



**CITY COUNCIL
MEETING AGENDA
FEBRUARY 12, 2024 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM**

City Council Meeting

Disclaimer: Voting requirements may be subject to changes in the law, parliamentary procedural matters, or other unforeseen issues. The City Attorney provides opinion on questions of voting requirements in accordance with the Moorhead City Code, Minnesota State Statutes, and parliamentary procedure.

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Agenda Amendments
4. Consent Agenda

*All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in accordance with the "Council Rules of Procedure". In such event, the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.*
5. Recognitions - Presentations
 - A. MoorHeart Recognition: Steve Moore
 - B. 2023 Development Report
 - C. Recognition: Certificate of Achievement for Excellence in Financial Reporting
6. Approve Minutes
 - A. January 22, 2024 Meeting Minutes
7. Citizens Addressing the Council (Time Reserved: 15 Minutes)

During "Citizens Addressing the Council", the Mayor will invite residents to share issues, concerns and opportunities. Individuals must limit their comments to three minutes. The Mayor may limit the number of speakers on the same issue in the interest of time and topic. Individuals should not expect the Mayor or Council to respond to their comments tonight.
8. *Mayor and Council Appointments
 - A. *Resolution to Approve Mayoral Appointments of Council Members to Committees, Boards, and Commissions
 - B. Resolution for Appointments to Boards and Committees
9. Public Hearings (5:45 pm)

During "Public Hearings", the Mayor will ask for public testimony after staff and/or applicants make their presentations. The following guidelines are in place to ensure an efficient, fair, and respectful hearing; limit your testimony to three minutes and to the matter under consideration; the Mayor may modify times, as deemed necessary; avoid repeating remarks or points of view made by previous speakers. The use of signs, clapping, cheering or booing or any other form of verbal or nonverbal communication is not allowed.

10. Economic Development
 - A. *Resolution to Approve Publication of the 2024 Notice of Land Availability
 - B. *Resolution to Approve the Sale of City-owned Land located at 4218 29 Ave S (58.418.0030) to A-P Real Estate, LLC
11. Engineering Department
 - A. *Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 4th Ave S, 5th Ave S and 6th St S Area Street Improvements (Eng. No. 24-A2-06)
 - B. *Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 4th Ave N and 30th St N Underground Utility and Street Improvements (Eng. No. 24-A2-05)
 - C. *Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 14th St N, 16th St N, and 6th Ave N Underground Utility and Street Improvements (Eng. No. 24-A2-04)
 - D. *Resolution to Receive Report, Order Preparation of Plans & Specs and Call for a Public Hearing for 2024 Final Wearing Course and Meadows Golf Course Parking Lot Improvements (Eng. No. 24-A2-02)
12. Parks and Recreation Department
 - A. *Resolution to Accept a Donation from Moorhead American Legion Post 21 for Matson Field Grandstand Project and Enter into an Agreement for Naming Rights for the Scoreboard
13. Community Development Department
 - A. First Reading of Ordinance 2024-02: An Ordinance to Amend and Reenact Title 10, Chapter 18, Section 1, Use Regulations, and Title 10, Chapter 18, Section 2, Provisional and Conditional Use Requirements relating to the New Cannabis Law and Repeal Title 4, Chapter 4, Section 21, Offenses related to Drug Paraphernalia
 - B. *Resolution to Approve Agreement with Commercial Recreation Specialists for Play Equipment for the Moorhead Community Center Public Library
 - C. *Resolution to Approve Minor Subdivision - 2605 8th St S - Parcel 58.100.0660
 - D. *Resolution to Approve Vacation of 54th Avenue NW and 5th Street NW Right of Way and All Utility Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision
 - E. *Resolution to Approve a Conditional Use Permit for a Religious Institution in MU-1: Downtown Mixed Use at 106 5th Street S
14. Moorhead Public Service
 - A. *Resolution to Award Bids for 2024 Water Treatment and Wastewater Treatment Chemicals
15. Public Works
 - A. Resolution to Approve Budget Adjustment #24-006 and Accept MN Natural Resources Shade Tree Program Bonding Grant

16. Administration
 - A. *Resolution to Approve the Consumption of Beer on the Premises of the Moorhead Youth Hockey Arena on March 29 & 30, 2024
 - B. *Resolution to Authorize Budget Adjustment 24-005 for Purchase of Replacement Paratransit Bus
 - C. *Resolution to Approve the Public Transportation Agency Safety Plan 2023 Update and Authorize Submission to the Federal Transit Administration
17. Mayor and Council Reports
18. City Manager Reports
19. Executive Session
20. New Business
21. Adjourn



City Council Communication

February 12, 2024

SUBJECT:

MoorHeart Recognition: Steve Moore

RECOMMENDATION:

The Mayor and City Council are asked to recognize and honor Steve Moore with the MoorHeart award.

BACKGROUND/KEY POINTS:

The MoorHeart award recognizes individuals and organizations that go above and beyond to demonstrate community within our City through their actions and service. A team of volunteers from City boards and commissions selects award recipients who are recognized at City Council meetings. The MoorHeart selection committee asks the Mayor and City Council to recognize Steve Moore for his part in improving Moorhead Area Public Schools, and especially for his leading role in the new Moorhead High School construction and the transition of operations between facilities.

Steve has been able to reimagine Moorhead schools effectively and efficiently in the three years he has served as Director of Operations and Emergency Management of Moorhead Area Public Schools. He helped lead the District to the successful opening of the Moorhead High School Career Academy in 2022, and most recently, Steve organized and led the transition of equipment, students, and operations from the old high school to the new state-of-the-art facility, which opened in January 2024.

Moorhead Spud parents Lorilee Bergin, Nicole Mattson, and Keith Vogt wrote in the nomination: Steve has been an amazing asset to Moorhead Public Schools. He is a creative problem solver, an incredible planner and a positive professional. He has proven himself essential to the Moorhead Public Schools leadership team.

Steve had to figure out how to move almost everything from the old high school to the new school in just two and a half weeks, in the middle of the school year. He and his team did it so well that our kids' year wasn't disrupted in any way. That's a huge undertaking. As parents of MHS students, we nominate Steve Moore for the MoorHeart award for his outstanding work in our community supporting Moorhead Area Public Schools.

The hard work that Steve pours into our schools and the students benefits the entire community and does not go unnoticed. On behalf of the City, thank you, Steve, for your continued commitment to our community.

The MoorHeart award is commemorated with a piece of art commissioned from local artist Dennis Krull especially for this purpose.

As you learn of others in our community doing great things, large and small, please consider



City Council Communication

February 12, 2024

submitting a nomination. Information on nominating others for MoorHeart consideration is found at cityofmoorhead.com.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Not Applicable

Submitted By:

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Mark Dickerson, Communications Coordinator

Attachments:

2023 ANNUAL DEVELOPMENT REPORT

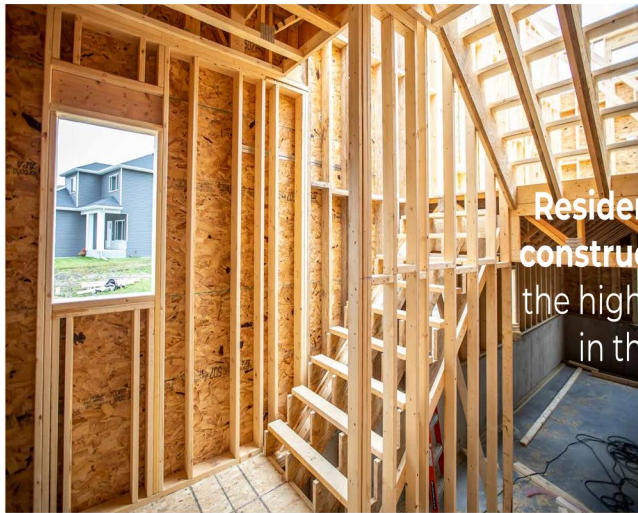
City of Moorhead



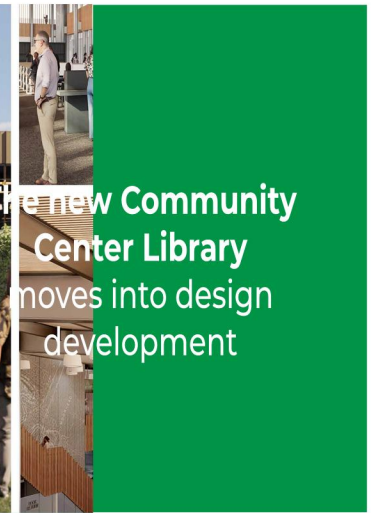
CITYOFMOORHEAD.COM

NEW IN 2023

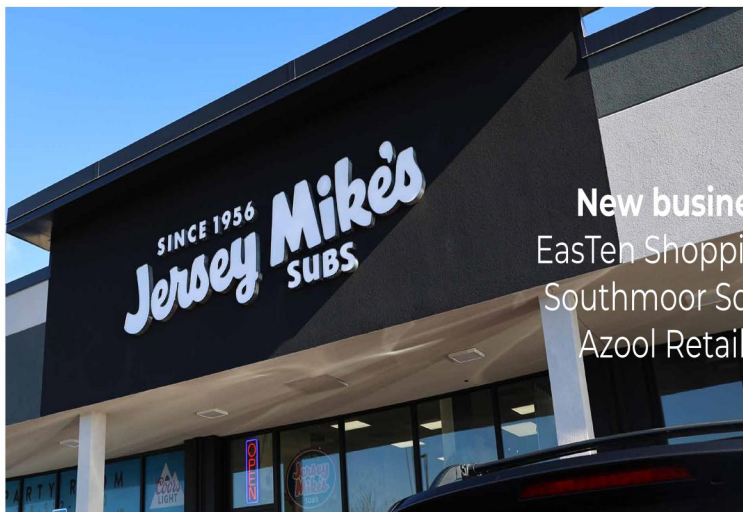
The Onward Moorhead! Comprehensive Plan continues to guide and inform development and activation for Moorhead's growing community, including:



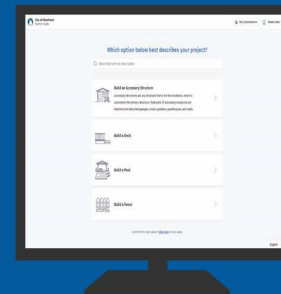
Residential and building construction permits were the highest number issued in the past 10 years.



The new Community Center Library moves into design development



New businesses at EastTen Shopping Center, Southmoor Square, and Azool Retail Center

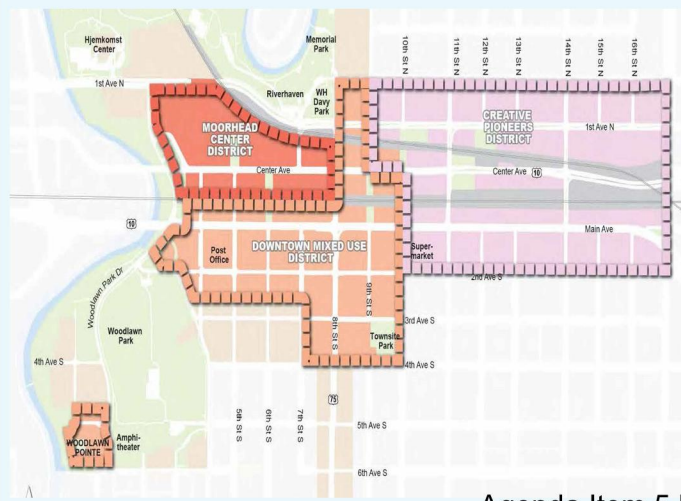


The Camino Online Permit Guide assisted residents and contractors. May to December saw 482 visitors submit 519 projects to address requirements for potential deck, garage, shed, pool or fence projects.

DOWNTOWN NEIGHBORHOOD

RENAISSANCE ZONE

Moorhead Renaissance Zone (RZ) encourages economic development and investment opportunities within the defined Moorhead RZ boundary by offering property tax exemptions for qualified projects that meet the minimum investment threshold and goals/objectives.



Agenda Item 5.B.

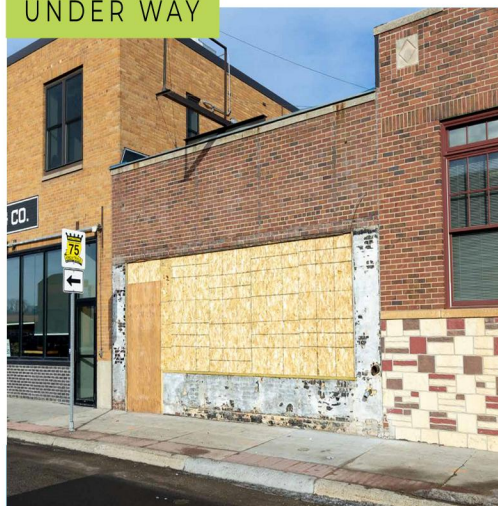
UNDER WAY



Fairmont Flats

801 2 Ave N (105 multi-family units)

UNDER WAY



Armory Annex

824 Center Ave

ON THE HORIZON



Downtown Redevelopment Project

A partnership was established with Roers Co for redevelopment of nine city blocks in downtown encompassing the Moorhead Center Mall site. The vision is to create a place where people come together.

Visit moretomoorhead.com for details.

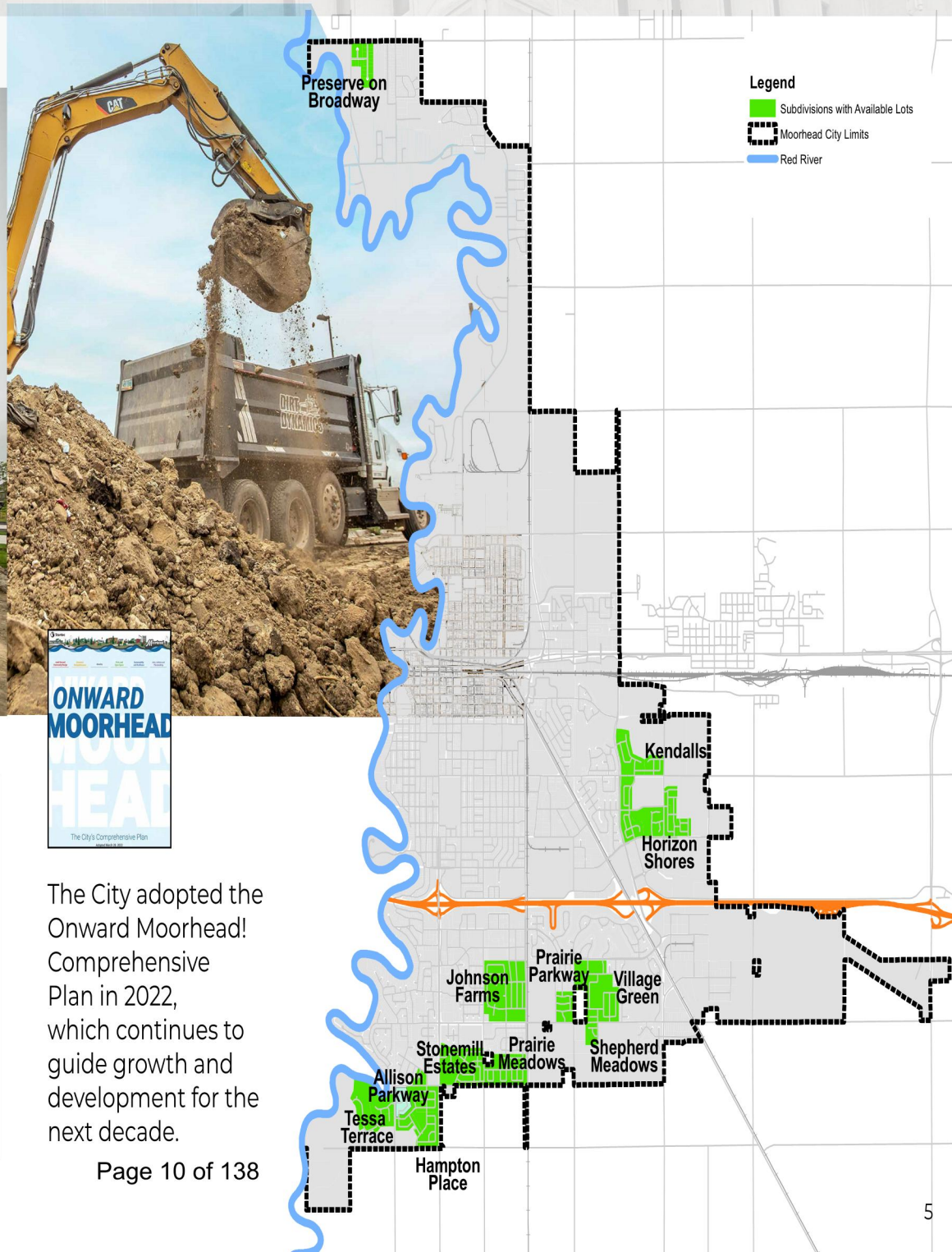
2023 NEIGHBORHOODS



287 fully serviced, buildable lots are available in various Moorhead subdivisions entering the 2024 construction season.

The 10-year average construction rate for single-family attached and detached homes is approximately 131 building permits per year. Based on this 10-year average and 2024 inventory, Moorhead has an approximate 2-year supply of fully serviced, buildable lots.

Agenda Item 5.B.



The City adopted the Onward Moorhead! Comprehensive Plan in 2022, which continues to guide growth and development for the next decade.

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RESIDENTIAL

A look at housing development within the city of Moorhead



RESIDENTIAL DEVELOPMENT



Agenda Item 5.B.

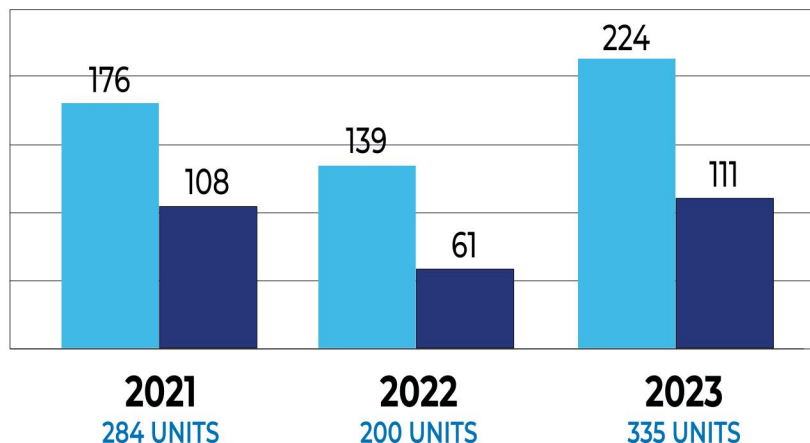
RESIDENTIAL UNITS PERMITTED



Multi-Family



Single-Family Attached/Detached



2022-2023

82% INCREASE
in building permits
for single-family units

62% INCREASE
in building permits
for multi-family units

2023 saw the highest number
of new residential building
permits within the past 5 years

HOUSING MARKET

	2021		2022		2023	
	Closed Sales*	Median Sales Price	Closed Sales*	Median Sales Price	Closed Sales*	Median Sales Price
Fargo	1,990	\$250,000	1,594	\$275,525	1,270	\$280,108
Moorhead	799	\$229,000	671	\$240,000	484	\$260,000
West Fargo	854	\$291,458	668	\$318,250	589	\$325,000
Dilworth	91	\$216,000	69	\$231,000	54	\$227,500
TOTAL	3,734		3,002		2,397	

*Source: FM Area Association of Realtors – Data for 2023 gathered 1/17/2024 Closed Sales Represents Single Family, Townhomes, and Condos *Full Year 2023 Data (January 1 – December 31) Note: not all closed home sales may be represented as Realtors may input sales data at a later date



Thank you!
**2023 RESIDENTIAL
CONTRACTORS**

SINGLE-FAMILY

- Adams Development (7)
- Barrier Homes Inc (1)
- Dabbert Custom Homes (2)
- Designer Homes FM (3)
- Diamond Rock Development (14)
- Heritage Homes (2)
- Hawthorne Custom Homes LLC (1)
- J V Hough (12)
- Jordahl Custom Homes (50)
- JR Construction Of Mentor (1)
- Krueger Construction Inc (1)
- Lake Agassiz Habitat for Humanity (1)
- New Creations Construction Inc (1)
- Plecity-Kowalski Construction (4)
- Red Leaf Custom Homes LLC (1)
- Spire Custom Homes (2)
- Thomsen Homes LLC (7)
- ZM Construction LLC (1)

MULTI-FAMILY

- Enclave Construction:
Compass Apartments
500 30th Ave S (83 Units)
- Border Construction:
Silver Lining Apartments
3350 3 Ave N (36 Units)
- Sterling Properties:
Fairmont Flats
801 2nd Ave N (105 Units)

SPECIALIZED HOUSING

Emery Apartments (900 30 Ave S)

130 total units / 52 affordable units by Enclave Construction

North Moorhead Village (2751 8 Ave N)

46 affordable units by Commonwealth Development

Micah's Mission (1901 1 Ave N)

Improvements to expand services

Fieldcrest Townhomes (3301 18 St S)

Updates and addition of a new community center

Sanders Flats (1610 7 St S)

46 units with 55+ services available through Eventide Senior Living and the addition of new skyway connection

ON THE HORIZON

Silver Lining Apartments (3305 3 Ave N)

36 units with 55+ permanent supportive housing services

Agenda Item 5.B.



SINGLE-FAMILY INCENTIVES

MAKE MOORHEAD HOME **Property Tax Rebates**

All newly constructed homes qualify for a 2-year property tax rebate upon completion (without an application process). In 2023, 218 homeowners received the tax incentive. The program is available through December 31, 2024.

HOME PROGRAM FOR **First & New Buyers**

This citywide incentive is a loan that defers \$5,000 at 0% interest toward special assessments for first-time homebuyers buying newly constructed homes. No new homebuyers utilized this program in 2023

AFFORDABLE MORTGAGES & **Downpayment Assistance**

Programs available for income-eligible buyers in partnership with Minnesota Housing. 45 loans were provided in Clay County in 2023, representing over \$8M in financing assistance.

GATE CITY BANK'S **Neighborhood Impact Program**

This program is designed to keep mature neighborhoods strong and help local homeowners reinvest in their homes with low-interest loans. In 2023, Moorhead processed 27 applications.

MULTI-FAMILY INCENTIVES



Residential Development

Multi-Family Residential Development projects with four units or more may be eligible for a property tax exemption for new construction, expansion or rehabilitation of existing facilities, excluding land and existing improvements. Most recently, Silver Linings Apartments, Block 37 Flats, and 12th & Main Apartments were approved for this incentive.

