ND 58103

UPDATES
↓
WIRING
LUMB
Heat

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). New Interior finishes on main level. New Windows.
BRICKMANS FINISH, GARAGE ADDITION, REAR PORCH ROOF, EXTERIOR UPDATE

7. Building permit No. 2307-0216-REN 8. Year built (residential property) 1923

9. Date of commencement of making the improvements July 10th, 2023

10. Estimated market value of property before the improvements \$ ~~225,200~~ ? 106,700

11. Cost of making the improvement (all labor, material and overhead) \$ 260,000

12. Estimated market value of property after the improvements \$ 260,000

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Harold Herby Date 4-5-24

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization Michelle Spaulding Date 5-3-2024

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved Denied

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____



426

April 11, 2024

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1233 9 St N as submitted by David & Pamela Olson. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$784 with the City of Fargo's share being \$133.

Sincerely,

A handwritten signature in black ink that reads "Mike Splonskowski".

Mike Splonskowski
City Assessor

lml
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed Lot: 27, Block: , Addition Name: Ohmers

2. Address of Property 1233 9 St N, Fargo, ND 58102

3. Parcel Number 01-2220-01350-000

4. Name of Property Owner Olson, David M & Pamela L Phone No. (701) 446-6134

5. Mailing Address of Property Owner 1233 9 St N, Fargo, ND 58102

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Adding 11 steel braces and joist reinforcements, to help stabilize walls

7. Building permit No. 2301-0664-REN 8. Year built (residential property) 1941

9. Date of commencement of making the improvements February 1st, 2023

10. Estimated market value of property before the improvements \$ 140,800

11. Cost of making the improvement (all labor, material and overhead) \$ 12,693

12. Estimated market value of property after the improvements \$ _____

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Pamela Olson Date 4-8-2024

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization Wanda J. [Signature] Date 5-3-2024

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved Denied

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed Lot: 27, Block: , Addition Name: Ohmers

2. Address of Property 1233 9 St N, Fargo, ND 58102

3. Parcel Number 01-2220-01350-000

4. Name of Property Owner Olson, David M & Pamela L Phone No. (701) 446-6134

5. Mailing Address of Property Owner 1233 9 St N, Fargo, ND 58102

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Remodeling existing bathroom, including removing of walls and window in closet. Sufficient size header required over any new span.

7. Building permit No. 2306-0616-REN 8. Year built (residential property) 1941

9. Date of commencement of making the improvements June 21st 2023

10. Estimated market value of property before the improvements \$ 140,800

11. Cost of making the improvement (all labor, material and overhead) \$ 54,696

12. Estimated market value of property after the improvements \$ _____

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Pamela L Olson Date 4-8-2024

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization Walter Goullette Date 5-3-2024

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved Denied

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____



426

April 30, 2024

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 4438 Carrie Rose Ln. S. as submitted by the Rommesmo Family LLP. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$313 with the City of Fargo's share being \$53.

Sincerely,

A handwritten signature in black ink that reads "Mike Splonskowski".

Mike Splonskowski
City Assessor

lml
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed Lot 14 Block 1 Summit Chase

2. Address of Property 4438 Carrie Rose Ln S

3. Parcel Number 01-2940-00140-000

4. Name of Property Owner Rommismo Family LLP Phone No 761-492-4440

5. Mailing Address of Property Owner 4338 Carrie Rose Ln S

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Install new siding

7. Building permit No. 23060480 8. Year built (residential property) 1991

9. Date of commencement of making the improvements 06/22/2023

10. Estimated market value of property before the improvements \$ 437,200

11. Cost of making the improvement (all labor, material and overhead) \$ _____

12. Estimated market value of property after the improvements \$ 460,300

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant [Signature] Date 1-21-24

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization [Signature] Date 5-3-2024

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved Denied

Approval is subject to the following conditions: _____

Exemption is allowed for years 20 __, 20 __, 20 __, 20 __, 20 __.

Chairperson _____ Date _____



42d

April 30, 2024

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 2314 18 Ave S as submitted by Matthew & Katie Chaussee. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$975 with the City of Fargo's share being \$166.

Sincerely,

A handwritten signature in black ink that reads "Mike Splonskowski".

Mike Splonskowski
City Assessor

lml
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed Blk 12, Lot 15, South View Villages

2. Address of Property 2314 18 Ave S

3. Parcel Number 01-2840-02280-000

4. Name of Property Owner Matthew & Katie Chaussee Phone No. 701-238-9167

5. Mailing Address of Property Owner 2314 18 Ave S

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Main level bath remodel, removal of wall, new closet, replace shingles

7. Building permit No. 2205-0414 8. Year built (residential property) 1976

9. Date of commencement of making the improvements 06/01/2022

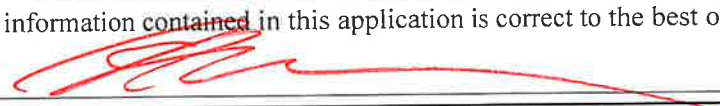
10. Estimated market value of property before the improvements \$ 227,200.00

11. Cost of making the improvement (all labor, material and overhead) \$ 66,000.00

12. Estimated market value of property after the improvements \$ 287,700.00

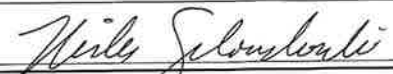
Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant  Date 4/24/24

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization  Date 5-3-2024

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved Denied

Approval is subject to the following conditions: _____

Exemption is allowed for years 20___, 20___, 20___, 20___, 20___.

Chairperson _____ Date _____