

REPORT OF ACTION

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Type: Power Occupancy Agreement

Location: 1131 14th St N

Date of Hearing: 5/18/2026

<u>Routing</u>	<u>Date</u>
City Commission	<u>5/26/2026</u>
PWPEC File	<u>X</u>
Project File	<u>Kevin Gorder</u>

The Committee reviewed a communication from Division Engineer, Kevin Gorder, regarding a Power Occupancy Agreement at 1131 14th Street North for TKE Fraternity to upgrade their power supply.

Xcel services this area with overhead power and the secondary power to the facility will be installed underground. Approximately 15' of the underground service will be in the right of way. This install would typically include a \$500/year payment to occupy the right of way. Roers is managing the construction of TKE Fraternity's new facility and has asked if the City would waive the annual fee.

On a motion by Tim Mahoney, seconded by Nicole Crutchfield, the Committee voted to recommend approval of the Power Occupancy Agreement with TKE Fraternity.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and approve the Power Occupancy Agreement with TKE Fraternity.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: N/A

	<u>Yes</u>	<u>No</u>
Developer meets City policy for payment of delinquent specials	<u>N/A</u>	
Agreement for payment of specials required of developer	<u>N/A</u>	
Letter of Credit required (per policy approved 5-28-13)	<u>N/A</u>	

COMMITTEE

	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Unanimous</u>
				<u>☒</u>
Tim Mahoney, Mayor	☒	☒	☐	
Nicole Crutchfield, Director of Planning	☒	☒	☐	
Gary Lorenz, Fire Chief	☒	☒	☐	
Brenda Derrig, Assistant City Administrator	☐	☐	☐	
Ben Dow, Director of Operations	☒	☒	☐	
Tom Knakmuhs, City Engineer	☒	☒	☐	
Susan Thompson, Finance Director	☒	☒	☐	

ATTEST:

C: Kristi Olson


Tom Knakmuhs, P.E.
City Engineer

Memorandum

To: Members of PWPEC
From: Kevin Gorder - Division Engineer
Date: May 13, 2026
Re: Power Occupancy Agreement – TKE Fraternity

Background:

The TKE Fraternity at 1131 14th Street North is reconstructing their facility and need to upgrade their power supply as part of the project. Xcel services this area with overhead power and the secondary power to the facility will be installed underground. Approximately 15' of the underground service will be in the right of way. This install would typically include a \$500/yr payment to be in the ROW. Roers has asked, as the project manager constructing the new facility, if the City would waive the annual fee.

TKE has committed to completing the ROW Occupancy Form, registering with ND One Call, and hire a contractor to locate the line when one is required due to underground work in the area.

Recommended Motion:

Approve the Occupancy Agreement with a waiver of the annual fee.

KOG/klb
Attachment

From: [Tyler Miller](#)
To: [Kevin Gorder](#)
Subject: TKE Fraternity House
Date: Wednesday, May 13, 2026 3:37:36 PM
Attachments: [image001.png](#)

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

Good Afternoon Kevin,

I am reaching out to submit a formal request to have the Right of occupancy fee waived for the TKE Fraternity House located at 1131 14th St N, Fargo, ND 58102. This would be for bringing service from the power pole to the building. After Talking with Xcel, they will not take ownership of the line due to it being a commercial property. The pole is located in the Right of Way and would have about 15' of cable located in the City Right of Way. With this being a fraternity house they are not brining in a lot of money to cover this yearly fee.

We know we would still be responsible for filling out the Right of Way Occupancy Document, and registering the line with the ND One call, and have a contract locator hired to mark the line if any locates are called in.

Let me know if you have any questions or concerns.

Thanks!

Tyler Miller

Project Manager

200 45th Street South | Fargo, ND 58103

phone: 701.356.6427

cell phone: 952.693.5594

email: tmiller@roers.com



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