Housing with Health-Related Services

Property tax exemption and employee credits may be available for multi-family projects that meet criteria for health-related and supportive services facilities licensed by the state of Minnesota. Farmstead Care, Arbor Park Living Center, Lilac Homes, and Beehive Homes all received this incentive in the past.



COMMERCIAL AND INDUSTRIAL

A look at commercial and industrial
development within the city of Moorhead

PROPERTY TAX EXEMPTIONS

The Commercial-Industrial Property Tax Exemption Program encourages economic development and investment opportunities for new or expanding businesses located in areas outside of the Moorhead Renaissance Zone. Construction that increases the assessed building value by \$250,000 to \$1,249,999 and meets minimum job goals may qualify for a 3-year property tax exemption. Projects adding over \$1.25 million in new building value may qualify for a 5-year property tax exemption



COMMERCIAL DEVELOPMENT



2023 PROJECTS

**Red River Triumph
(fit up)**
2951 11 St S

**Access of the Red
River Valley Office**
925 37 Ave S

**A-P Concrete
Office/Warehouse***
4125 32 Ave S

Chipotle
3262 Hwy 10 E

**Diamond Rock
Self-Storage**
2724 12 Ave S

**First Community
Credit Union**
2602 34 St S

Glass Doctor (fit up)
1413 23 St S

**1st International
Bank & Trust**
865 37 Ave S

**Jersey Mike's
(fit up)**
814 30 Ave S

**Lakeland Mental
Health Renovation
& Addition**
1010 32 Ave S

**Les Schwab
Tire Center**
3145 27 Ave S

**Odin 2nd Ave
Shop Condos***
2410 & 2416 2 Ave N

**O'Reilly Auto
Parts (fit up)**
824 30 Ave S

**Sandman Structural
Engineers Office
Renovation
and Addition***
587 30 Ave S

**Self-Storage
Solutions**
2726 20 Ave S

Starbucks
805 37 Ave S

**Agassiz Shop
Condos***
1301 & 1313
Main Ave SE

**Thor Business
Condos***
1607, 1619, 1631 & 1643
29 Ave S

T-Mobile (fit up)
3206 Hwy 10 E

**Home Authority
Annex Office/
Warehouse**
1821 2 Ave N

**Taco Bell
Renovation**
321 8 St S

**Arby's
Renovation**
3108 Hwy 10 E

**Dollar Clinic
Addition**
1002 1 Ave N

**Kidco Children's
Museum and
Expansion (fit up)**
814 Center Ave

*Project received a
property tax incentive



INDUSTRIAL DEVELOPMENT

2023 PROJECTS

**American Crystal Sugar
Addition**
2500 11 St

**Lagerquist Shop
Addition***
4101 32 Ave S

Lemke Warehouse
2224 26 St S

**Rural Electric Supply
Cooperative Addition**
4100 30 Ave S

**4 Seasons Handyman
Services***
3380 43 St S

**Valley Green &
Associates Addition***
4117 32 Ave S

**Sprenger Midwest
Warehouse**
4141 30 Ave S

**RDO Equipment Co
Warehouse**
2972 34 St S

Hedgemaster's Shop*
1601 23 St S

Next Generation Gaming
2004 26 St S

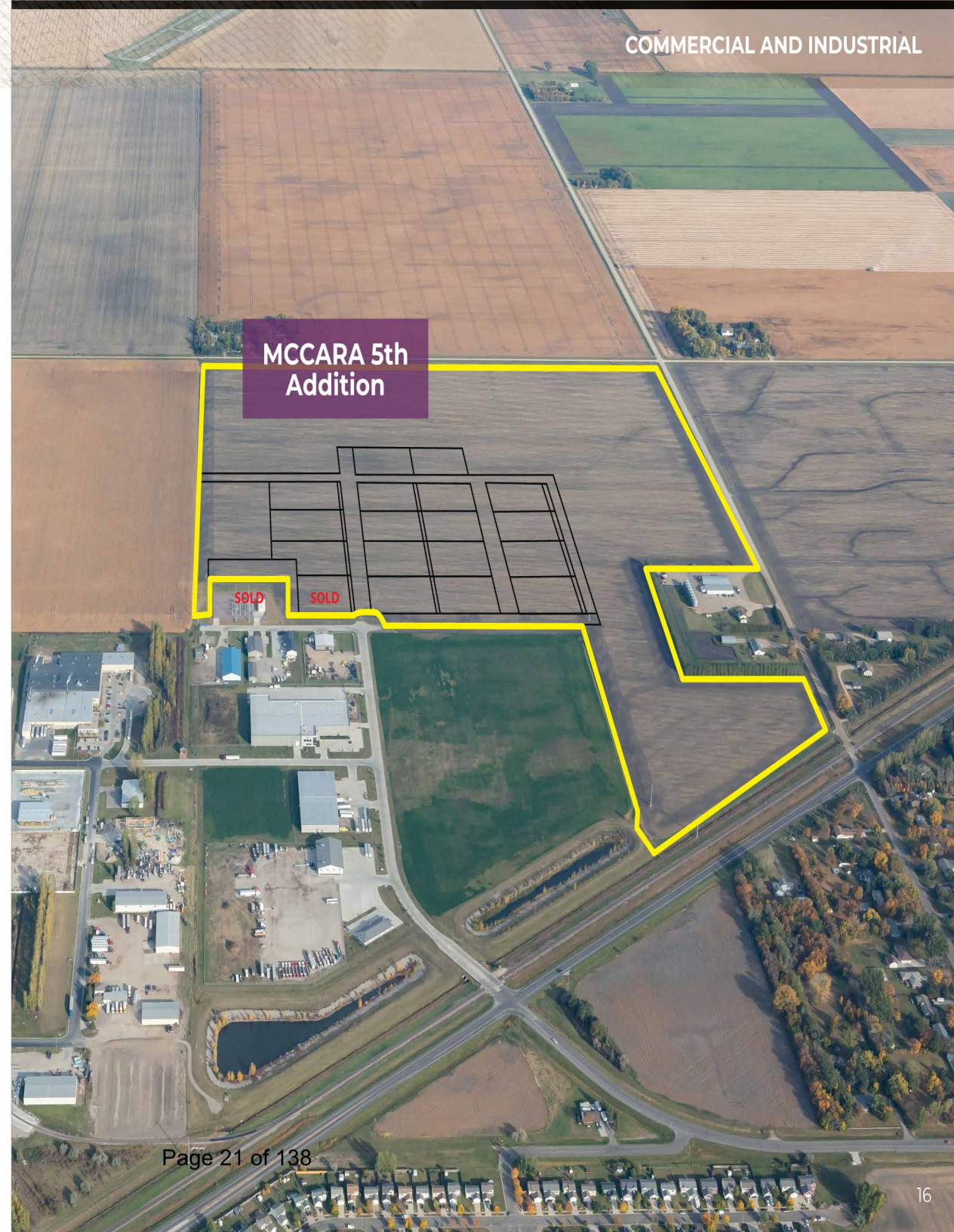


*Project received a property tax incentive

MCCARA INDUSTRIAL PARK EXPANSION

The MCCARA Industrial Park has been expanded to include 21 additional light Industrial lots plus an area for future rail expansion within a 57-acre development area to the east of the existing MCCARA industrial park.

The expansion would not have been possible without a **\$2M grant** from the **State of Minnesota's Business Development Public Infrastructure (BDPI) Grant Program**, which is available to cities in Greater Minnesota. The grant provides up to 50% of the capital costs for public infrastructure (i.e., utility extensions, stormwater, and streets) necessary to expand or retain jobs, increase tax base or expand and create new economic development.



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2023 PROJECTS

EDUCATION

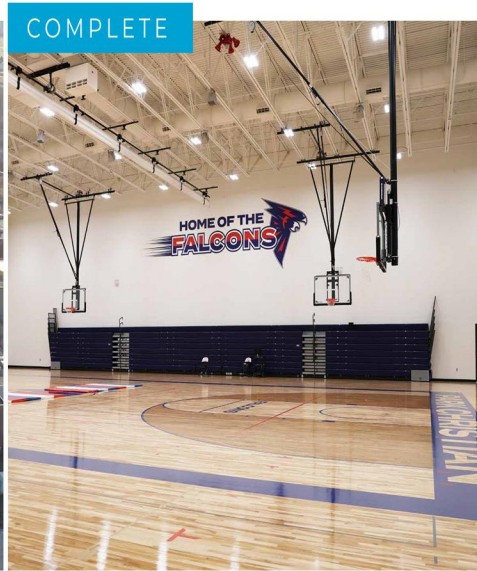


New Alumni Center

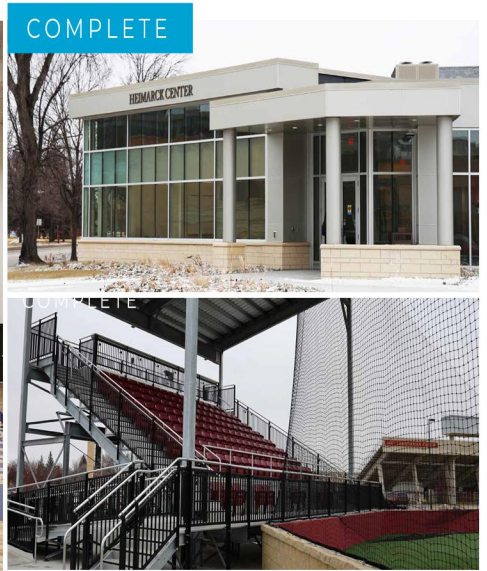
On the Horizon:
Renovation of Weld Hall



The new high school opened
the academic wing to students
in early 2024 as phase 2 of
construction begins.



New gymnasium and
media center addition



Heimarck Center
renovation and addition

Buck Burgau Field
Grandstand & Dugouts

2023 PROJECTS

GOVERNMENT

COMPLETE  	UNDER WAY 	UNDER WAY 	UNDER WAY 	COMPLETE 
CLAY COUNTY + CITY OF MOORHEAD Resource Recovery Center 1701 34 St N	CLAY COUNTY Dept. of Motor Vehicles 3300 15 Ave N	CLAY COUNTY Substance Use Crisis Center 3304 15 Ave N	CLAY COUNTY Warehouse 2951 41 ½ St S	MOORHEAD AIRPORT Private Hangar & Taxiway 3333 70 St S

2023 PROJECTS

GOVERNMENT

RENNOVATIONS UNDER WAY



National Guard Armory
1002 15 Ave N

OTHER INSTITUTIONAL

RENNOVATIONS COMPLETE



Ignite Church (former Safari Theatre)
925 30 Ave S

RENNOVATIONS UNDER WAY



Trinity Lutheran Church
210 7 St S

STRATEGIC PRIORITIES

A review of the City of Moorhead's strategic priorities



ECONOMY | BORDER CITY

2023 LEGISLATIVE OUTCOMES

Moorhead's flood mitigation projects were allocated \$11M within the Capital Investment Bill. Remaining projects totaling \$14.7M would complete Moorhead's 2009 Comprehensive Flood Mitigation Plan and will be pursued in 2024.

11 St Railroad Underpass project was allocated an additional \$10M within the Transportation Bill to address construction inflation. This MnDOT/Moorhead project is now fully funded.

The Moorhead Community Center Library received a sales tax exemption in the Tax Bill for construction applicable to taxable supplies and equipment purchased after February 29, 2024, and before April 1, 2027. This is estimated to save the project \$1M.



INFRASTRUCTURE

11 St Underpass

Stormwater improvements associated with this project are underway. This project is fully funded and scheduled to begin in spring of 2024 with goals to improve safety and congestion for vehicles, bicycles, pedestrians and emergency services.





SUSTAINABILITY AND RESILIENCE

Moorhead achieved Step 5 status as a GreenStep City – the highest level of a Minnesota program that helps cities achieve sustainability and quality of life goals.

Wildlife Forever and United Prairie Foundation provided grant funds for new natural prairie plantings at MB Johnson Park and South Side Regional Park.

Ordinances changes were approved which allow Natural Lawns and the keeping of chickens.

MN Department of Natural Resources provided a grant to respond to arrival of Emerald Ash Borer.

Three Community Garden Grants of \$500 were awarded to Brookdale Baptist, Salem Evangelical and Grateful Community Garden for community gardens on private land. These funds helped with operations and supplies for food production.

Climate Resilience Strategies were developed by the City of Moorhead using a State of Minnesota grant from the Minnesota Pollution Control Agency (MPCA). The grant was utilized to create climate-resilient strategies – including a modeling and assessment report – to mitigate the risk to vulnerable community assets arising from the heightened rainfall events associated with climate change.



PLANS AND STUDIES



PLANS AND STUDIES

COMPLETED

FM Housing Needs & Market Analysis METROCOG FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION	Baseline 2050 Demographic Forecast METROCOG FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION	Interstate Operations Analysis & Plan for Future Improvements METROCOG FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION
Red River Greenway Study METROCOG FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION	Clay County Comprehensive & Transportation Plan METROCOG FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION	11 St Underpass Visual Quality Design Manual m1 DEPARTMENT OF TRANSPORTATION

PLANS AND STUDIES

IN-PROGRESS

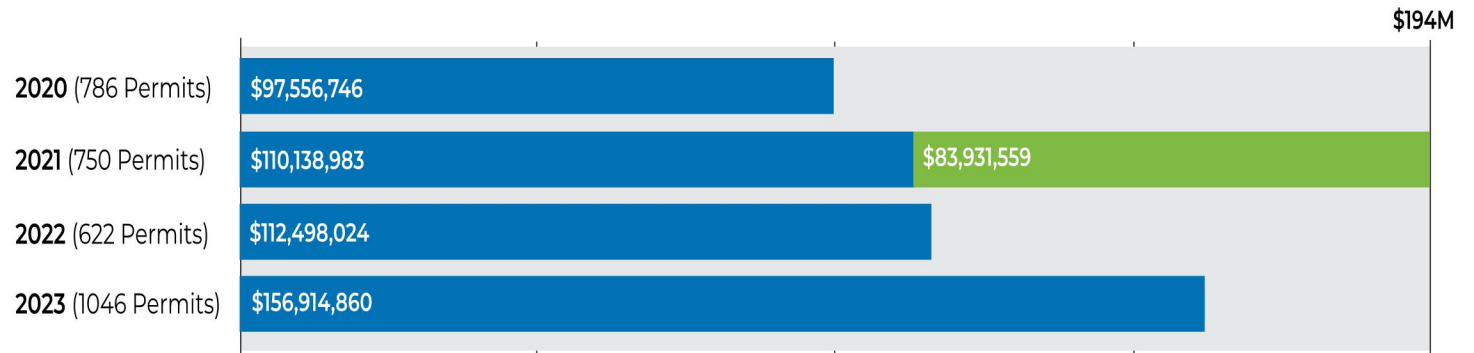
Review Study Updates for Alternative Urban Areawide Review Studies for the North, East and South Growth Areas 	20 St/I-94 Interchange Analysis 	2050 Metro Transportation Plan 
Clay County Heartland Trail Extension 	Metro Food Plan 	



PERMITS AND INVESTMENT

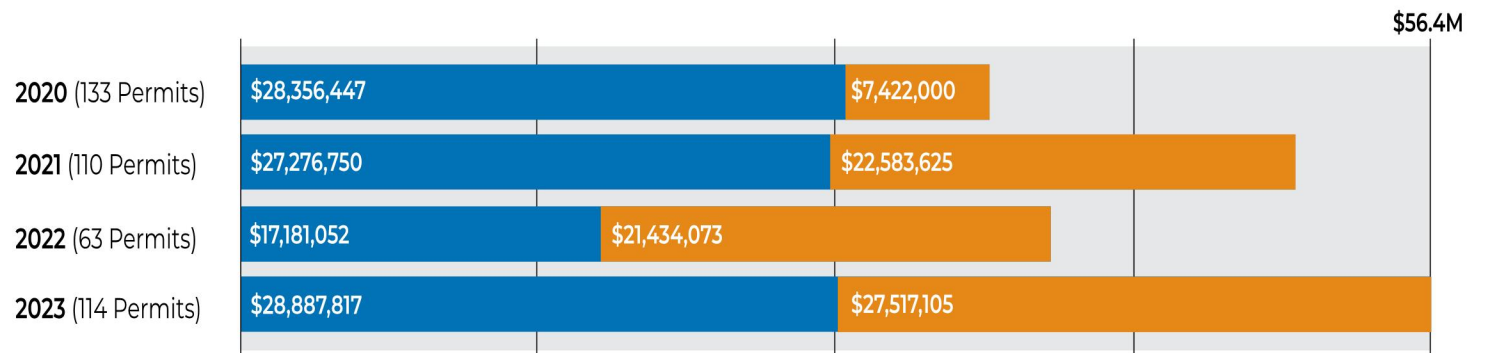
ANNUAL BUILDING INVESTMENT

■ Valuation
■ MHS Project Valuation



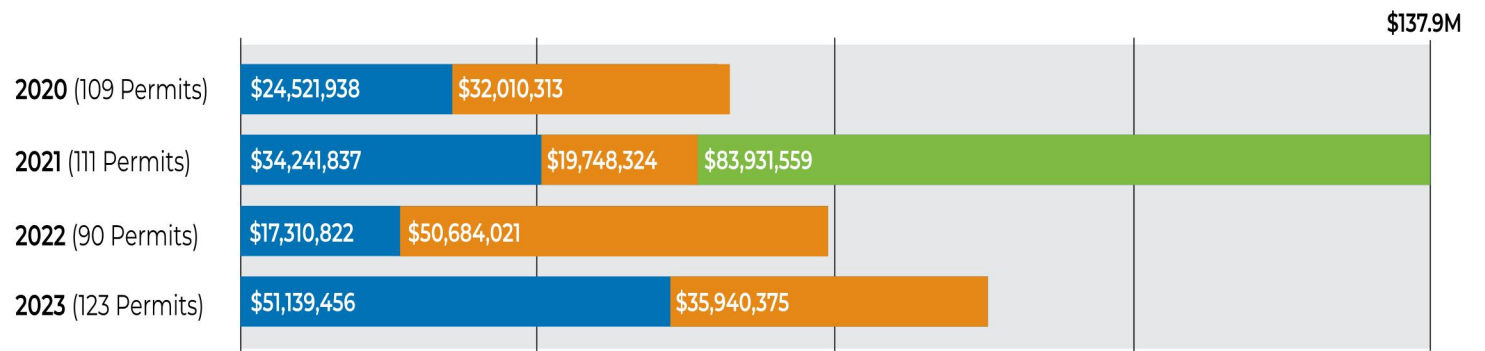
RESIDENTIAL PERMIT VALUES

■ Single-family (attached/detached)
■ Multi-family

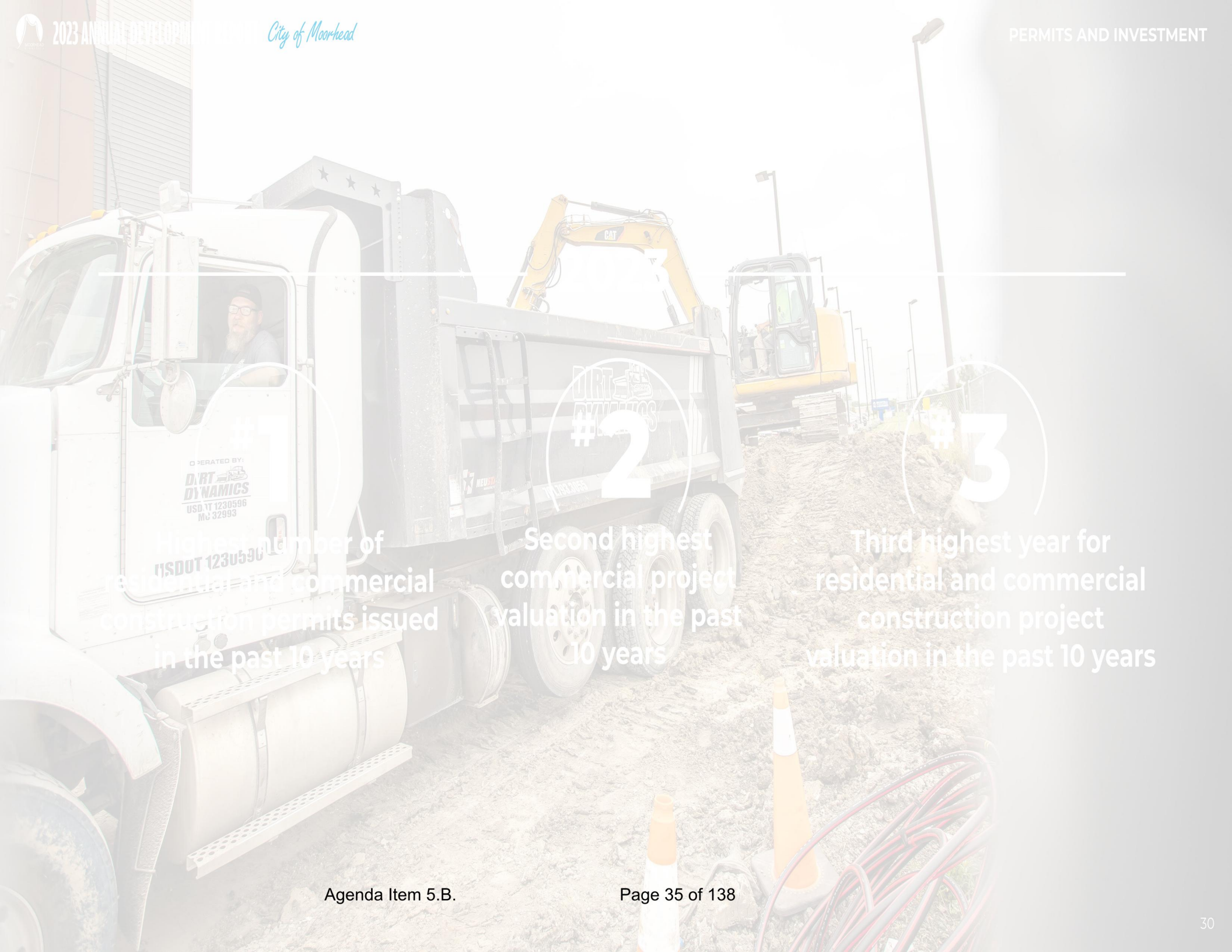


COMMERCIAL PERMIT VALUES

■ Commercial New Construction
■ Commercial Remodel
■ MHS Project



Note: 2021 Permits/Values include the Moorhead High School (MHS) Project (\$83,931,559)



#1

Highest number of residential and commercial construction permits issued in the past 10 years

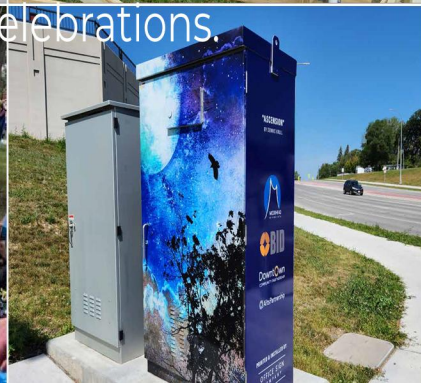
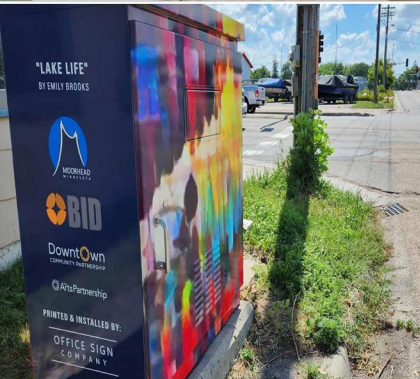
#2

Second highest commercial project valuation in the past 10 years

#3

Third highest year for residential and commercial construction project valuation in the past 10 years

ART, CULTURE, & PLACEMAKING



CREATING EXPERIENCES

Art installation, cultural expressions and placemaking efforts can transform locations into fun and inviting community gathering places and experiences. Current community events include Greater Moorhead Days, Frostival, RiverArts, Farmers Market, Welcoming Week events, Pride, Juneteenth, and Indigenous Peoples Day celebrations.

NEW IN 2023

MOORHEAD COMMUNITY THEATRE

BUILD-A-TON-ATHON

Brought people of all skill levels together to create functional artworks to be placed throughout downtown and riverfront. Encourage people to explore and enjoy the city.



NEW IN 2023

PLAINS ART MUSEUM / MOORHEAD PARKS AND RECREATION

MOVIE IN THE GARDEN

This partnership welcomed people to gather, connect, and relax with Movie in the Garden events at the Heritage Garden & Amphitheater in Woodlawn Park.



NEW IN 2023

MOORHEAD PARKS AND RECREATION

RIVERARTS EXPANDED

This popular event added new experiences to engage a larger audience. Local artists and entertainers led three evenings of culturally diverse music, events and art demonstrations. The addition of the Moorhead selfie station, imagination playground blue foam building blocks, and a massive coloring mural elevated the experience.



NEW IN 2023

BLANK SPACES ART

UTILITY BOX WRAPS

Four one-of-a-kind art wraps were installed through the Blank Spaces Art program. These locally created works are proudly displayed throughout Moorhead as they give visual interest to traffic signal cabinets.



"Celestial Hound" by Dennis Krull
34 St S and 12 Ave S

"Lake Life" by Emily Brooks
14 St N and 1 Ave N

"Ascension" by Dennis Krull
20/21 St S and Main Ave SE

"Follow the Light" by Annett Richter
8 St S and 12 Ave S (privately sponsored)

ON THE HORIZON

CITY OF MOORHEAD

COMMUNITY CENTER LIBRARY

A 21st century Library that will include active spaces for the community to play and gather.

Learn more at yes56560.com

View all upcoming events by
visiting the Moorhead Parks and
Recreation Special Events Page



cityofmoorhead.com/departments/parks-recreation/special-events

Agenda Item 5.B.

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ON THE HORIZON

FOLKWAYS

SUNSET ON THE RIVERFRONT

An evening riverfront festival was postponed to 2024. This experience will showcase local music, art, food and more.

Details coming soon!

View all upcoming events by
visiting the Moorhead Parks and
Recreation [Special Events Page](#)



cityofmoorhead.com/departments/parks-recreation/special-events

COMMUNITY AMENITIES





River Trail Interpretive Signs

17 interpretive signs detailing the history and ecology of Moorhead and the Red River were installed along the River Corridor thanks to a grant from the HDR Foundation. This installation will be completed in 2024 and is a collaboration between the City of Moorhead, the Historical and Cultural Society of Clay County, and Riverkeepers. Signs were designed by Dennis Krull (5foot20 design lounge) with supporting art installations created by Anna Kann.



River Corridor Trail Expansion

Moorhead was awarded a Legacy Grant from the Greater Minnesota Regional Parks and Trails Commission to install the Midtown Trail segment between Woodlawn Park and Gooseberry Mound Park. Installation was complete in 2023 and there are now over 10 miles of paved trails along the river corridor.

Agenda Item 5.B.

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U.S Bicycle Route 20

Moorhead



The Prairie Lakes Route combines existing roads and trails to bring bicyclists from St. Cloud to Moorhead.

St. Cloud



Inclusive Playground at Southside Regional Park

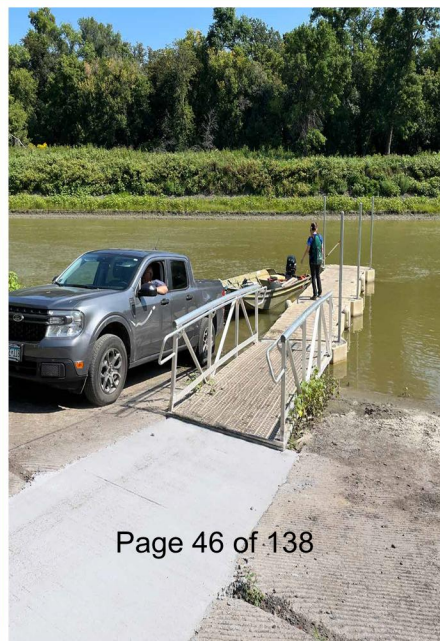
Phase 1 of the Inclusive Playground was completed this fall with the installation of a rubberized surface and playground equipment where people of all abilities can play. Fundraising continues toward installation of a fence around the playground.



Pickleball Courts at Hansmann Park

Three new pickleball courts were added to Hansmann Park after receiving funding from the MN Department of Human Services Age Friendly MN Grant.

Agenda Item 5.B.



Boat Dock at MB Johnson

A new boat dock with an accessible ramp was added to MB Johnson Park that will increase access to the Red River of the North after the City received a Connecting People to the Outdoors Legacy Grant from the Greater Minnesota Regional Parks and Trails Commission.



Rotary Natural Play Hill

Construction of the Natural Play Hill began in June 2023 and is anticipated to be completed in spring 2024. The Natural Play Hill features boulders, logs, a tower structure, and bike skills area to provide children with open-ended, physically challenging, and unstructured play opportunities. This play hill was made possible thanks to the partnership of the Fargo-Moorhead Rotary Foundation and its generous donation.

Agenda Item 5.B.

Page 47 of 138



PartnerSHIP 4 Health Southside Benches

Five benches were added along the walking trails in Southside Regional Park thanks to a grant award from Clay County PartnerSHIP 4 Health. This grant request was spurred by local residents who requested benches along the walking trails.

Donate to the **Moorhead** COMMUNITY FUND

at FM Area Foundation

Opportunities to sponsor
youth scholarships, community
projects and amenities include:

Community Center Library

Inclusive Playground

Natural Play Hill

Public Art

Reimagine Romkey

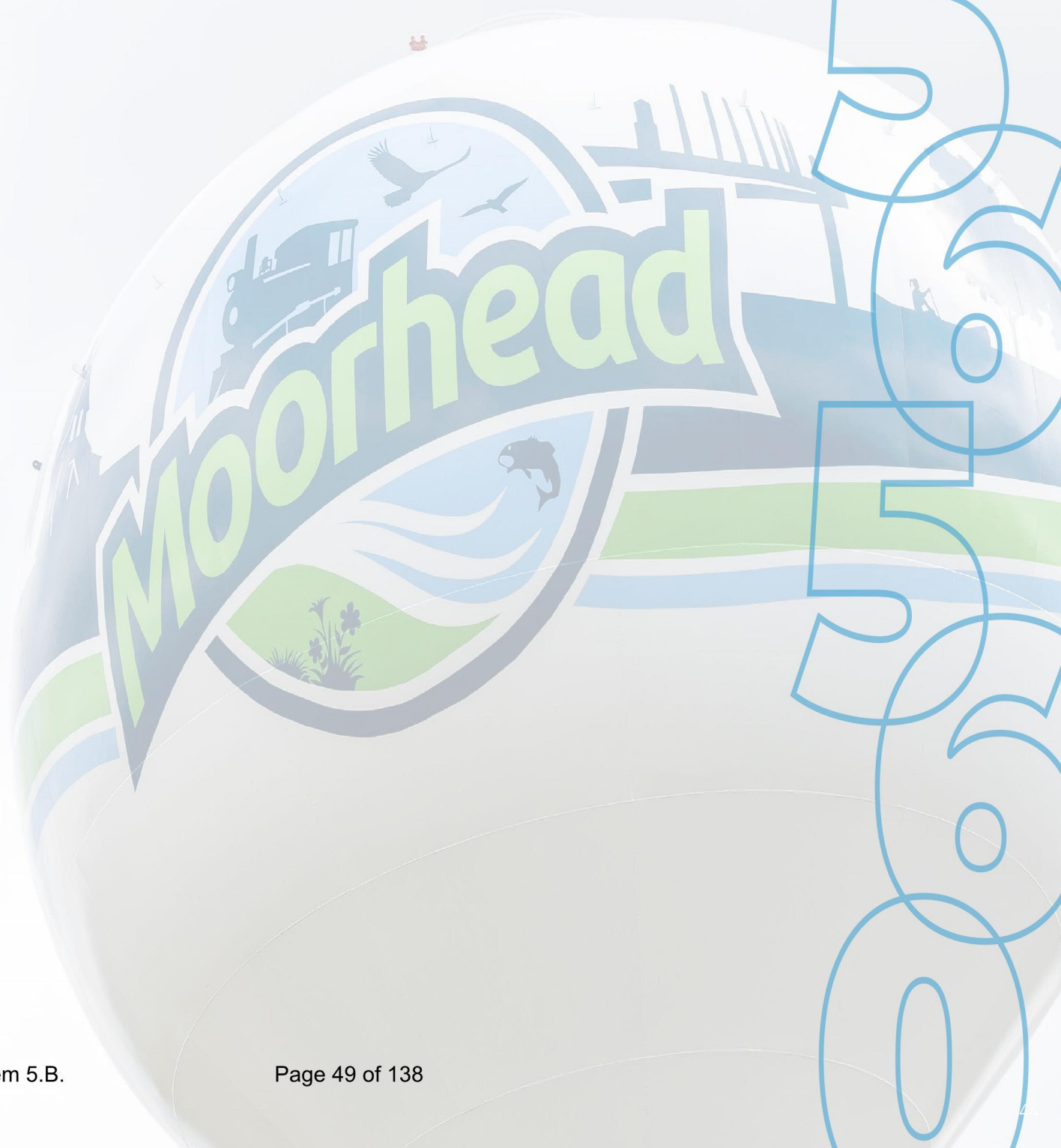
River Corridor and Trails

Youth Scholarship Fund



To view all projects and contribute, visit
cityofmoorhead.com/communityfund

2024 FORECAST



LEGISLATIVE PRIORITIES

-  Capital Investment | Flood Mitigation
-  Downtown Redevelopment Project
-  Tax Increment Finance/Redevelopment
-  Public Safety | Workforce and Partnerships
-  Border Cities | Business Competitiveness
-  Recreational Amenities



PROJECTS UNDER WAY



**Community
Center Library**



**Natural Play Hill
at Riverfront Park**



**Matson Field
Enhancements**



**Downtown
Redevelopment Project**



**Reimagine Romkey: Pool
Replacement and Park Amenities**



**11 St
Underpass**



**Phase II Compass
Apartments**



**Fairmont Flats
Adaptive re-use of historic
Fairmont Creamery**

2023 ANNUAL DEVELOPMENT REPORT

City of Moorhead



CITYOFMOORHEAD.COM



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

1/16/2024

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
Email: mlevine@gfoa.org

(Chicago, Illinois)—Government Finance Officers Association of the United States and Canada (GFOA) has awarded the Certificate of Achievement for Excellence in Financial Reporting to **City of Moorhead** for its annual comprehensive financial report for the fiscal year ended December 31, 2022. The report has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the report.

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources, and practical research for more than 21,000 members and the communities they serve.



**CITY COUNCIL
MEETING MINUTES
JANUARY 22, 2024 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM**

1. Call to Order and Roll Call

Roll call of the members was made as follows:

Present: Council Member: Ryan Nelson
Council Member: Matthew Gilbertson
Council Member: Heather Nesemeier
Council Member: Laura Caroon
Council Member: Deb White
Council Member: Larry Seljevold
Council Member: Sebastian McDougall
Council Member: Chuck Hendrickson
Mayor: Shelly Carlson

Absent:

2. Pledge of Allegiance

3. Agenda Amendments

4. Consent Agenda

Motion to Approve Consent Agenda made by Heather Nesemeier and seconded by Laura Caroon

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

5. Recognitions - Presentations

A. Presentation: 2024 Bond Sale, Baker Tilly Municipal Advisors

Moorhead Public Service General Manager Travis Schmidt introduced Chris Hogan, Director with Baker Tilly Municipal Advisors. Ms. Hogan presented information on the 2024 Public Utility Revenue Bond Sale.

6. Approve Minutes

A. January 8, 2024 Meeting Minutes

Motion to Approve January 8, 2024 Meeting Minutes made by Sebastian McDougall and seconded by Ryan Nelson

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;
Absent: 0;

7. Citizens Addressing the Council (Time Reserved: 15 Minutes)

Residents from Moorhead and Fargo presented information on the Israel Hamas war and requested support for a cease fire in Gaza.

A Fargo resident addressed the City Council with questions about the issuance of a liquor license. Assistant City Attorney Chris McShane stated the matter is a civil issue that should be addressed in the civil court.

8. *Mayor and Council Appointments

9. Public Hearings (5:45 pm)

A. Public Hearing to Authorize Filing of an Application to the Federal Transit Administration for 2024 Operating and Capital Assistance

Motion to Open Public Hearing Public Hearing to Authorize Filing of an Application to the Federal Transit Administration for 2024 Operating and Capital Assistance made by Heather Nesemeier and seconded by Larry Seljevold

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

Moorhead Transit Manager Lori Van Beek shared proposed budget and service information in the 2024 application to the Federal Transit Administration for MATBUS.

Motion to Close Public Hearing Public Hearing to Authorize Filing of an Application to the Federal Transit Administration for 2024 Operating and Capital Assistance made by Heather Nesemeier and seconded by Ryan Nelson

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

B. Resolution to Authorize Budget Adjustment #24-003 and Filing of an Application to the Federal Transit Administration for 2024 Operating and Capital Assistance

Motion to Approve Resolution to Authorize Budget Adjustment #24-003 and Filing of an Application to the Federal Transit Administration for 2024 Operating and Capital Assistance made by Deb White and seconded by Laura Caroon

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

10. Economic Development

- A. *Resolution to Approve Application to the Department of Employment and Economic Development for a Redevelopment Grant in Support of Downtown Redevelopment, Committing Local Match, and Authorizing Contract Signatures

11. Engineering Department

- A. Resolution to Approve Cooperative Construction Agreement No. 1053983 for the Downtown Underpass Project (Eng. No. 14-02-03)

City Engineer Bob Zimmerman shared an update on the 11 Street Underpass project and next steps to kick-off the large infrastructure improvement.

Motion to Approve Resolution to Approve Cooperative Construction Agreement No. 1053983 for the Downtown Underpass Project (Eng. No. 14-02-03) made by Heather Nesemeier and seconded by Deb White

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0

Abstain/Recuse: 0

Absent: 0;

- B. Resolution to Approve Various Property Rights for the Downtown Underpass Project (Eng. No. 14-02-03C)

Motion to Approve Resolution to Approve Various Property Rights for the Downtown Underpass Project (Eng. No. 14-02-03C) made by Heather Nesemeier and seconded by Deb White

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0

Abstain/Recuse: 0

Absent: 0;

- C. Resolution to Approve the City of Moorhead enter into MnDOT Agreement No. 1055212 with the State of Minnesota, Department of Transportation

Motion to Approve Resolution to Approve the City of Moorhead enter into MnDOT Agreement No. 1055212 with the State of Minnesota, Department of Transportation made by Heather Nesemeier and seconded by Deb White

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0

Abstain/Recuse: 0

Absent: 0;

- D. *Resolution to Approve Actions Relating to 4th Ave S, 5th Ave S and 6th St S Area Street Improvements (Eng. No. 24-A2-06)

- E. *Resolution to Approve Actions Relating to 14th St N, 16th St N, and 6th Ave N Underground Utility and Street Improvements (Eng. No. 24-A2-04)

F. *Resolution to Approve Actions Relating to 4th Ave N and 30th St N Underground Utility and Street Improvements (Eng. No. 24-A2-05)

G. *Resolution to Support an Active Transportation Grant Application

12. Fire Department

A. *Resolution to Award Bid for the Remodel of Fire Station 1 to Accommodate the 11th St N Underpass

B. *Resolution to Approve Budget Adjustment #24-004 and Accept Grant Award for 2022 Hazardous Materials Emergency Preparedness (HMEP) Grant Program.

13. Community Development Department

A. *Resolution to Approve Budget Adjustment #24-002 and Related Agreement with State of MN - Department of Labor and Industry

14. Moorhead Public Service

A. Resolution Accepting Offer on the Sale of City of Moorhead \$27,810,000 Public Utility Revenue Bonds, Series 2024A (Moorhead Public Service), and providing for their Issuance

Motion to Approve Resolution Accepting Offer on the Sale of City of Moorhead \$27,810,000 Public Utility Revenue Bonds, Series 2024A (Moorhead Public Service), and providing for their Issuance made by Deb White and seconded by Heather Nesemeier

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0

Abstain/Recuse: 0

Absent: 0;

15. Administration

A. *Resolution to Approve Trollwood Performing Arts School 2024 Operating Budget & Execute Affidavit

B. *Resolution to Accept Quarterly Donations

C. *Resolution to Accept 2023 Donations

16. Mayor and Council Reports

Council member Deb White provided an update from the Red River Recovery Initiative, a community organization addressing the opioid crisis locally. Based on recent information, there is an increase in overdoses in the area due to xylazine which is believed to be the reason for the increase. Council member White stated education and information across the community is needed.

Council member Heather Nesemeier shared an update from the Cass Clay Food Partners and the opportunity for community members to be part of the action network.

Mayor Shelly Carlson spoke about presentations at the Chamber of Commerce's 2024 State of Cities address and the Building and Industry Association of the Red River Valley's annual celebration

(formerly the Homebuilders Association of FM). Mayor Carlson shared an update from the Red River Regional Dispatch Center board meeting and mentioned an interview with WDAY Radio about efforts in Moorhead around housing, homelessness and other topics. Mayor Carlson reported on a Moorhead Public Service meeting with Missouri River Energy Services and Senator Rob Kupec. She spoke about a wonderful presentation by Council member Laura Caroon on worthiness at United Way's Lead United Series. Mayor Carlson talked about participating in the Chamber's Public Policy Committee and Clay County Leader Round Table visits. Mayor Carlson also mentioned a meeting with City Manager Mahli and the Factory Manager at American Crystal Sugar in Moorhead to talk about communication and collaboration.

17. City Manager Reports

City Manager Dan Mahli updated the City Council on Moorhead's Development Report and stated more information will be shared at the Feb 12 Council meeting.

18. Executive Session

19. New Business

20. Adjourn

Meeting adjourned at 6:26pm

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson
Mayor

Christina Rust
City Clerk

The proceedings of this meeting are digitally recorded and are available for public review.

RESOLUTION

Resolution to Approve Mayoral Appointments of Council Members to Committees, Boards, and Commissions

BE IT RESOLVED by the City Council of the City of Moorhead, does hereby accept Mayor Carlson's 2024 appointment of Council Members to various committees, boards, and commissions as noted below.

Heather Nesemeier – Ward 2

- Resource Recovery Center Advisory Board

Chuck Hendrickson – Ward 4

- Resource Recovery Center Advisory Board

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

RESOLUTION

Resolution for Appointments to Boards and Committees

BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the City council does hereby approve the following committee appointments:

Human Rights Commission

- Mohamed Ahmed, Moorhead resident, is appointed to a term commencing February 13, 2024 and ending January 31, 2027. (At-Large)
- Lila Lovgren, Moorhead resident, is appointed to a term commencing February 13, 2024 and ending January 31, 2025. (At-Large)

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve Publication of the 2024 Notice of Land Availability

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to publish the 2024 Notice of Land Availability in the City's official newspaper, The Extra.

BACKGROUND/KEY POINTS:

According to the City Charter, Chapter 13, Section 13.05, *"The city shall advertise all real property available for disposal at least once per year. If a property has not been advertised for sale within the prior twelve months, the city may not dispose of the property without first publishing an advertisement for sale of that property once in the official newspaper of the city at least 14 days prior to its disposal. If real property has been used for municipal purposes, the city may not dispose of that property without first holding a public hearing on the disposal following once published notice of the hearing at least ten days prior to the disposal. In all cases the disposal of the real property must be approved by a resolution passed by City Council."*

The Notice of Land Availability for this year includes parcels in locations throughout the city identified below and shown on the attached General Location Maps:

- North Moorhead:
 - 400 Center Ave – MCM East Parking Lot – In preparation for redevelopment
 - 2200 8 Ave N – Remnant lot surveyed and available for commercial development
- South Moorhead:
 - 1003 19th St S – Lot was purchased in 2001 with Community Development Block Grant (CDBG) funds. This lot near Romkey Park held a fire-damaged structure and the City purchased it from the estate of the owner. The density of the neighborhood is such that to construct a replacement multifamily property on the land was not desired at the time. The Cass Clay Community Land Trust has now expressed interest in this land. Further discussion with the Land Trust will be held to determine the highest and best use of land and associated neighborhood planning activities underway. The possible disposition of the land will be subject to the CDBG citizen participation and City Council action.
 - 601, 701, 831 50 Ave SW – Property near Trollwood/Bluestem
- MCCARA Industrial Park: The lots available for sale are (or will be) serviced with city utilities, ready for development, and not currently under contract.

Publication of this Notice of Land Availability fulfills the advertisement requirement per City Charter. A request for an executive session of the City Council will be scheduled upon request of the prospective buyer or at the direction of the City Manager.



City Council Communication

February 12, 2024

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Amy Thorpe, Economic Development Program Administrator

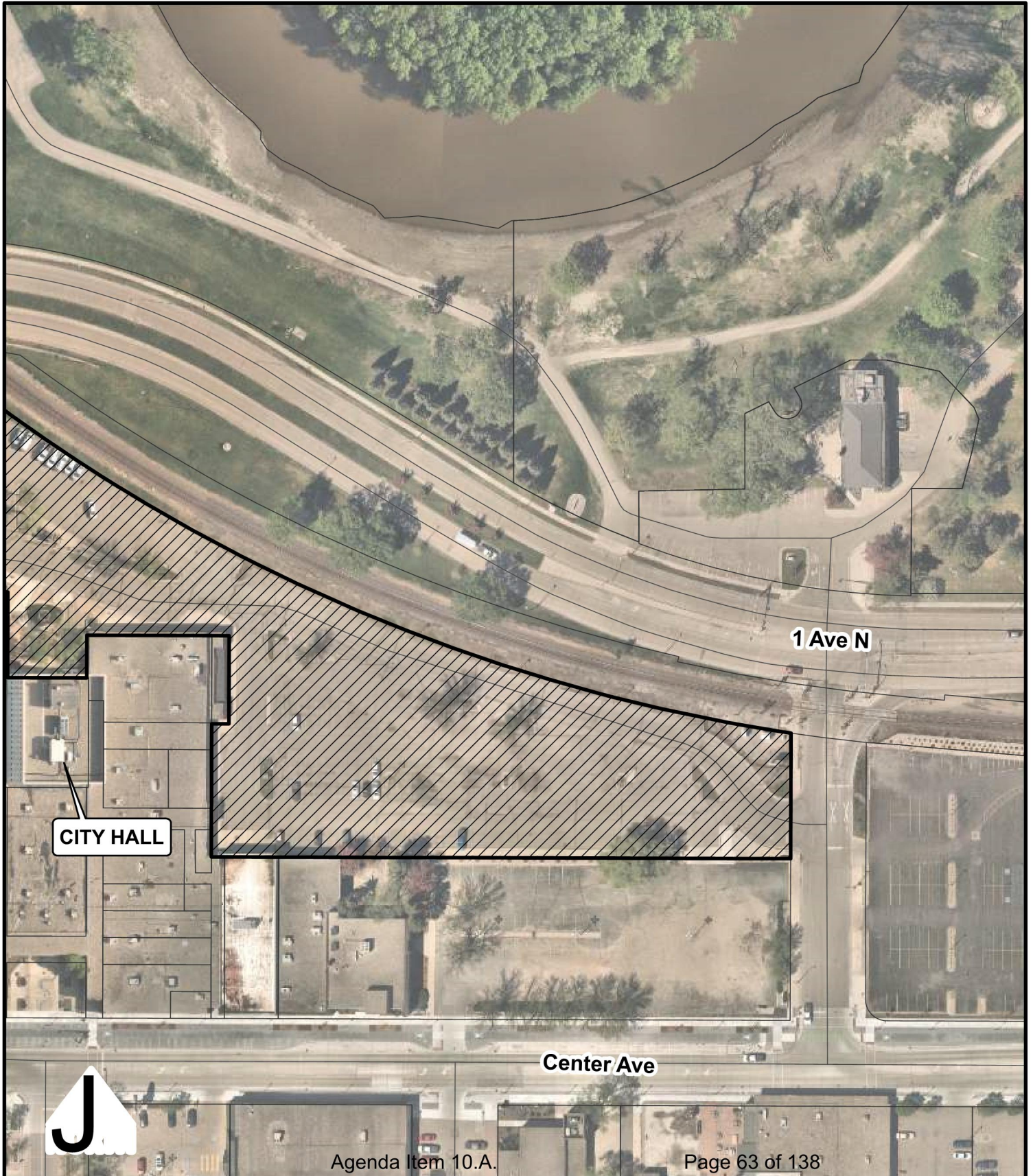
Attachments:

Notice of Land Availability
General Location Maps (5)
Draft Resolution



GENERAL LOCATION MAP

2024 Land Availability Notice
Parcel ID: 58.520.4100
400 Center Ave - Moorhead MN





GENERAL LOCATION MAP

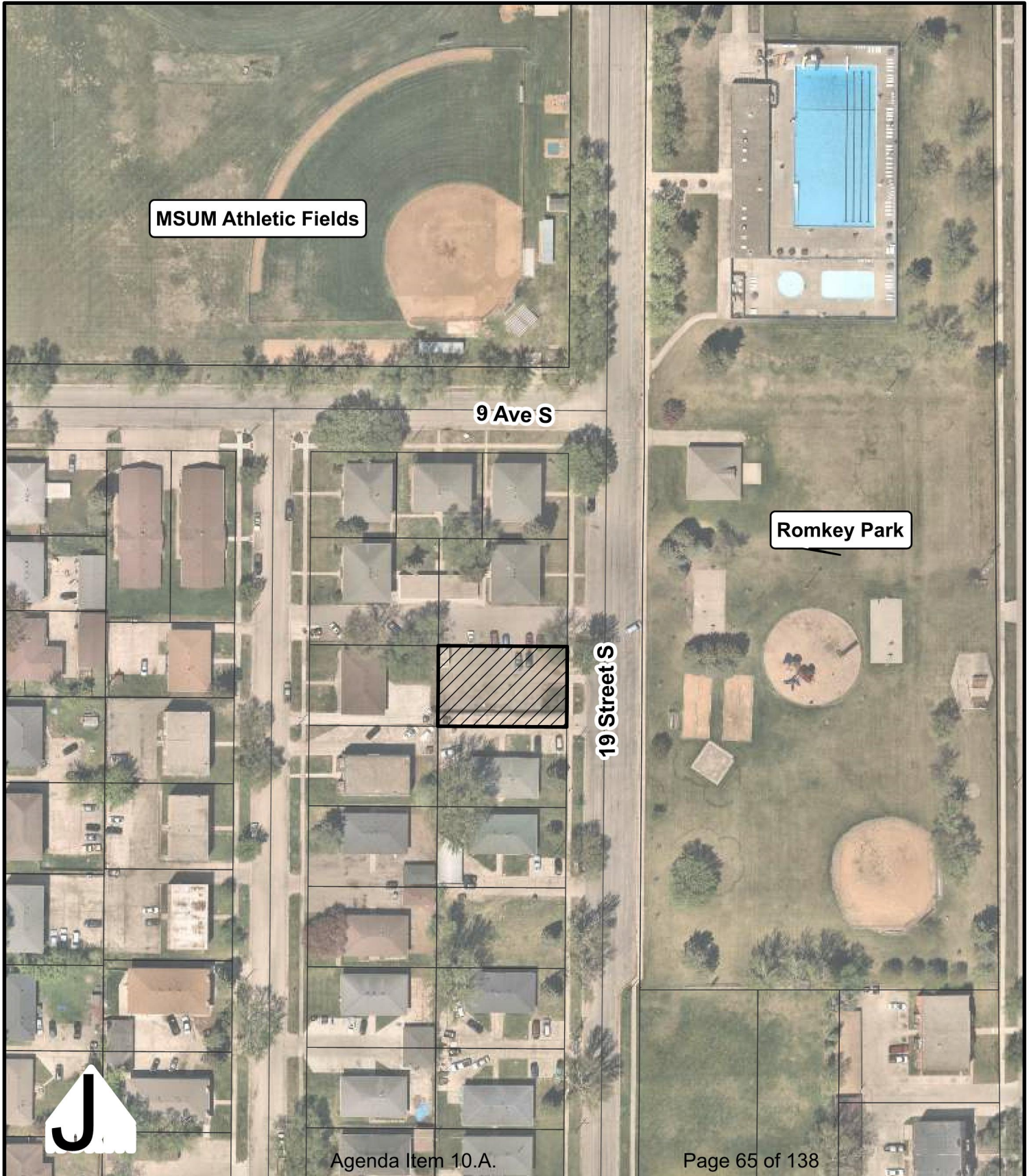
2024 Land Availability Notice
Parcel ID: 58.214.0010
2200 8 Ave N - Moorhead MN





GENERAL LOCATION MAP

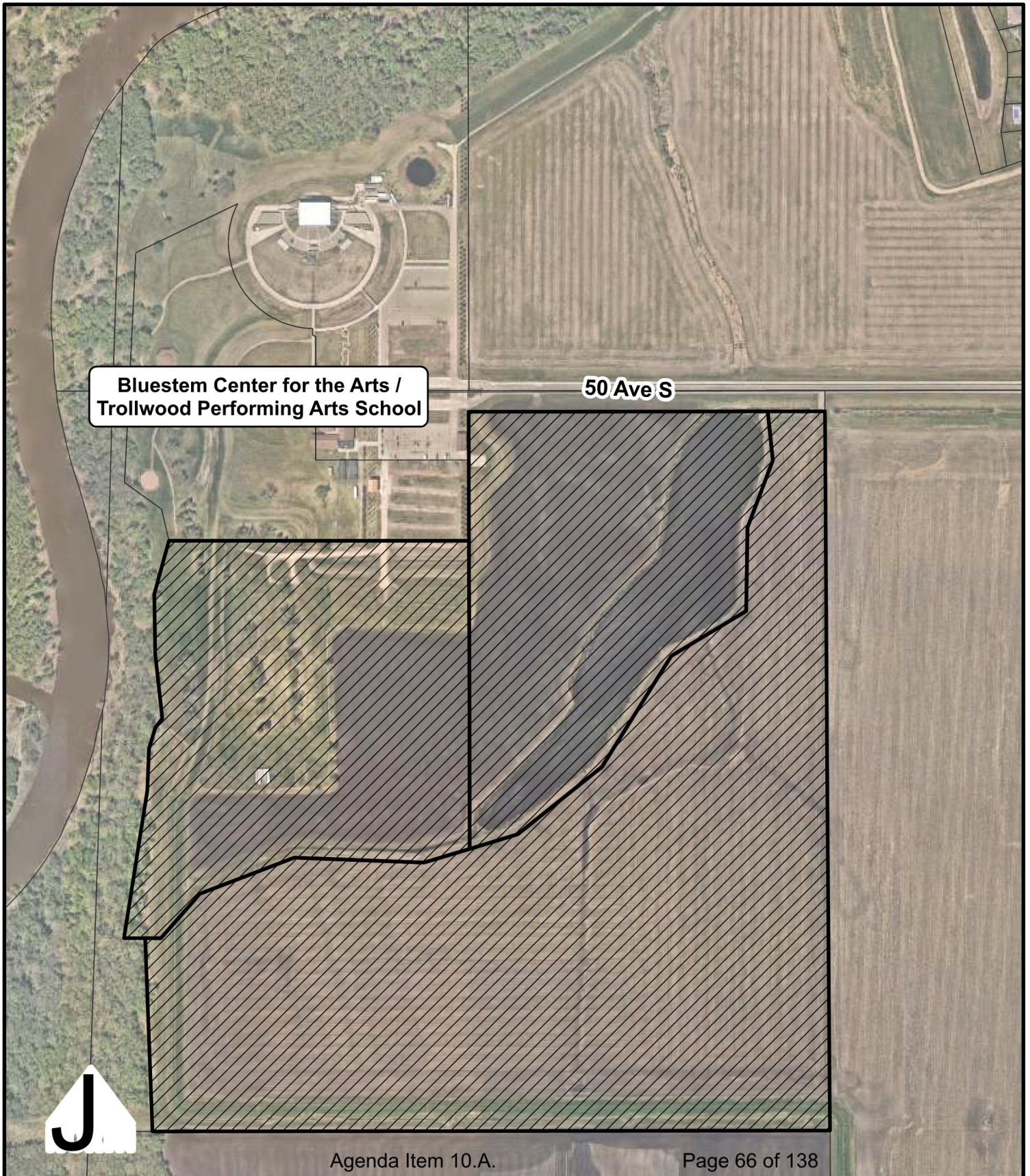
2024 Land Availability Notice
Parcel ID: 58.689.0820
1003 19 St S - Moorhead MN





GENERAL LOCATION MAP

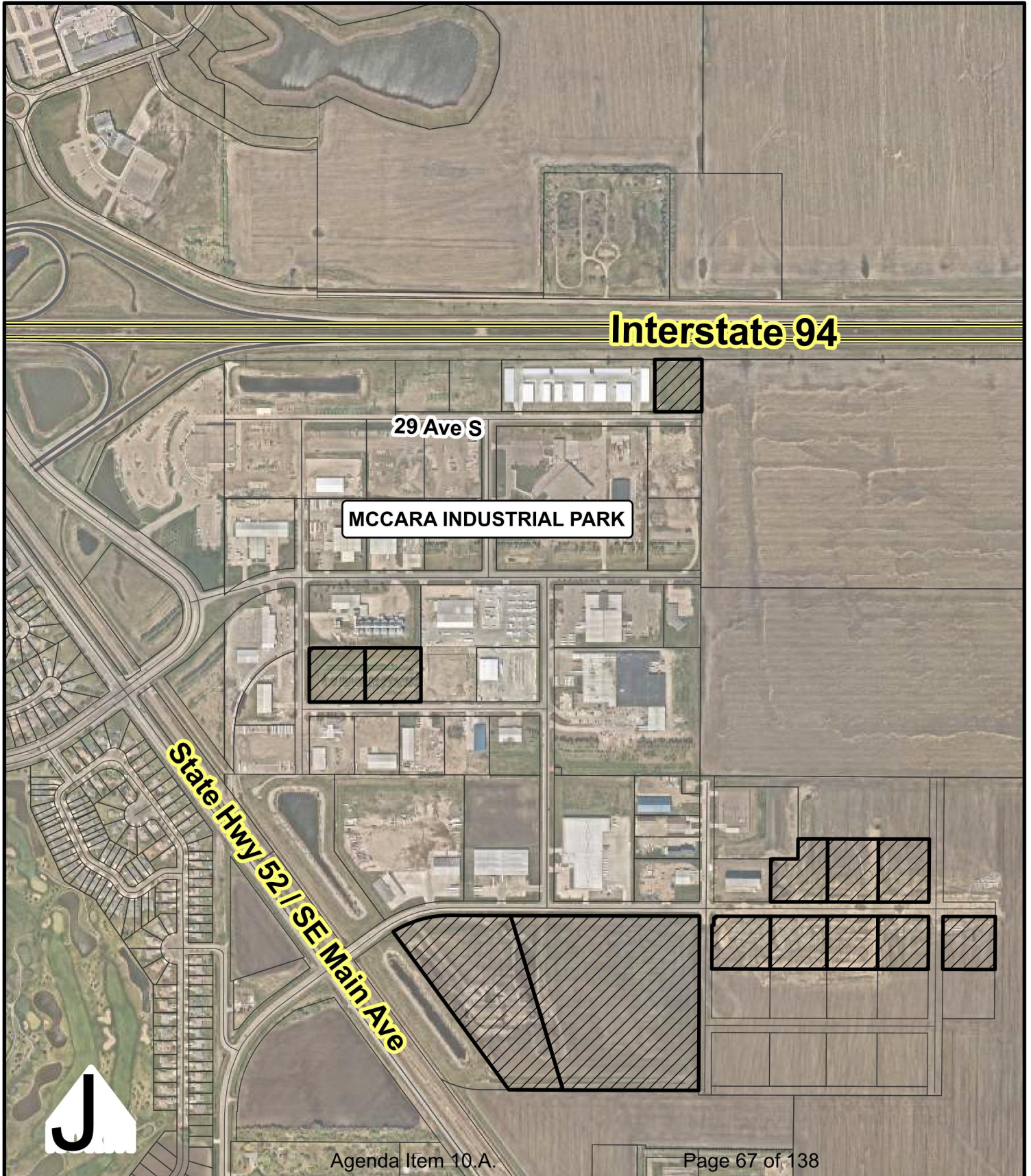
2024 Land Availability Notice
Trollwood / Bluestem Area
Multiple Addresses- Moorhead MN





GENERAL LOCATION MAP

2024 Land Availability Notice
MCCARA Industrial Park
Multiple Addresses- Moorhead MN



NOTICE OF LAND AVAILABILITY

Notice is hereby given that the City Council of the City of Moorhead, Minnesota, may be interested in the sale of certain real property which is serviced with City utilities and ready for development. Guided by the City's Land Sale Policy adopted on January 13, 2014, various requirements and/or restrictions may apply to a particular property depending upon the funding source used for the original acquisition, zoning and land use regulations, covenants, or the City's guiding principles for the sale of land. The City retains the right to issue Requests for Proposals (RFP) for any City property. Offers may be considered at any time until the lots are sold.

North Moorhead

400 Center Ave – 58.520.4100 – Tract A, a part of Lot 1, Block 4, Moorhead Urban Renewal 1st Addition
2200 8th Ave N – 58.214.0010 – Lot 1, Block 1, Eighth Avenue Addition

South Moorhead

1003 19 St S – 58.689.0820 - N50' OF LOT 22 & S25' OF LOT 23 BLK 10 ROMKEY PARK ADD Lot 022 Block 010
701 50 Ave SW – 58.900.2859 – PT NW1/4 BEG AT NE COR NW1/4, S2634.32', W2410.01', N688.22' E56.29', NE209.86', NE359.30', E461.41', NE1509.08', N297.41' NE255.78', NW250.17' & E210.46 TO BEG LESS N 75' OF PARCEL Section 31 Township 139 Range 048
601 50 Ave SW – 58.900.2860 – PT NW1/4 BEG 52.43' E OF NE COR OF NW1/4; E1055.39', SE 250.17', SW255.78', S297.41', SW'LY 1339.03' & N1630.33' TO BEG LESS N 75' OF PARCEL Section 31 Township 139 Range 048
831 50 Ave SW – 58.900.2863 - Section 31 Township 139 Range 048 PT NW1/4 BEG 52.43' W & 534.20' S OF NE1/4NW1/4 COR; S1096.12', SW170.06', W461.41', SW569.16', W131.26', N680.79', NE119.62', N563.36', NE196.54' AND E1067.72' TO POB 31-139-48

MCCARA Industrial Park

4218 29 Ave S – 58.418.0030 – MCCARA 2ND ADD, LOT 3 BLOCK 1
4110 32 Ave S - 58.417.0160 - MCCARA 1ST ADD, LOT 7 BLOCK 3
4102 32 Ave S - 58.417.0170 - MCCARA 1ST ADD, LOT 8 BLOCK 3
4111 34 Ave S - 58.420.0040 - MCCARA 3RD ADD, LOT 1 BLOCK 2
4201 34 Ave S - 58.420.0050 - MCCARA 3RD ADD, LOT 2 BLOCK 2
4350 34 Ave S – 58.424.0060 – MCCARA 5TH ADD, LOT 6 BLOCK 1
4408 34 Ave S – 58.424.0050 – MCCARA 5TH ADD, LOT 5 BLOCK 1
4510 34 Ave S – 58.424.0040 – MCCARA 5TH ADD, LOT 4 BLOCK 1
4309 34 Ave S – 58.424.0080 – MCCARA 5TH ADD, LOT 1 BLOCK 1
4355 34 Ave S – 58.424.0090 – MCCARA 5TH ADD, LOT 2 BLOCK 1
4411 34 Ave S – 58.424.0100 – MCCARA 5TH ADD, LOT 3 BLOCK 1
4513 34 Ave S – 58.424.0110 – MCCARA 5TH ADD, LOT 4 BLOCK 1
3410 46 St S – 58.424.0160 – MCCARA 5TH ADD, LOT 1 BLOCK 3

Interested persons are encouraged to visit the City's website <http://www.cityofmoorhead.com/LandSales> or contact, Economic Development (economicdevelopment@moorheadmn.gov), 500 Center Avenue, Box 779, Moorhead, MN 56561, (218) 299-5441. Published February 22, 2024.

RESOLUTION

Resolution to Approve Publication of the 2024 Notice of Land Availability

WHEREAS, Chapter 13, Section 13.05, of the City Charter requires the City to advertise all real property available for disposal at least once per year; and

WHEREAS, the 2024 Notice of Land Availability includes City-owned property which is serviced with city utilities and ready for development; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, authorizes the City Manager, or his designee, to publish the 2024 Notice of Land Availability in substantially the same form as included in packet materials in the City's official newspaper, The Extra.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve the Sale of City-owned Land located at 4218 29 Ave S (58.418.0030) to A-P Real Estate, LLC

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve a full-price offer of City-owned land located at 4218 29 Ave S (58.418.0030) to A-P Real Estate, LLC

BACKGROUND/KEY POINTS:

Nicolas Agnew, on behalf of A-P Real Estate LLC, has submitted a “full price” offer to purchase a two-acre parcel adjacent to I-94 in the MCCARA Industrial Park.

A-P Real Estate LLC is a Minnesota limited liability company established for the purpose of owning and leasing real property. The project is to construct an approximately 27,600 square foot, 16-unit, multi-tenant industrial building to be leased to small businesses. The project will likely be constructed in two phases.

Zoning and Development Standards. The parcel is zoned “Light Industrial” and will meet all standard zoning requirements of the Light Industrial Zoning district, as well as all state and local building code requirements. In addition, the Gateway Overlay building design and construction standards apply to this parcel. See Ord. 10-17E-9 for details.

Proceeds. It is recommended that 75% of the proceeds from this sale be placed in a Building Improvement Fund for projects to correct “red rate” facility deficiencies identified in the Facilities Condition Assessment or to replace or repair neighborhood park recreation centers, or to address other capital facility needs. The remaining 25% shall be placed in an account for future development expenses or opportunities for items including but not limited to appraisals, closing costs, surveys, building/site reports, downtown improvements, etc.

FINANCIAL CONSIDERATIONS:

The terms of the final Purchase Agreement shall be to the satisfaction of the City Manager and City Attorney.

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager

Derrick LaPoint, President/CEO, Downtown Moorhead Inc.

Amy Thorpe, Economic Development Program Administrator

Attachments:

General Location Map

Draft Resolution

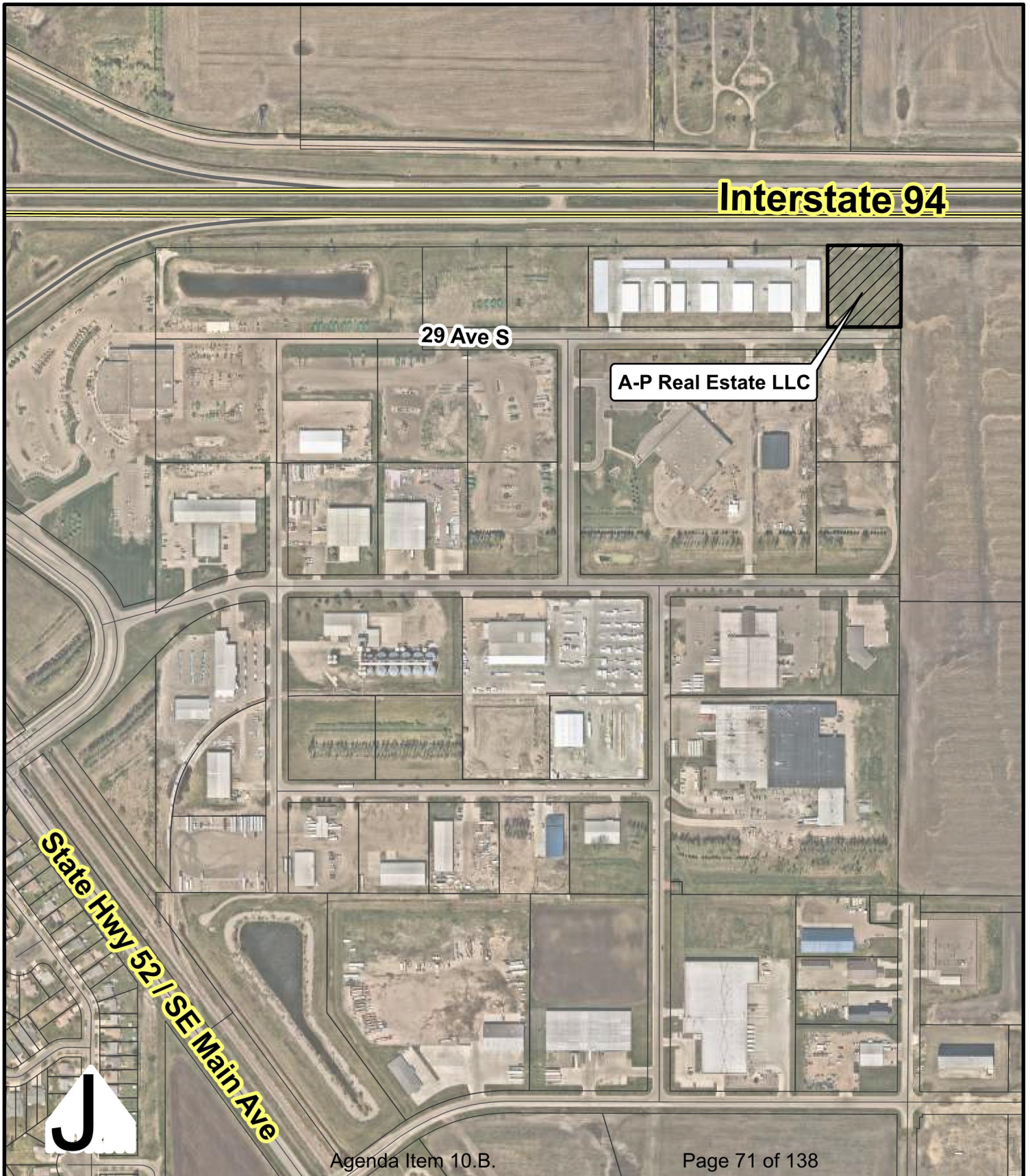


GENERAL LOCATION MAP

PROPERTY TAX EXEMPTION

Parcel ID: 58.418.0030

4218 29 Ave S - Moorhead MN



RESOLUTION

Resolution to Approve the Sale of City-owned Land located at 4218 29 Ave S (58.418.0030) to A-P Real Estate, LLC

WHEREAS, the City-owned property located at 4218 29 Ave S (58.418.0030) has been offered for sale and published in the City's legal newspaper on February 22, 2024; and

WHEREAS, an offer to purchase the property was made by A-P Real Estate LLC, a Minnesota limited liability company, according to the terms and conditions negotiated and presented to the City Council in the attached communication; and

WHEREAS, A-P Real Estate LLC, a real estate leasing company, has plans to construct a 27,600 square foot, 16-unit, multi-tenant industrial building to be leased to small businesses. The project may be constructed in two phases; and

WHEREAS, 75% of the proceeds from this sale shall be placed in a Building Improvement Fund for projects to correct "red rated" facility deficiencies identified in the Facilities Condition Assessment or to replace or repair park neighborhood recreation centers, or to address other capital facility needs. The remaining 25% shall be placed in an account for future development expenses or opportunities for items including but not limited to appraisals, closing costs, surveys, building/site reports, downtown improvements, etc.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the Mayor and City Manager are authorized to enter into and execute any documents necessary for the sale of the City-owned located at 4218 29 Ave S (58.418.0030) to A-P Real Estate LLC, the final terms of which shall be to the satisfaction of the City Manager and City Attorney as to the intent of the Moorhead City Council.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 4th Ave S, 5th Ave S and 6th St S Area Street Improvements (Eng. No. 24-A2-06)

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for the above-referenced project.

BACKGROUND/KEY POINTS:

The proposed project area includes the streets of 4th Ave S, 5th Ave S and 6th St S (map attached). These streets are included in the City's 2024-2028 Capital Improvement Plan and are scheduled for construction of improvements in 2024.

On December 11, 2023, the City Council ordered the preparation of the Preliminary Engineer's Report (PER), to consider making improvements to these streets. The report was completed by City staff under the direction of the City Engineer and made recommendations for various street and utility improvements and was received by the Council on January 22, 2023. Following receipt of the report, the Council ordered preparation of plans and specifications for the making of the recommended improvements as proposed in the report.

The City Engineering Department has prepared plans and specifications for the proposed improvements under the direction of the City Engineer. The streets within this project area have been combined into one contract to simplify construction administration and maximize the economy of scale, while keeping the total contract size to a scope that is suitable for most local contractors. City staff recommends that the Council approve the plans and specifications and authorize advertisement for bids.

On or about February 9, 2024 a virtual a public informational presentation on the proposed improvements will be made available on the City website. The public informational presentation is intended to solicit resident/owner feedback prior to receiving bids. A letter will be mailed to the abutting property owners notifying them of the presentation, and how to contact staff to ask questions or submit comments regarding the proposed design by February 23, 2024. If any changes are recommended by the City Engineer in response to resident feedback, they can be incorporated into the plans prior to bidding.



City Council Communication

February 12, 2024

Below is an outline of the proposed project schedule.

PROJECT SCHEDULE	
Activity	Date
Order Preliminary Engineer's Report	December 11, 2023
Receive Engineer's Report, Order Plans & Specs, and Call for a Public Hearing	January 22, 2024
Approve Plans & Specs and Authorize Ad for Bids	February 12, 2024
Receive Bids	March 6, 2024
Hold Public Hearing, Order Improvements, Declare Intent to Assess & Award Bid	March 25, 2024
Anticipated Construction Schedule	May/Sept. 2024
Hold Assessment Hearing	Fall, 2024

FINANCIAL CONSIDERATIONS:

The cost of the above requested actions is negligible at this time and consists of printing and mailing costs. The total project cost (including proposed water infrastructure) with contingencies and fees is preliminarily estimated at \$2,670,000. MPS' cost share for the proposed water infrastructure and related work is preliminarily estimated at \$1,220,000. It is proposed to finance the remainder of the project cost (\$1,450,000) through the PIR Fund using a General Obligation Improvement Bond, and to assess approximately \$292,000 to the benefiting properties in accordance with the City's Special Assessment Policy. The balance of the project cost (\$1,158,000) will be paid as a City share.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Tom Trowbridge, Assistant City Engineer
Sylvia Lizotte, Office Specialist

Attachments: 24-A2-06 Project Map

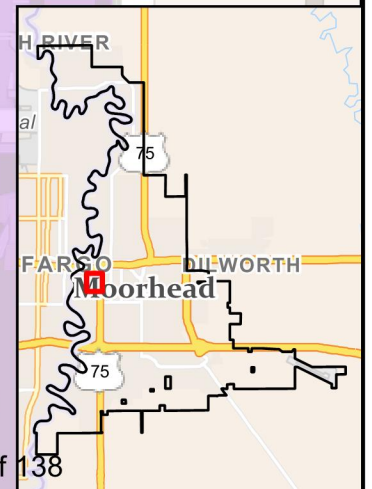
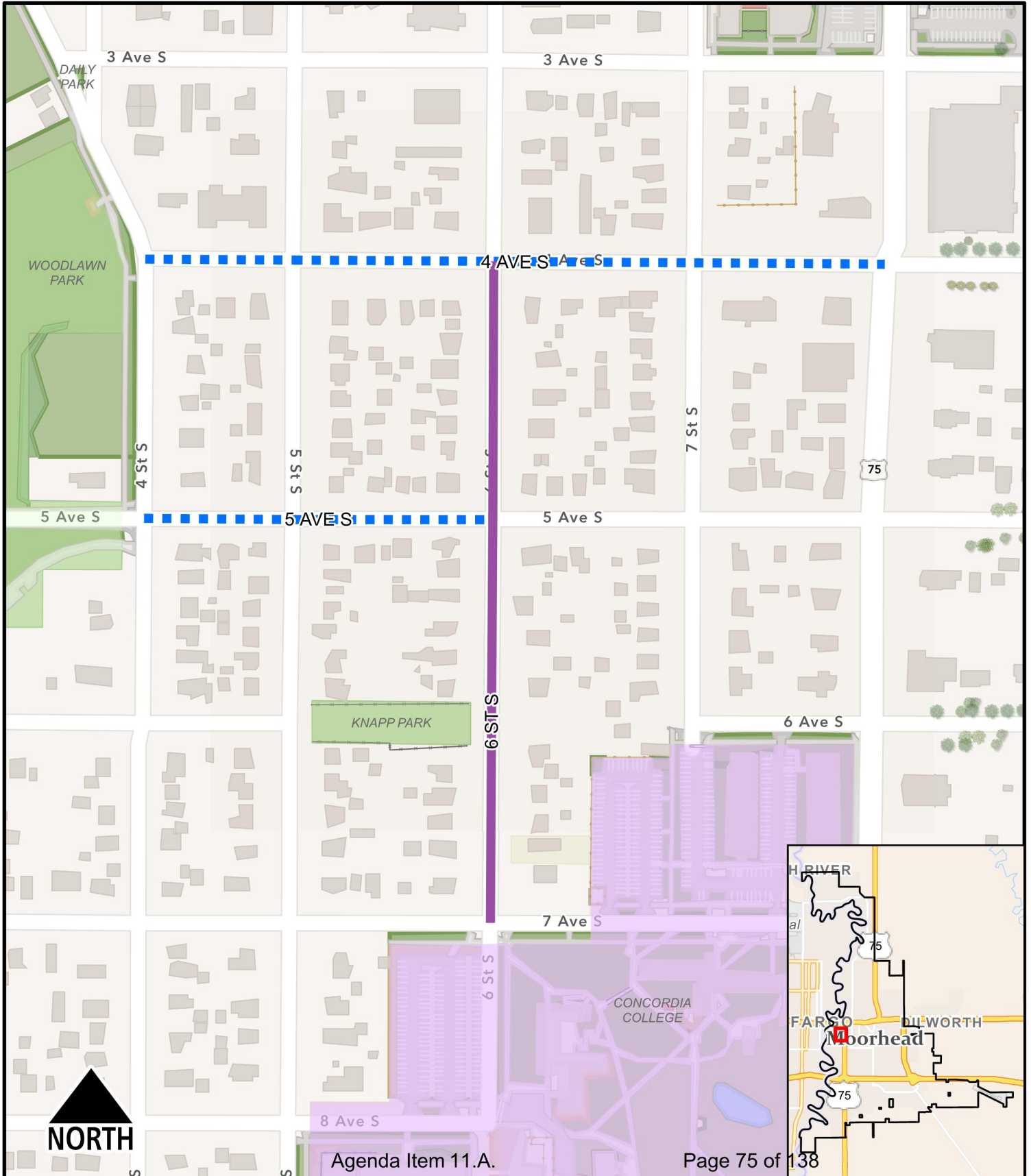


LEGEND

- COLLEGES
- PARKS
- MILL & OVERLAY
- RECONSTRUCTION

24-A2-06 Project Map

4TH AVE S, 5TH AVE S AND 6TH ST S
UNDERGROUND UTILITY AND STREET
IMPROVEMENTS
CITY OF MOORHEAD



RESOLUTION

Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 4th Ave S, 5th Ave S and 6th St S Area Street Improvements (Eng. No. 24-A2-06)

WHEREAS, pursuant to a resolution passed by the City Council on January 22, 2024, City staff has prepared plans & specifications for 4th Ave S, 5th Ave S and 6th St S Area Street Improvements (Eng. No. 24-A2-06) under the direction of the City Engineer and such plans are presented to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such plans & specifications, a copy of which is on file in the office of the City Engineer, are hereby approved.
2. The City Engineer shall prepare and cause to be published on the official websites an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published a minimum of 21 days before the scheduled bid opening. The advertisement shall specify the work to be done, shall state the time and place that the bids will be opened, and shall state that no bids will be considered unless sealed and filed with the City Engineer and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City of Moorhead for 5 percent of the amount of such bid.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 4th Ave N and 30th St N Underground Utility and Street Improvements (Eng. No. 24-A2-05)

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for the above-referenced project.

BACKGROUND/KEY POINTS:

The proposed project area includes the streets 4th Ave N and 30th St N (map attached). These streets are included in the City's 2024-2028 Capital Improvement Plan and are scheduled for construction of improvements in 2024.

On December 11, 2023, the City Council ordered the preparation of the Preliminary Engineer's Report (PER) to consider making improvements to these streets. The report was completed by City staff under the direction of the City Engineer and made recommendations for various street and utility improvements and was received by the Council on January 22, 2024. Following receipt of the report, the Council ordered preparation of plans & specifications for the making of the recommended improvements as proposed in the report.

The City Engineering Department has prepared plans & specifications for the proposed improvements under the direction of the City Engineer. The streets within this project area have been combined into one contract to simplify construction administration and maximize the economy of scale, while keeping the total contract size to a scope that is suitable for most local contractors. City staff recommends that the Council approve the plans & specifications and authorize advertisement for bids.

On February 7, 2024 a virtual a public information presentation on the proposed improvements was made available on the City website. The public information presentation is intended to solicit resident/owner feedback prior to receiving bids. A letter was mailed to the abutting property owners notifying them of the presentation, and how to contact staff to ask questions or submit comments regarding the proposed design by February 23, 2024. If any changes are recommended by the City Engineer in response to resident feedback, they can be incorporated into the plans prior to bidding.

Below is an outline of the proposed project schedule.



City Council Communication

February 12, 2024

PROJECT SCHEDULE	
Activity	Date
Order Preliminary Engineer's Report	December 11, 2023
Receive Engineer's Report, Order Plans & Specs, and Call for a Public Hearing	January 22, 2024
Approve Plans & Specs and Authorize Ad for Bids	February 12, 2024
Receive Bids	March 6, 2024
Hold Public Hearing, Order Improvements, Declare Intent to Assess & Award Bid	March 25, 2024
Anticipated Construction Schedule	May/Sept. 2024
Hold Assessment Hearing	Fall, 2024

FINANCIAL CONSIDERATIONS:

The cost of the above requested actions is negligible at this time and consists of printing and mailing costs. The total project cost, including contingencies and fees, is preliminarily estimated at \$844,000. It is proposed to finance the project through the PIR Fund using a General Obligation Improvement Bond, and to assess approximately \$174,000 of the total project cost to the benefiting properties in accordance with the City's Special Assessment Policy. The balance of the project cost \$670,000 will be paid as a City share.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Tom Trowbridge, Assistant City Engineer
Sylvia Lizotte, Office Specialist

Attachments: 24-A2-05 Project Map

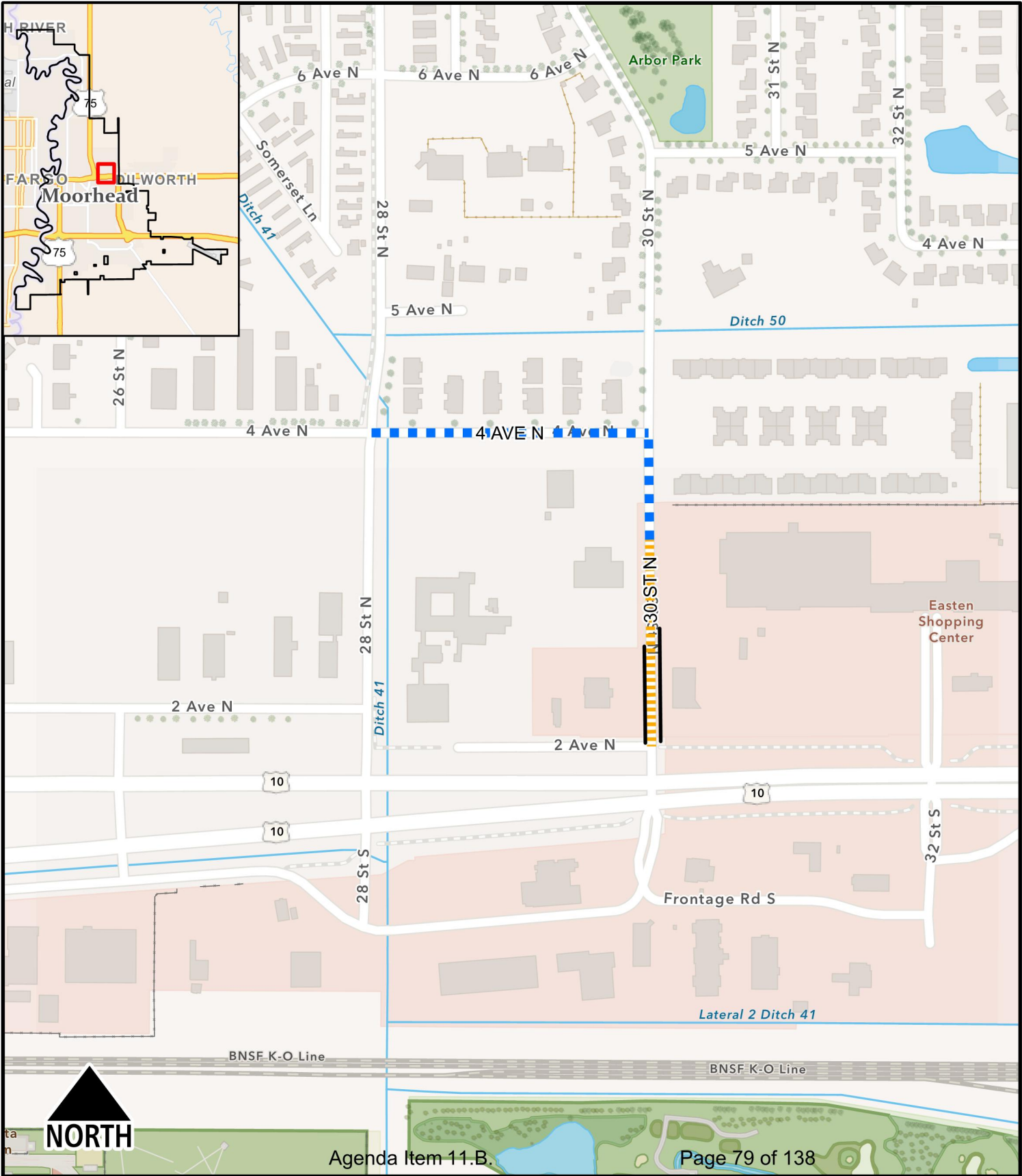


LEGEND

- MILL & OVERLAY
- ▨ REHABILITATION
- POSSIBLE SIDEWALK INFILL

24-A2-05 Street Project

4TH AVE N AND 30TH ST N UNDERGROUND
UTILITY AND STREET IMPROVEMENTS
CITY OF MOORHEAD



RESOLUTION

Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 4th Ave N and 30th St N Underground Utility and Street Improvements (Eng. No. 24-A2-05)

WHEREAS, pursuant to a resolution passed by the City Council on January 22, 2024, City staff has prepared plans & specifications for 4th Ave N and 30th St N Underground Utility and Street Improvements (Eng. No. 24-A2-05) under the direction of the City Engineer and such plans are presented to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such plans & specifications, a copy of which is on file in the office of the City Engineer, are hereby approved.
2. The City Engineer shall prepare and cause to be published on the official websites an advertisement for bids upon the making of such improvement under such approved plans & specifications. The advertisement shall be published a minimum of 21 days before the scheduled bid opening. The advertisement shall specify the work to be done, shall state the time and place that the bids will be opened, and shall state that no bids will be considered unless sealed and filed with the City Engineer and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City of Moorhead for 5 percent of the amount of such bid.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 14th St N, 16th St N, and 6th Ave N Underground Utility and Street Improvements (Eng. No. 24-A2-04)

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for the above-referenced project.

BACKGROUND/KEY POINTS:

The proposed project area includes the streets of 14th and 16th St N, and 6th Ave N (map attached). These streets are included in the City's 2024-2028 Capital Improvement Plan and are scheduled for construction of improvements in 2024.

On December 11, 2023, the City Council ordered the preparation of the Preliminary Engineer's Report (PER) to consider making improvements to these streets. The report was completed by City staff under the direction of the City Engineer and made recommendations for various street and utility improvements and was received by the Council on January 22, 2024. Following receipt of the report, the Council ordered preparation of plans & specifications for the making of the recommended improvements as proposed in the report.

The City Engineering Department has prepared plans & specifications for the proposed improvements under the direction of the City Engineer. The streets within this project area have been combined into one contract to simplify construction administration and maximize the economy of scale, while keeping the total contract size to a scope that is suitable for most local contractors. City staff recommends that the Council approve the plans & specifications and authorize advertisement for bids.

On February 7, 2024, a virtual a public information presentation on the proposed improvements was made available on the City website. The public information presentation was intended to solicit resident/owner feedback prior to receiving bids. A letter was mailed to the abutting property owners notifying them of the presentation, and how to contact staff to ask questions or submit comments regarding the proposed design by February 23, 2024. If any changes are recommended by the City Engineer in response to resident feedback, they can be incorporated into the plans prior to bidding.



City Council Communication

February 12, 2024

Below is an outline of the proposed project schedule.

PROJECT SCHEDULE	
Activity	Date
Order Preliminary Engineer's Report	December 11, 2023
Receive Engineer's Report, Order Plans & Specs, and Call for a Public Hearing	January 22, 2024
Approve Plans & Specs and Authorize Ad for Bids	February 12, 2024
Receive Bids	March 20, 2024
Hold Public Hearing, Order Improvements, Declare Intent to Assess & Award Bid	March 25, 2024
Anticipated Construction Schedule	May/Sept. 2024
Hold Assessment Hearing	Fall, 2024

FINANCIAL CONSIDERATIONS:

The cost of the above requested actions is negligible at this time, and consists of printing and mailing costs. The total project cost, including contingencies and fees, is preliminarily estimated at \$3,600,000. This includes about \$320,000 in water main improvements that will be reimbursed by Moorhead Public Service. The remaining project cost of \$3,280,000 will be financed through the PIR Fund using a General Obligation Improvement Bond, backed by the use of special assessments of approximately \$843,000 to the benefiting properties in accordance with the City's Special Assessment Policy. The remaining balance of \$2,437,000 will be paid as a City share.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Tom Trowbridge, Assistant City Engineer
Sylvia Lizotte, Office Specialist

Attachments: Project Location Map

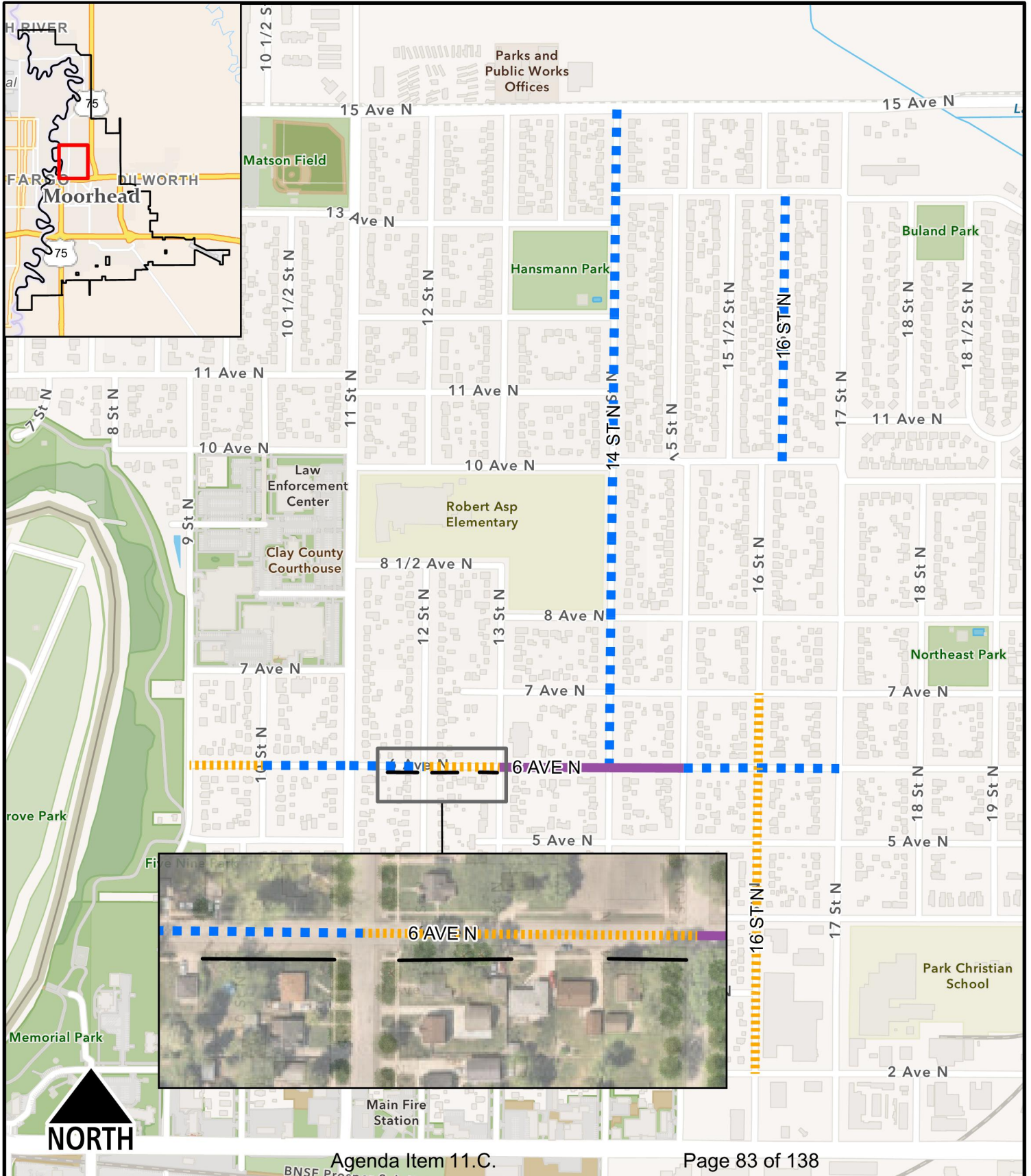


LEGEND

- MILL & OVERLAY
- RECONSTRUCTION
- REHABILITATION
- POSSIBLE SIDEWALK INFILL

24-A2-04 Street Project

14TH ST N, 16TH ST N, AND 6TH AVE N
UNDERGROUND UTILITY AND STREET
IMPROVEMENTS
CITY OF MOORHEAD



RESOLUTION

Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for 14th St N, 16th St N, and 6th Ave N Underground Utility and Street Improvements (Eng. No. 24-A2-04)

WHEREAS, pursuant to a resolution passed by the City Council on January 22, 2024, City staff has prepared plans & specifications for 14th St N, 16th St N, and 6th Ave N Underground Utility and Street Improvements (Eng. No. 24-A2-04) under the direction of the City Engineer and such plans are presented to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such plans & specifications, a copy of which is on file in the office of the City Engineer, are hereby approved.
2. The City Engineer shall prepare and cause to be published on the official websites an advertisement for bids upon the making of such improvement under such approved plans & specifications. The advertisement shall be published a minimum of 21 days before the scheduled bid opening. The advertisement shall specify the work to be done, shall state the time and place that the bids will be opened, and shall state that no bids will be considered unless sealed and filed with the City Engineer and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City of Moorhead for 5 percent of the amount of such bid.

PASSED: February 12, 2024, by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Receive Report, Order Preparation of Plans & Specs and Call for a Public Hearing for 2024 Final Wearing Course and Meadows Golf Course Parking Lot Improvements (Eng. No. 24-A2-02)

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to Receive Report, Order Preparation of Plans & Specs and Call for a Public Hearing for the above referenced project:

BACKGROUND/KEY POINTS:

The proposed project represents the last lift of paving in Village Green 6th Addition, Johnson Farms 1st Addition, Johnson Farms 5th Addition and Preserve on Broadway Addition subdivisions. These improvements were previously petitioned by the Developers of the subdivisions and are included in the City Capital Improvement Plan for construction in 2024. The Developer's Agreements for each subdivision states that "the City will establish a date" for the final bituminous overlay construction that is "anticipated to occur within five years of the original street construction". Delaying the placement of the final bituminous surface is a common design practice in the Red River Valley to allow for pavement settlement over excavation trenches associated with utility installation for the subdivision. Due to the relatively high-water table and the properties of the clay soils common throughout the valley, it is generally not cost-effective to compact the utility trenches to sufficiently minimize settlement over time or to replace the soils with granular materials. Since most of the settlement will occur within two to three years of the original utility installation, the scheduled delay of the final bituminous surfacing allows differential pavement settlement to be corrected with the placement of the final overlay. However, delaying the placement of the final overlay can shorten the expected life of the street because the full design structural capacity will not be achieved and the street will not drain properly until the overlay is complete, leaving the street more vulnerable to damage from construction traffic, excess water, and ice buildup. Past experience indicates that construction of the final overlay within two to five years of the original street construction provides the appropriate balance between correction of short-term pavement settlement and risk of long-term cumulative damage. All of these streets were originally paved in 2019 and 2020.

In addition to the final bituminous overlays in the subdivisions, for economy of scale, this project will include rehabilitation of the easterly parking lot of the Meadows golf course, mill and overlay of the entrance road, and minor drainage improvements. A mill & overlay involves removing the upper 2" (approximately) of pavement surface (by milling it off), and placement of a new layer of bituminous surface. This extends the life of the pavement, typically by another 20 to 30 years. A rehabilitation involves the full pavement depth being removed and replaced, typically including the gravel base, but preserves most of the existing curb and gutter.

The City Council ordered the preparation of a preliminary engineering report for the proposed improvements on December 12, 2023. City staff has prepared the report, which finds that the



City Council Communication

February 12, 2024

proposed improvements are necessary, cost-effective, and feasible; that the various subdivisions would best be combined into a single contract (and may be combined with other, similar improvements such as the Meadows Golf Course Parking Lot) to provide a suitable economy of scale to attract good bids and simplify construction contract administration; and that the proposed assessments for the final overlay would be consistent with other recent final overlay projects. Staff recommends that the Council receive the Preliminary Engineering Report (PER), and order preparation of plans and specifications.

Although a Public Hearing is not required for the final bituminous overlay improvements under MSA Chapter 429 (since they were previously petitioned by the owners of 100% of the benefiting property at the time the petitions were submitted), standard practice has included a public information meeting and a Public Hearing on the basis that it has been several years since the initial improvements were constructed and ownership of many of the benefiting parcels has changed. Staff recommends that the Council call for a Public Hearing to be held on April 22, 2024. Receiving bids prior to the Public Hearing will provide the Council with the best available information regarding the actual project cost prior to ordering the improvements. Below is an outline of the proposed project schedule.

PROJECT SCHEDULE	
Activity	Date
Order Preliminary Engineer's Report	December 11, 2023
Receive Engineer's Report, Order Plans & Specs, and Call for a Public Hearing	February 12, 2024
Approve Plans & Specs and Authorize Ad for Bids	February 26, 2024
Receive Bids	April 3, 2024
Hold Public Hearing, Order Improvements, Declare Intent to Assess & Award Bid	April 22, 2024
Anticipated Construction Schedule	May – Sept., 2024
Hold Assessment Hearing	Fall 2024

FINANCIAL CONSIDERATIONS:

The cost of the above requested actions is negligible at this time, as City staff will complete the design of the project. The total project cost, including contingencies and fees, is preliminarily estimated at approximately \$520,000. This includes approximately \$220,000 for the final wearing course projects, and approximately \$300,000 for the Meadows Golf Course Parking Lot improvements. It is proposed to finance the project through the PIR Fund using a General Obligation Improvement Bond, and to assess the entire cost of the final wear course projects (\$220,000) in the new subdivisions to the benefiting properties in accordance with the City's Special Assessment Policy and respective Developer's Agreements. The remaining \$300,000 for the parking lot improvements will be paid as a City share of the project cost.



City Council Communication

February 12, 2024

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Tom Trowbridge, City Engineer
Sylvia Lizotte, Office Specialist

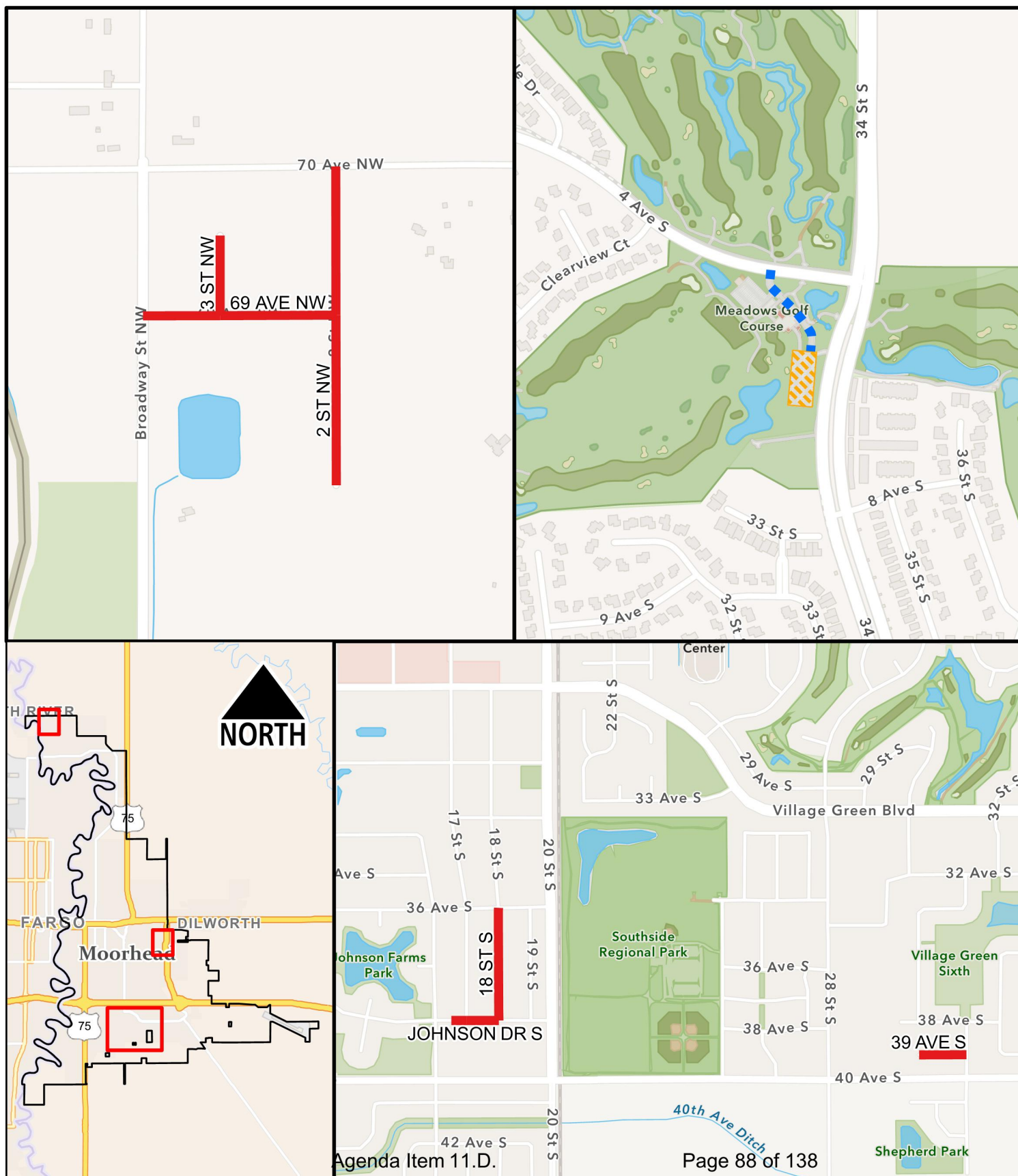
Attachments: Project Location Map

LEGEND

 FINAL OVERLAY
 MILL & OVERLAY
 REHABILITATION

Project 24-A2-02

Final Bituminous Overlay for streets in Preserve on Broadway Addition, 18 St S & Johnson Dr S in Johnson Farms Addn., and 39 Ave S in Village Green 6th Addn., as well as road improvements at the Meadows Golf Course Clubhouse.



RESOLUTION

Resolution to Receive Report, Order Preparation of Plans & Specs and Call for a Public Hearing for 2024 Final Wearing Course and Meadows Golf Course Parking Lot Improvements (Eng. No. 24-A2-02)

WHEREAS, pursuant to a resolution of the City Council dated December 11, 2023, staff has prepared a preliminary engineering report to consider the making of the 2024 Final Wearing Course and Meadows Golf Course Parking Lot Improvements (Eng. No. 24-A2-02); and

WHEREAS, the preliminary engineering report finds that the proposed improvements are necessary, cost-effective and feasible, that they would best be completed by combining the various subdivisions and the Meadows Golf Course Parking lot improvement together into a single contract, and includes information on the estimated cost of the improvement as recommended, and a description of the methodology used to calculate individual assessments for affected parcels; and

WHEREAS, it has been determined that the proposed infrastructure improvements benefit the abutting properties and that some of the owners of these properties have changed since the original petition for the proposed improvements, and therefore a Public Hearing is recommended to be held before ordering the improvements; and

WHEREAS, the Council hereby determines that the preparation of plans and specifications and the receipt of bids will provide helpful information in determining the desirability and feasibility of the improvement in advance of the required Public Hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. The Council hereby receives the Preliminary Engineering Report for 2024 Final Wearing Course and Meadows Golf Course Parking Lot Improvements (Eng. No. 24-A2-02). Such improvements are necessary, cost-effective, and feasible as detailed in the Preliminary Engineering Report, and would best be completed as a stand-alone project.
2. The City Engineer is hereby designated as the engineer for this improvement, and plans and specifications for the making of such improvements shall be made under the supervision of the City Engineer.
3. A public hearing shall be held on such proposed improvement on the 22nd day of April, 2024, during the regularly scheduled Council Meeting in the auditorium of the Hjemkomst at 5:45 p.m., and the City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

PASSED: February 12, 2024, by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Accept a Donation from Moorhead American Legion Post 21 for Matson Field Grandstand Project and Enter into an Agreement for Naming Rights for the Scoreboard

RECOMMENDATION:

The Mayor and Council are asked to consider a resolution accepting a \$250,000 grant award from the Moorhead American Legion Post 21 (Legion) for Matson Field Grandstand Project and enter into an Agreement for naming rights on the scoreboard.

BACKGROUND/KEY POINTS:

The Matson Field Grandstand Project has long been a dream for Moorhead's baseball players and baseball enthusiasts. The project is included in the City of Moorhead Strategic Plan as one of the top five amenities in need of improvements within the city. The Park Advisory Board ranks it as the number two amenity for priority.

In consideration for naming rights on the scoreboard for a period of twenty-five (25) years, the Legion has agreed to a donation of \$250,000. The donation will be paid over a 10-year period in annual installments of \$25,000 starting in February of 2024 and ending in February of 2034 unless paid off sooner. Putting an end date on the naming rights will allow future generations to fundraise for improvements that will be needed by that time. An agreement has been prepared by the City Attorney memorializing this transaction. This follows the City policy for naming rights for amenities within the City. This agreement is available upon request.

See Attachment 1 for the concept Image of the scoreboard.

As per Minnesota Statute, all grants must be accepted through City Council resolution.

FINANCIAL CONSIDERATIONS:

The donation of \$250,000 from the Moorhead American Legion Post 21 will be used on the construction of a grandstand and purchase of a new scoreboard. The donation will be paid in ten installments of \$25,000 each. The project budget is \$2 million dollars.

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager
Holly Heitkamp, Parks and Recreation Director
Victoria Baas, Office Specialist

Attachments: Scoreboard Concept Design



RESOLUTION

Resolution to Accept a Donation from Moorhead American Legion Post 21 for Matson Field Grandstand Project and Enter into an Agreement for Naming Rights for the Scoreboard

WHEREAS, the City, through its Parks and Recreation Department, owns and operates Matson Memorial Field, a public park containing a baseball complex located in Moorhead, Minnesota; and

WHEREAS, Matson Memorial Field needs improvements, that include, but are not limited to updates to the grandstand, scoreboard, location sign, press box, concession stand, restrooms, sound system, and berming along baseline for additional seating (the Project); and

WHEREAS, the City desires to accept \$250,000 in donation from the Moorhead American Legion Post 21 to be used for the Project in accordance with the guidelines and stipulations set forth in the terms of the agreement; and

WHEREAS, under Minnesota Statute, a resolution accepting a donation must be approved by members of the City Council; and

WHEREAS, THE City is willing to grant the Moorhead American Legion Post 21 the right to place their name on the scoreboard at Matson Memorial Field in exchange for \$250,000 pledged towards the expenses related to the Project; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby accept the donation in accordance with the terms prescribed by the donor, and enter into an Agreement with the Moorhead American Legion Post 21 for the naming rights on the scoreboard at Matson Memorial Field for a term of 25 years.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

First Reading of Ordinance 2024-02: An Ordinance to Amend and Reenact Title 10, Chapter 18, Section 1, Use Regulations, and Title 10, Chapter 18, Section 2, Provisional and Conditional Use Requirements relating to the New Cannabis Law and Repeal Title 4, Chapter 4, Section 21, Offenses related to Drug Paraphernalia

RECOMMENDATION:

The Mayor and City Council are asked to consider a first reading of Ordinance 2024-02: An Ordinance to Amend and Reenact Title 10, Chapter 18, Section 1, Use Regulations, and Title 10, Chapter 18, Section 2, Provisional and Conditional Use Requirements relating to the New Cannabis Law and Repeal Title 4, Chapter 4, Section 21, Offenses related to Drug Paraphernalia.

BACKGROUND/KEY POINTS:

On May 30, 2023, Governor Walz signed new legislation into law legalizing adult-use recreational cannabis, which also incorporates and clarifies previously approved medical cannabis and cannabinoid laws. This new law has multiple dates for consideration:

- July 1, 2023 - legalized adult possession and home cultivation of cannabis
- August 1, 2023 - lifted criminal penalties for adult possession and home cultivation of cannabis, and legalized drug paraphernalia statewide
- 2025 - state licensing for cannabis-related businesses will begin once Office of Cannabis Management formulates requirements and processes
 - New rules for previously approved medical cannabis and cannabinoid state licensing:
 - New law will transfer medical cannabis licensing to MN Office of Cannabis Management.
 - New law will also transfer edible cannabinoids licensing to MN Office of Cannabis Management and City will no longer issue local licenses.

The new law, [Chapter 342, Cannabis](#), permits cities to regulate cannabis-related businesses by the following options:

1. If the State issues a license, cities cannot prohibit the operation as zoning verification will be part of the State licensing procedure.
2. Cities may then require City-registration of licensed businesses for compliance purposes.
3. Cities may adopt reasonable restrictions on the time, place and manner of operation.
 - a. If they so choose, cities may only prohibit operation within 1,000 feet of a school or within 500 feet of a daycare, residential treatment facility or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - b. Cities may also limit cannabis retailer operations to no fewer than one registration for every 12,500 residents but does not prohibit cities from allowing licensed retailers in excess of minimums.



City Council Communication

February 12, 2024

The City Manager assembled a cannabis work group to study the new law comprised of staff from Moorhead Police, City Attorney's Office, City Prosecutor, City Clerk's Office, City Manager's Office and the Community Development Department. One of the immediate items that needs to be addressed is updating the Zoning Use Table in order for prospective businesses to know where they can and cannot locate within the city. The work group is not recommending any license limits or buffers at this time but will monitor license-holders. If issues arise, amendments to the code can be considered.

The Planning Commission reviewed proposed use table additions at their December 4, 2023 meeting and unanimously recommend approval of the proposed zoning changes with no public comment. The complete Planning Commission packet is available at:
<https://www.ci.moorhead.mn.us/government/boards-commissions/planning-commission>

Since the Planning Commission, the work group added provisions to clarify home/personal and medical cannabis uses. Also, staff has consulted with the only medical dispensary in Moorhead and made proposed changes related to their business.

In addition, the new law made drug paraphernalia legal statewide therefore the work group is recommending the total repeal of Title 4, Chapter 4, Section 21, Offenses related to Drug Paraphernalia.

Lastly, the work group is also studying other considerations related to the new cannabis law that may be brought to the City Council in the future (e.g., MN Clean Indoor Air Act implications, smoking in parks, cannabis and lower-potency hemp business registrations and cannabis-related special event permits).

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

Attachments:

Draft Ordinance 2024-02 – Text Amendment

Glossary of Cannabis-related Terms in Proposed Zoning Amendment

ORDINANCE 2024-02

AN ORDINANCE TO AMEND AND REENACT TITLE 10, CHAPTER 18, SECTION 1, USE REGULATIONS, AND TITLE 10, CHAPTER 18, SECTION 2, PROVISIONAL AND CONDITIONAL USE REQUIREMENTS RELATING TO THE NEW CANNABIS LAW AND REPEAL TITLE 4, CHAPTER 4, SECTION 21, OFFENSES RELATED TO DRUG PARAPHERNALIA

BE IT ORDAINED by the City Council of the City of Moorhead as follows:

SECTION 1. Title 10, Chapter 18, Section 1 and 2 of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of the use table have been omitted from the text below):

NEW ~~DELETE~~

Title 10, Chapter 18, Section 1: Use Regulations

Use Category (General)		Residential Districts							Mixed Use Districts		
		RLD-0	RLD-1	RLD-2	RLD-3	RMD-1	RMD-2	RHD-1	MU- 1	MU- 2	MU- 3
Residential uses:											
	...										
Cannabis & Hemp-related Uses											
	<u>Home/Personal Cultivation of hemp or cannabis flower</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Home/Personal Extraction or Sale of hemp or cannabis flower and products</u>										
	...										

Use Category (General)	Use Type (Detailed)	Mixed Use Districts			Commercial Districts			Industrial Districts	
		MU-1	MU-2	MU-3	NC	CC	RC	LI	HI
Commercial/retail uses:									
Retail sales and service	Cannabinoid distillate product manufacturing							P	P
	Cannabinoid sales	P	P	P	P	P	P	P	P
	...								
	Edible cannabinoid product manufacturing	P		P		P	P	P	P
	...								
<u>Cannabis & Hemp-related Uses</u>									
	<u>Home/Personal Sale of hemp or cannabis flower and products</u>								
	State-licensed lower-potency hemp edible retailer-only and the following cannabis-related uses: <u>delivery service, event organizer business and retailer-only</u>	P	P	P	P	P	P	P	P
	<u>State-licensed medical cannabis retailer-only</u>	P	P	P	P	P	P	P	P
...	<u>State-licensed medical cannabis combination business</u>	PU (EE)	PU (EE)	PU (EE)	PU (EE)	PU (EE)	PU (EE)	P	P
Industrial/manufacturing uses:									
<u>General industrial</u>									
...									
<u>Cannabis & Hemp-related Uses</u>									
	<u>Home/Personal Cultivation of hemp or cannabis flower</u>	P	P	P					
	<u>Home/Personal Extraction or Sale of hemp or cannabis flower and products</u>								
	State-licensed lower-potency hemp concentrate manufacturing and the following cannabis-related uses: <u>cultivator, manufacturer, mezzobusiness, microbusiness, testing facility, transporter and wholesaler</u>							P	P
	State-licensed lower-potency hemp edible, cannabis edible or medical cannabis edible product manufacturing	P		P		P	P	P	P
	<u>State-licensed medical cannabis cultivator or processor</u>							P	P

	<u>State-licensed medical cannabis combination business</u>	<u>PU</u> <u>(EE)</u>	<u>PU</u> <u>(EE)</u>	<u>PU</u> <u>(EE)</u>	<u>PU</u> <u>(EE)</u>	<u>PU</u> <u>(EE)</u>	<u>PU</u> <u>(EE)</u>	<u>P</u>	<u>P</u>
...									

Title 10, Chapter 18, Section 2, Provisional and Conditional Use Requirements, H. Home Occupations, 12. The home occupation shall not involve any of the following: small engine, auto repair or reconditioning, manufacturing, or ~~cannabinoid sales, cannabinoid production, or cannabinoid manufacturing~~ hemp or cannabis-related businesses.

Title 10, Chapter 18, Section 2, Provisional and Conditional Use Requirements, EE. State Licensed Medical Cannabis Combination Business

1. All uses shall comply with building, fire safety, health code, zoning and state licensing requirements.
2. The following uses licensed for a Medical Cannabis Combination Business are permitted in LI: Light Industrial and HI: Heavy Industrial zoning districts:
 - a. grow cannabis plants from seed or immature plant to mature plant and harvest adult-use cannabis flower and medical cannabis flower from a mature plant;
 - b. make cannabis concentrate;
 - c. make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
 - d. manufacture adult-use cannabis products and hemp-derived consumer products for public consumption;
 - e. package and label medical cannabis and medical cannabinoid products for sale;
 - f. package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers.
3. The following uses licensed for a Medical Cannabis Combination Business are permitted in CC: Community Commercial, RC: Regional Commercial, MU-1: Downtown Mixed Use, MU-3: Commercial Mixed Use zoning districts:
 - a. manufacture artificially derived cannabinoids;
 - b. manufacture medical cannabinoid products;
 - c. manufacture lower-potency hemp edibles;
4. The following uses licensed for a Medical Cannabis Combination Business are permitted in CC: Community Commercial, RC: Regional Commercial, NC: Neighborhood Commercial, MU-1: Downtown Mixed Use, MU-2: Corridor Mixed Use and MU-3: Commercial Mixed Use zoning districts:
 - a. sell medical cannabis flower and medical cannabinoid products;
 - b. sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law.

SECTION 2. Title 4, Chapter 4, Section 21, Offenses Related to Drug Paraphernalia is hereby repealed and struck in its entirety.

This Ordinance shall take effect after publication in accordance with the Moorhead City Charter.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

First Reading: 02/12/2024
E-Post:
Second Reading:
Publication:

Cannabinoid means any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

Cannabis Business means any of the following 10 State license types:

1. **Cannabis Cultivator** - activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.
2. **Cannabis Delivery Service** - transports and delivers cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumable products to customers.
3. **Cannabis Event Organizer** - organizes temporary cannabis events lasting no more than four days.
4. **Cannabis Manufacturer** - creation of cannabis concentrate and manufacture of cannabis products and hemp-derived consumer products for public consumption.
5. **Cannabis Mezzobusiness** can do the following:
 - A. grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as adult-use cannabis flower or for use in adult-use cannabis products:
 - i. indoor facility may cultivate up to 15,000 square feet of plant canopy,
 - ii. outdoor location may cultivate up to one acre of mature, flowering plants unless the Office of Cannabis Management increases that limit;
 - B. grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as medical cannabis flower or for use in medical cannabinoid products;
 - C. make cannabis concentrate;
 - D. make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
 - E. manufacture artificially derived cannabinoids;
 - F. manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
 - G. process medical cannabinoid products;
 - H. purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
 - I. purchase cannabis concentrate, hemp concentrate, and synthetically derived cannabinoids from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
 - J. purchase hemp plant parts and propagules from a licensed hemp grower licensed under chapter 18K (industrial hemp development);

- K. purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K (industrial hemp development);
- L. package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- M. sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers.

6. Cannabis Microbusiness can do the following:

- A. grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant:
 - i. indoor facility may cultivate up to 5,000 sf of plant canopy,
 - ii. outdoor location may cultivate up to one-half acre of mature, flowering plants unless the Office of Cannabis Management increases that limit;
- B. make cannabis concentrate;
- C. make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- D. manufacture artificially derived cannabinoids;
- E. manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- F. purchase immature cannabis plants and seedlings and cannabis flower from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
- G. purchase hemp plant parts and propagules from an industrial hemp grower licensed under chapter 18K (industrial hemp development);
- H. purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K (industrial hemp development);
- I. purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
- J. package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- K. sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers;
- L. operate an establishment that permits on-site consumption of edible cannabis products and lower-potency hemp edibles.

7. Cannabis Retailer – sales of all cannabis-related items including sale of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.

8. Cannabis Testing Facility - obtains and tests immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids,

lower-potency hemp edibles, and hemp-derived consumer products from other cannabis-licensed businesses.

9. Cannabis Transporter - transports immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products from other cannabis-licensed businesses.

10. Cannabis Wholesaler - sales and imports of all cannabis-related items including cannabis plants, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products.

Hemp business means either of the following:

- (1) lower-potency hemp edible manufacturer; or
- (2) lower-potency hemp edible retailer.

Hemp business does not include a person or entity licensed under chapter 18K (industrial hemp development) to grow industrial hemp for commercial or research purposes or to process industrial hemp for commercial purposes.

Home/Personal Cultivation of hemp or cannabis flower means:

- A. Up to eight cannabis plants, with no more than four being mature, flowering plants may be grown at a single residence, including the curtilage or yard, without a license to cultivate cannabis provided that cultivation takes place at the primary residence of an individual 21 years of age or older and in an enclosed, locked space that is not open to public view.

Home/Personal Extraction or Sale of hemp or cannabis flower and products means:

- A. Separation or extraction of cannabis concentrate or hemp concentrate at a residence is not permitted.
- B. Sale of hemp, cannabis flower and other products at a residence is not permitted.

Lower-potency hemp edible means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

Medical Cannabis Business means any of the following 4 State license types:

1. Medical Cannabis Cultivator can do the following:

- A. Grow cannabis plants within the approved amount of space up to 60,000 square feet of plant canopy from seed or immature plant to mature plant;

- 1.A medical cannabis cultivator may exceed the limit of 60,000 square feet of plant canopy if it was legally cultivating medical cannabis with a greater plant canopy as of April 1, 2023;

- B. Harvest cannabis flower from a mature plant;
- C. Package and label cannabis flower as medical cannabis flower;
- D. Sell medical cannabis flower to medical cannabis processors and medical cannabis retailers;
- E. Transport medical cannabis flower to a medical cannabis processor located on the same premises;
- F. Perform other actions approved by the Office of Cannabis Management.

2. Medical Cannabis Processor can do the following:

- A. Purchase medical cannabis flower, medical cannabinoid products, hemp plant parts, and hemp concentrate from medical cannabis cultivators and other medical cannabis processors;
- B. Purchase hemp plant parts from industrial hemp growers;
- C. Make cannabis concentrate from medical cannabis flower;
- D. Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- E. Manufacture medical cannabinoid products;
- F. Package and label medical cannabinoid products for sale to other medical cannabis processors and to medical cannabis retailers; and
- G. Perform other actions approved by Office of Cannabis Management. .

3. Medical Cannabis Retailer can do the following:

- A. Purchase medical cannabis flower and medical cannabinoid products from medical cannabis cultivators and medical cannabis processors and
- B. Sell or distribute medical cannabis flower and medical cannabinoid products to any person authorized to receive medical cannabis flower or medical cannabinoid products.

4. Medical Cannabis Combination Business License can do the following:

- A. Grow cannabis plants from seed or immature plant to mature plant and harvest adult-use cannabis flower and medical cannabis flower from a mature plant;
- B. Make cannabis concentrate;
- C. Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- D. Manufacture artificially derived cannabinoids;
- E. Manufacture medical cannabinoid products;
- F. Manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- G. Purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, a medical cannabis cultivator, or another medical cannabis combination business;

- H. Purchase hemp plant parts and propagules from an industrial hemp grower licensed under chapter 18K;
- I. Purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, a medical cannabis processor, or another medical cannabis combination business;
- J. Purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K;
- K. Package and label medical cannabis and medical cannabinoid products for sale to medical cannabis processors, medical cannabis retailers, other medical cannabis combination businesses, and patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;
- L. Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- M. Sell medical cannabis flower and medical cannabinoid products to patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;
- N. Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers; and
- O. Perform other actions approved by the Office of Cannabis Management.

Additional definitions for the new law can be found at: [Sec. 342.01 MN Statutes](#)



City Council Communication

January 22, 2024

SUBJECT:

Resolution to Approve Agreement with Commercial Recreation Specialists for Play Equipment for the Moorhead Community Center Public Library

RECOMMENDATION:

The Mayor and City Council are asked to approve an Agreement with Commercial Recreation Specialists for Play Equipment for the Moorhead Community Center Public Library

BACKGROUND/KEY POINTS:

Within the new Community Center Public Library, there will be approximately 2,100 square feet of area for an indoor play structure. This component of the building is unique and a Request for Proposals was issued to solicit vendors for the design and manufacturing of the equipment.

Seven proposals were received and reviewed by a team that included:

- Anthony Manzella, Facility and Fleet Manager
- Larry Seljevold, City Council
- Melissa Discher, Parks Recreation Specialist
- Paul Fiechtner, Public Works Director
- Trevor Magnuson, Parks Recreation Specialist

Following review of the seven proposals, two companies were interviewed. Following interviews, the team recommended Commercial Recreation Specialists (CRS). CRS will provide:

- Assistance with community engagement strategies (ie: theme),
- Design services,
- Manufacturing of the equipment, and
- Delivery and installation

FINANCIAL CONSIDERATIONS:

The budget for the play equipment services is \$750,000 and is within the project budget.

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager
Kristie Leshovsky, Community Development Director

Attachments: Draft Resolution

RESOLUTION

Resolution to Approve Agreement with Commercial Recreation Specialists for Play Equipment for the Moorhead Community Center Public Library

WHEREAS, Moorhead voters approved a 0.5% local option sales tax for a new Community Center Public Library on November 8, 2022 and the City Council subsequently adopted and the Minnesota Department of Revenue approved such tax to begin April 1, 2023; and

WHEREAS, the City of Moorhead hired a design firm for architectural and engineering services to prepare design, planning and construction cost estimating and a Construction Manager at Risk for pre-construction and construction services for the project; and

WHEREAS, a Request for Proposals for a Play Equipment was issued on December 13, 2023 and seven proposals were received and evaluated; and

WHEREAS, two out of the seven firms were interviewed on January 18, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead direct and authorize the Mayor and City Manager to execute an agreement(s) and amendments with Commercial Recreation Specialists for design, manufacturing and installation of play equipment for the Community Center Public Library project and within the approved Community Center Public Library budget.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve Minor Subdivision - 2605 8th St S - Parcel 58.100.0660

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve a minor subdivision of 2605 8th St S, Parcel 58.100.0660.

BACKGROUND/KEY POINTS:

South Moorhead Associates, LLC has requested to subdivide the above parcel into two parcels, splitting the Brookdale Retail Center from the former Family Fare site. The proposal is consistent with Title 11, Chapter 3 of the Moorhead City Code.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

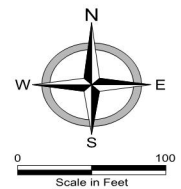
Dan Mahli, City Manager
Robin Huston, City Planner / Zoning Administrator
Forrest Steinhoff, Assistant City Planner

Attachments: General Location Map
 Minor Subdivision Plan
 Draft Resolution



 Existing Parcel

 New Parcels



Surveyor under the laws of the State of Minnesota
Christopher D. Heyer
 Christopher D. Heyer, Minnesota License No. 43807
 Date signed: January 26, 2024

Page 108 of 138



moore
engineering, inc.

RESOLUTION

Resolution to Approve Minor Subdivision - 2605 8th St S - Parcel 58.100.0660

WHEREAS, South Moorhead Associates, LLC has requested a minor subdivision of property at 2605 8th St S, Parcel 58.100.0660, legally described as:

TRACT A

All of Lots 1 through 6, inclusive and that part of Lot 7, all in Block 3, BROOKDALE ADDITION, said plat is on file and of record in the office of the Recorder, and that part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 139 North, Range 48 West of the Fifth Principal Meridian in Clay County, Minnesota, described as follows:

Beginning at an iron monument which designates the northeast corner of said Block 3, from which the north line of said Block 3 bears North 88 degrees 45 minutes 16 seconds West on a record bearing, said point also being on the westerly right of way line of Minnesota Trunk Highway No. 75; thence South 43 degrees 57 minutes 59 seconds East along said westerly right of way line for a distance of 70.63 feet to an iron monument; thence South 00 degrees 56 minutes 56 seconds West continuing along said westerly right of way line for a distance of 398.51 feet to an iron monument; thence South 89 degrees 56 minutes 39 seconds West for a distance of 393.66 feet to an iron monument on the westerly line of said Block 3; thence North 00 degrees 00 minutes 00 seconds East along the westerly line of said Block 3 for a distance of 457.31 feet to a found iron monument at the northwest corner of said Block 3; thence South 88 degrees 45 minutes 16 seconds East along the north line of said Block 3 for a distance of 351.31 feet to the point of beginning.

EXCEPTING THEREFROM the East One Hundred (100) feet of Lots One (1) and Two (2), in Block Three (3), of said BROOKDALE ADDITION.

AND FURTHER EXCEPTING THEREFROM a portion of Lot 3 and that part of Lot 4, said Block 3, and a portion of said Southeast Quarter of the Southwest Quarter described as follows:

Commencing at an iron monument at the northeast corner of Lot 1, Block 3, said BROOKDALE ADDITION; thence South 43 degrees 57 minutes 59 seconds East, along the westerly right of way line of Minnesota Trunk Highway Number 75 a distance of 70.63 feet; thence South 00 degrees 56 minutes 56 seconds West 105.21 feet along said right of way line; thence North 89 degrees 03 minutes 04 seconds West 27.00 feet to the point of beginning of the tract to be described; thence South 00 degrees 56 minutes 56 seconds West 67.34 feet; thence North 89 degrees 03 minutes 04 seconds West 107.33 feet; thence North 00 degrees 56 minutes 56 seconds East 24.67 feet; thence North 89 degrees 03 minutes 04 seconds West 12.00 feet; thence North 00 degrees 56 minutes 56 seconds East 18.00 feet; thence South 89 degrees 03 minutes 04 seconds East 12.00 feet; thence North 00 degrees 56 minutes 56 seconds East 24.67 feet; thence South 89 degrees 03 minutes 04 seconds East 28.00 feet; thence North 00 degrees 56 minutes 56 seconds East 29.00 feet; thence South 89 degrees 03 minutes 04 seconds East 43.00 feet; thence South 00 degrees 56 minutes 56 seconds West 29.00 feet; thence South 89 degrees 03 minutes 04 seconds East 36.33 feet to the point of beginning.

The above described tract contains 3.61 acres.

TOGETHER WITH AND SUBJECT TO, all rights and obligations set forth and described in the Cross-Easement and Maintenance Agreement recorded in the Office of the Recorder for Clay County, Minnesota on August 21, 1998 as Document 514762 as amended by the Amendment recorded in the Office of the Recorder for Clay County, Minnesota on November 28, 2011 as

AND FURTHER SUBJECT TO a 10.00 foot wide easement for storm sewer purposes, over, under and across part of said Lot 6 and part of said Lot 7. The centerline of said 10.00 foot wide storm sewer easement is described as follows:

Commencing at an iron monument at the aforementioned northeast corner of said Block 3, said point also being on the westerly right of way line of Minnesota Trunk Highway No. 75; thence South 43 degrees 57 minutes 59 seconds East along said westerly right of way line for a distance of 70.63 feet to an iron monument; thence South 00 degrees 56 minutes 56 seconds West continuing along said westerly right of way line for a distance of 398.51 feet to an iron monument; thence South 89 degrees 56 minutes 39 seconds West for a distance of 269.66 feet to the point of beginning of said centerline; thence North 13 degrees 34 minutes 00 seconds East for a distance of 60.00 feet and said centerline there terminates. The sidelines of said 10.00 foot wide storm sewer easement shall be prolonged or shortened to terminate on a line which bears North 89 degrees 56 minutes 39 seconds East and South 89 degrees 56 minutes 39 seconds West from the point of beginning of said centerline.

AND FURTHER SUBJECT TO easements, restrictions and reservations of record, if any.

TRACT B

That part of Lot 7, all of Lots 8 through 13, inclusive and that part of Lot 14, all in Block 3, BROOKDALE ADDITION, said plat is on file and of record in the office of the Recorder, and that part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 139 North, Range 48 West of the Fifth Principal Meridian in Clay County, Minnesota, described as follows:

Commencing at an iron monument which designates the northeast corner of said Block 3, from which the north line of said Block 3 bears North 88 degrees 45 minutes 16 seconds West on a record bearing, said point also being on the westerly right of way line of Minnesota Trunk Highway No. 75; thence South 43 degrees 57 minutes 59 seconds East along said westerly right of way line for a distance of 70.63 feet to an iron monument; thence South 00 degrees 56 minutes 56 seconds West continuing along said westerly right of way line for a distance of 398.51 feet to an iron monument, said point is the point of beginning; thence South 89 degrees 56 minutes 39 seconds West for a distance of 393.66 feet to an iron monument on the westerly line of said Block 3; thence South 00 degrees 00 minutes 00 seconds West along the westerly line of said Block 3 for a distance of 165.62 feet to an iron monument; thence southerly, continuing along the westerly line of said Block 3 on a non-tangential curve concave to the west, having a central angle of 35 degrees 38 minutes 44 seconds, and a radius of 569.32 feet, for an arc distance of 354.19 feet (chord bearing South 17 degrees 49 minutes 38 seconds West) to a found iron monument at the most northerly corner of that certain tract of land described in Document Number 552144, recorded on October 19, 2001 in the office of said Recorder; thence South 53 degrees 14 minutes 35 seconds East along the northeasterly line of said tract of land for a distance of 131.03 feet to a found iron monument at the most easterly corner of said tract of land, said point also being on the northerly right of way line of Interstate Highway No. 94; thence North 46 degrees 15 minutes 10 seconds East along said northerly right of way line for a distance of 240.42 feet to an iron monument; thence North 61 degrees 05 minutes 09 seconds East continuing along said northerly right of way line for a distance of 204.32 feet to a found iron monument; thence North 14 degrees 35 minutes 59 seconds East along said northerly right of way line and along the westerly right of way line of said Minnesota Trunk Highway No. 75 for a distance of 159.71 feet to an found iron monument; thence North 00 degrees 56 minutes 56 seconds East along said westerly right of way line for a distance of 156.62 feet to the point of beginning. The above described tract contains 4.00 acres.

TOGETHER WITH a 10.00 foot wide easement for storm sewer purposes, over, under and across part of Lot 6 and part of Lot 7 in said Block 3. The centerline of said 10.00 foot wide storm sewer easement is described as follows:

Commencing at an iron monument at the aforementioned northeast corner of said Block 3, said point also being on the westerly right of way line of Minnesota Trunk Highway No. 75; thence South 43 degrees 57 minutes 59 seconds East along said westerly right of way line for a distance of 70.63 feet to an iron monument; thence South 00 degrees 56 minutes 56 seconds West continuing along said westerly right of way line for a distance of 398.51 feet to an iron monument; thence South 89 degrees 56 minutes 39 seconds West for a distance of 269.66 feet to the point of beginning of said centerline; thence North 13 degrees 34 minutes 00 seconds East for a distance of 60.00 feet and said centerline there terminates. The sidelines of said 10.00 foot wide storm sewer easement shall be prolonged or shortened to terminate on a line which bears North 89 degrees 56 minutes 39 seconds East and South 89 degrees 56 minutes 39 seconds West from the point of beginning of said centerline.

TOGETHER WITH AND SUBJECT TO, all rights and obligations set forth and described in the Cross-Easement and Maintenance Agreement recorded in the Office of the Recorder for Clay County, Minnesota on August 21, 1998 as Document 514762 as amended by the Amendment recorded in the Office of the Recorder for Clay County, Minnesota on November 28, 2011 as Document 702342.

AND FURTHER SUBJECT TO easements, restrictions and reservations of record, if any.

WHEREAS, the City Council of the City of Moorhead finds the minor subdivision consistent with Title 11, Chapter 3 of Moorhead City Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the minor subdivision described above is hereby approved contingent upon the following conditions:

1. Applicant to receive all federal, state and local permits.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve Vacation of 54th Avenue NW and 5th Street NW Right of Way and All Utility Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision

RECOMMENDATION:

The Mayor and City Council are asked to consider a Vacation of 54th Avenue NW and 5th Street NW Right of Way and All Utility Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision.

BACKGROUND/KEY POINTS:

The request is to accommodate development of a residential property with a private driveway access from Broadway St NW.

54th Avenue NW never served as a public access and 5th Street NW served about 7 homes before flood buyouts and levee construction. These platted streets are no longer needed and will never be improved as most of the parcels in this area will remain as public open space.

The Moorhead Planning Commission considered the request at their February 5, 2024 meeting and unanimously recommended approval of the Vacations subject to conditions. No public comments were received for the application. The complete Planning Commission packet is available at:

<https://www.ci.moorhead.mn.us/government/boards-commissions/planning-commission>

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager
Robin Huston, City Planner / Zoning Administrator
Brittany Cameron, Assistant City Planner

Attachments: General Location Map
Draft Resolution
Exhibit A - Findings of Fact

RESOLUTION

Resolution to Approve Vacation of 54th Avenue NW and 5th Street NW Right of Way and All Utility Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision

WHEREAS, Next Age Ventures, LLC & Buffalo-Red River Watershed District have requested a Vacation of 54th Avenue NW and 5th Street NW Right of Way and All Utility Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision, described as follows:

54th Avenue NW

All of 54th Avenue NW lying between the West right-of-way line of Broadway Street N and the East right-of-way line of 5th Street NW, Riverside Acres 2nd Subdivision; and

5th Street NW

All of 5th Street NW cul-de-sac lying south of the Wall Street N South right-of-way line, Riverside Acres Subdivision; and

Utility Easements

All utility easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision except levee easements; and

WHEREAS, a public hearing to consider the vacation request was held on February 5, 2024 before the Moorhead Planning Commission following public notice as required by law and all interested and affected persons were given an opportunity to voice their concerns; and

WHEREAS, following the public hearing, the Moorhead Planning Commission unanimously recommended approval of the vacations described herein; and

WHEREAS, the right of way and easement vacations have been found consistent with the following considerations:

- A. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official City Comprehensive Plan and with the purpose of the zoning district in which the applicant intends to locate the proposed use.
 - The proposed vacations are consistent with the 2022 Comprehensive Plan and Zoning Code.
- B. The proposed vacation request is compatible with the present and future uses of the area.
 - The proposed vacation will not be detrimental to traffic, circulation, access, emergency services, or utilities facilities.
- C. The proposed action will benefit the public interest.
 - The proposed vacations will accommodate the development of a residential property.
- D. The proposed action has been considered in relation to City Charter, City Code and MN State Statutes and Rules and has been found consistent with said regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the City Council herein adopts the Findings of Fact approved by the Moorhead Planning Commission in the attached Exhibit A and approved the right of way and easement

vacations within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision, described as follows:

54th Avenue NW

All of 54th Avenue NW lying between the West right-of-way line of Broadway St N and the East right-of-way line of 5th St NW, Riverside Acres 2nd Subdivision; and

5th Street NW

All of 5th St NW cul-de-sac lying south of the Wall St N South right-of-way line, Riverside Acres Subdivision; and

Utility Easements

All utility easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision except levee easements; and

contingent upon the following conditions:

1. Owner/Applicant is responsible for rerouting of existing utilities/reestablishing easements or must provide additional easements, if needed.
2. Owner/Applicant to receive all required federal, state and local permits.

BE IT FURTHER RESOLVED, by the City of Moorhead, Minnesota that said vacation of 54th Avenue NW is hereby approved contingent upon an access and levee easement being retained over the vacated area herein described.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

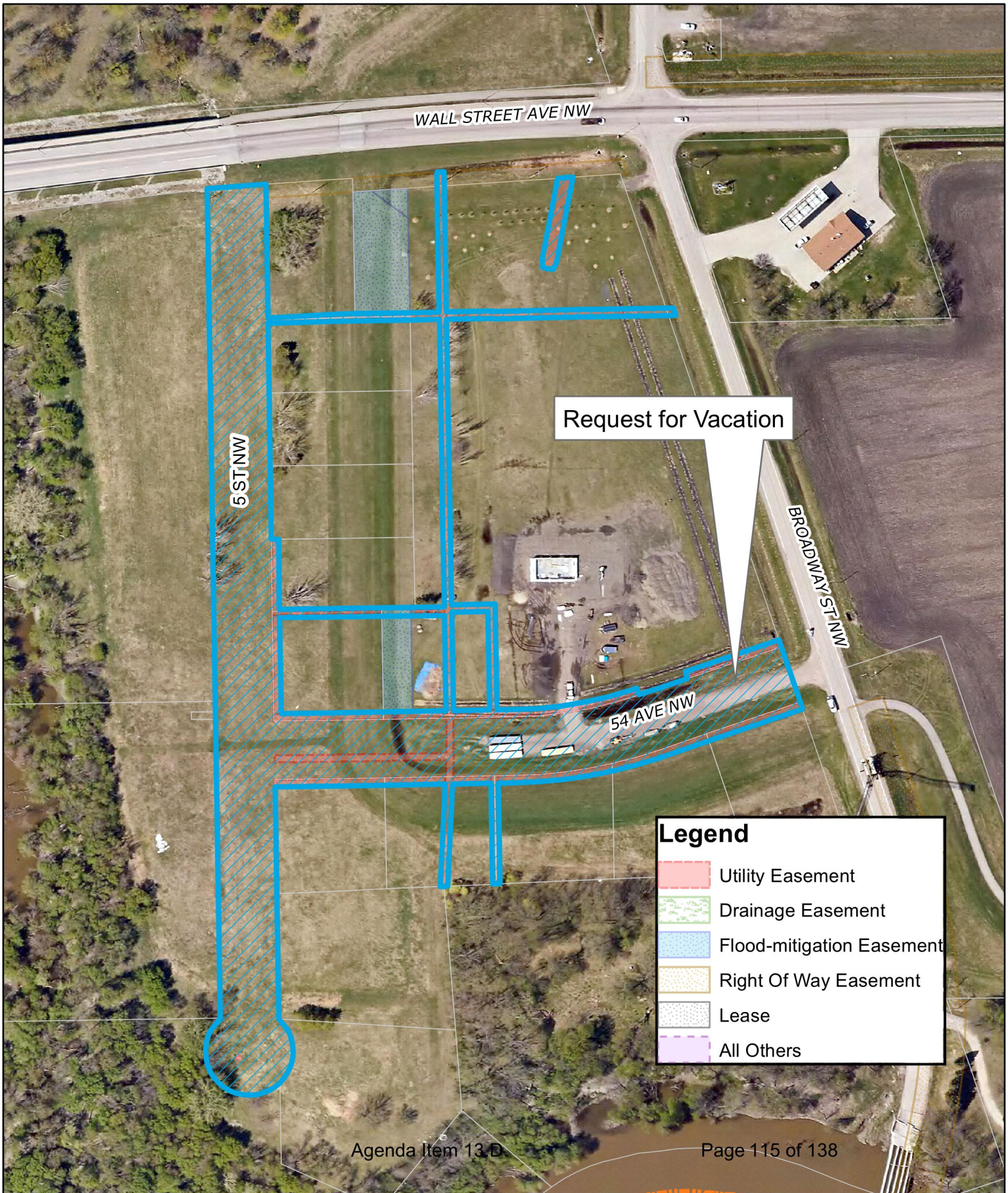
ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



General Location Map Riverside Acres and Riverside Acres 2nd Subdivisions Right of Way and Utility Easements



**Right of Way and Easement Vacation
Moorhead Planning Commission
Findings of Fact**

REQUEST: Vacation of 54th Avenue NW and 5th Street NW Right of Way and Related Utility Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision

LOCATION: Riverside Acres Subdivision and Riverside Acres 2nd Subdivision

APPLICANT/OWNER: Next Age Ventures, LLC & Buffalo-Red River Watershed District

FILE NO: 24P002

WHEREAS, the Moorhead Planning Commission received a full and complete application for Vacation of Right of Way and Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision, described as:

All of 54th Avenue NW lying between the West right-of-way line of Broadway St N and the East right-of-way line of 5th St NW, Riverside Acres 2nd Subdivision; and

All of 5th St NW cul-de-sac lying south of the Wall St N South right-of-way line, Riverside Acres Subdivision; and

All easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision except levee easements; and

WHEREAS, the vacation is to accommodate the development of a residential property; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the aforementioned request on February 5, 2024; and

WHEREAS, upon considering the application, staff report and analysis, public testimony and comment, and all other pertinent and available information, the Moorhead Planning Commission finds the following:

Findings of Fact

- A full and complete application was filed by Next Age Ventures, LLC & Buffalo-Red River Watershed District, received on December 12, 2023 (herein referred to as "Application") seeking a Vacation of Right of Way and Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision, legally described as:
 - All of 54th Avenue NW lying between the West right-of-way line of Broadway St N and the East right-of-way line of 5th St NW, Riverside Acres 2nd Subdivision; and
 - All of 5th St NW cul-de-sac lying south of the Wall St N South right-of-way line, Riverside Acres Subdivision; and
 - All easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision except levee easements; and
- The request is to accommodate the development of a residential property.
- A public hearing was held by the Planning Commission on February 5, 2024 on the application allowing all interested persons an opportunity to speak, full and complete record of which is detailed in the minutes of the Moorhead Planning Commission.
- The request has been found consistent with the following considerations:

- A. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official City Comprehensive Plan and with the purpose of the zoning district in which the applicant intends to locate the proposed use.
 - The proposed vacations are consistent with the 2022 Comprehensive Plan and Zoning Code.
- B. The proposed vacation request is compatible with the present and future uses of the area.
 - The proposed vacations will not be detrimental to traffic, circulation, access, emergency services, or utilities facilities.
- C. The proposed action will benefit the public interest.
 - The proposed vacations will accommodate the development of a residential property.
- D. The proposed action has been considered in relation to City Charter, City Code and MN State Statutes and Rules and has been found consistent with said regulations.

NOW, THEREFORE, BE IT RESOLVED by the Moorhead Planning Commission that based upon the above Findings of Fact, the request of Next Age Ventures, LLC & Buffalo-Red River Watershed District for Vacation of Right of Way and Easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision, legally described as:

All of 54th Avenue NW lying between the West right-of-way line of Broadway St N and the East right-of-way line of 5th St NW, Riverside Acres 2nd Subdivision; and

All of 5th St NW cul-de-sac lying south of the Wall St N South right-of-way line, Riverside Acres Subdivision; and

All easements within Riverside Acres Subdivision and Riverside Acres 2nd Subdivision except levee easements

is hereby approved contingent upon:

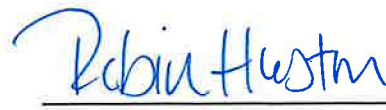
1. Owner/Applicant is responsible for rerouting of existing utilities/reestablishing easements or must provide additional easements, if needed.
2. Owner/Applicant to receive all required federal, state and local permits.

BE IT FURTHER RESOLVED, said the 54th Ave NW vacation is hereby approved contingent upon an access and levee easement being retained over the vacated area herein described.

PASSED by the Moorhead Planning Commission this 5th day of February, 2024.



Nicole Mattson, Chair
Moorhead Planning Commission



Attest: Robin Huston,
City Planner/Zoning Administrator



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve a Conditional Use Permit for a Religious Institution in MU-1: Downtown Mixed Use at 106 5th Street S

RECOMMENDATION:

The Mayor and City Council are asked to consider a Conditional Use Permit for a Religious Institution in MU-1: Downtown Mixed Use at 106 5th Street S.

BACKGROUND/KEY POINTS:

The request is intended to re-use the former Taste of Europe grocery store space for religious worship for about 40 congregants in downtown Moorhead, where there is no minimum parking requirement.

The Moorhead Planning Commission considered the request at their February 5, 2024 meeting and unanimously recommended approval of the Conditional Use Permit with conditions. No public comments were received for the application. The complete Planning Commission packet is available at:

<https://www.ci.moorhead.mn.us/government/boards-commissions/planning-commission>

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager
Robin Huston, City Planner / Zoning Administrator
Brittany Cameron, Assistant City Planner

Attachments: General Location Map
Draft Resolution
Exhibit A - Findings of Fact

RESOLUTION

Resolution to Approve Conditional Use Permit for a Religious Institution in MU-1: Downtown Mixed Use at 106 5th Street S

WHEREAS, D. Fredery Maita Melendez has requested a Conditional Use Permit for a religious institution in MU-1: Downtown Mixed Use at 106 5th Street S (Parcel 58.575.1020), legally described as:

S 1/2 OF LOTS 7 TO 12 & N 1.5' OF W 113.5' OF 13 45 LESS S 12' OF LOT 7 & OF E 11.5' OF 8, ORIGINAL TOWNSITE MOORHEAD; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the request on February 5, 2024 and approved Findings of Fact (Exhibit A) and voted unanimously to recommend approval of the Conditional Use Permit contingent upon the conditions noted below; and

WHEREAS, the City Council finds the requested Conditional Use Permit consistent with the 2022 Comprehensive Plan and Moorhead City Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Conditional Use Permit for a religious institution in MU-1: Downtown Mixed Use at 106 5th Street S (Parcel 58.575.1020) is hereby approved contingent upon the following conditions, which were developed based on the criteria within the Moorhead City Code for Conditional Uses and address general welfare, health, and safety of the area:

1. Maximum occupancy is 50 persons for regular services and special events.
2. Change of occupancy from retail to assembly must meet all Minnesota Building & Fire Codes.
3. Applicant to receive all federal, state and local permits.

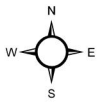
PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



General Location Map
106 5th St S
58.575.1020



MAIN AVE

Request for
Conditional Use Permit

5 ST S

106

108

110

2 AVE S

**Conditional Use Permit
Moorhead Planning Commission
Findings of Fact**

REQUEST: Conditional Use Permit – Religious Institution in MU-1: Downtown Mixed Use
LOCATION: 106 5th Street South – Parcel 58.575.1020
APPLICANT: D. Fredery Maita Melendez
OWNER: M & F Holdings, LLC
FILE NO: 24P002

WHEREAS, the Moorhead Planning Commission received a full and complete application for a Conditional Use Permit for a Religious Institution in MU-1: Downtown Mixed Use; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the aforementioned request on February 5, 2024; and

WHEREAS, upon considering the Conditional Use Permit application, staff report and analysis, public testimony and comment, and all other pertinent and available information, the Moorhead Planning Commission finds the following:

Findings of Fact

1. A full and complete application was filed by D. Fredery Maita Melendez and received on January 16, 2024 (herein referred to as "Application") seeking a Conditional Use Permit for a Religious Institution in MU-1: Downtown Mixed Use at 106 5th St S, Parcel 58.575.1020, legally described as:

S 1/2 OF LOTS 7 TO 12 & N 1.5' OF W 113.5' OF 13 45 LESS S 12' OF LOT 7 & OF E 11.5' OF 8,
ORIGINAL TOWNSITE MOORHEAD

2. The property is zoned MU-1: Downtown Mixed Use, which permits religious institutions as a conditional use.
3. A public hearing was held by the Planning Commission on February 5, 2024 on the Application allowing all interested persons an opportunity to speak, full and complete record of which is detailed in the minutes of the Moorhead Planning Commission.
4. The request is consistent with the general intent of the MU-1: Downtown Mixed Use zoning district.
5. The request has been found consistent with the following considerations regarding the possible adverse effects of the requested Conditional Use Permits (Section 10-4-3E):
 - a. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official City Comprehensive Plan and with the purposes of the zoning district in which the applicant intends to locate the proposed use.
 - Religious institutions are conditional uses in all zoning districts except where they are not permitted in HI: Heavy Industrial and the property is guided towards Mixed Use in the 2022 Comprehensive Land Use Plan.
 - b. The proposed use is or will be compatible with the present and future uses of the area;
 - The proposed use is compatible with the present and future uses of the area as the building has served a mix of uses since construction in the 1920s. There are other religious institutions in the area. (Sanatan Dharma Devasthan Foundation – Hindu Temple, Trinity Lutheran Church, St. John the Divine Episcopal Church and St. Joseph Catholic Church).
 - c. The proposed use conforms with all performance standards contained herein (i.e. parking, loading,

noise, etc.).

- During plan review, all performance standards will be reviewed to meet Moorhead City Codes and Minnesota Building Code.
- d. The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
- The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
- e. Traffic generated by the proposed use is within the capabilities of streets serving the property.
- The proposed use will be accommodated by the existing capabilities of the streets serving the property.
- f. The proposed use can be accommodated by public services and facilities including parks, schools, streets and utilities, and will not overburden the City's service capacity.
- The proposed use can be accommodated by the existing public services and facilities that currently serve the property.
5. NOW, THEREFORE, BE IT RESOLVED by the Moorhead Planning Commission that based upon the above Findings of Fact, the request of D. Fredery Maita Melendez and received on January 16, 2024 (herein referred to as "Application") seeking a Conditional Use Permit for a Religious Institution in MU-1: Downtown Mixed Use at 106 5th St S, Parcel 58.575.1020, legally described as:

S 1/2 OF LOTS 7 TO 12 & N 1.5' OF W 113.5' OF 13 45 LESS S 12' OF LOT 7 & OF E 11.5' OF 8,
ORIGINAL TOWNSITE MOORHEAD

is hereby approved contingent upon:

1. Maximum occupancy is 50 persons for regular services and special events.
2. Change of occupancy from retail to assembly must meet all Minnesota Building & Fire Codes
3. Applicant to receive all federal, state and local permits.

PASSED by the Moorhead Planning Commission this 5th day of February, 2024.


Nicole Mattson, Chair
Moorhead Planning Commission


Attest: Robin Huston,
City Planner/Zoning Administrator



City Council Communication

February 12, 2024

SUBJECT:

Award Bids for 2024 Water Treatment and Wastewater Treatment Chemicals

RECOMMENDATION:

The Moorhead Public Service Commission respectfully requests the Mayor and City Council award bids for 2024 Water Treatment and Wastewater Treatment Chemicals to the lowest, qualified bidders meeting the specifications, as shown on the attached Bid Tabulation Sheet.

BACKGROUND/KEY POINTS:

On an annual basis, Moorhead Public Service (MPS) requests bids for water treatment and wastewater treatment chemicals. MPS collaborates with the City's Wastewater Treatment Facility to purchase chemicals for the treatment of wastewater. For the purpose of drinking water treatment, MPS utilizes a significant amount of chemicals on an annual basis.

To ensure adequate chemicals are available to MPS for the period of April 1, 2024, to March 31, 2025, on December 19, 2023, the Commission authorized MPS staff to advertise for treatment chemicals for both facilities with a bid opening date of January 17, 2024. Based on the bids MPS received, it was determined that the water treatment chemical per-unit costs are expected to decrease by approximately 1.25 percent for the 2024 contracts. If the recommended bids are awarded, and chemical use remains consistent to previous years, MPS' chemical costs are projected to decrease by approximately \$21,428 between April 1, 2024, and March 31, 2025.

As part of the bid process, MPS staff requested bids for both dry and liquid ferric sulfate, as pricing conditions for Bid Item #3, dry ferric sulfate continues to be uncertain, MPS staff recommends the award of Bid Item #15, liquid ferric sulfate. MPS has historically used calcium thiosulfate in its treatment process for sequestering excess ozone within the treatment process. As part of the hydrogen peroxide feed additions to MPS' Water Treatment Plant (WTP), approved by the Commission in 2023, staff intends to use Bid Item #16, hydrogen peroxide, in replacement of Bid Item #13, calcium thiosulfate, as an ozone sequestering agent. Staff recommends awarding Bid Item #16 in lieu of Bid Item #13. A new chemical supplier for anionic polyacrylamide is recommended for award, contingent upon successful product testing at MPS' WTP prior to the contract start date of April 1, 2024. In total, 9 of the 14 chemicals used for water treatment had pricing equal to, or higher than, 2023 pricing. The chemicals used in the softening of raw water—lime, soda ash, and liquid ferric sulfate—accounted for approximately 84 percent, or \$1,430,000, of the total estimated costs for the new contract year.

The 12-month contract cost for water treatment chemicals, based on 2023 usage, is estimated at \$1,694,421. Chemical bid contracts are in effect from April 1, 2024, to March 31, 2025. The 2024 chemical bids will impact the last three quarters of the 2024 budget year. The 2024 budget for water treatment chemicals is \$1,500,750. The estimated budget for water treatment chemicals for the last three quarters of 2024 is \$1,125,563. The first quarter of 2025 will be reflected in the 2025 budget based on the 2024 water treatment chemical contracts awarded.



City Council Communication

February 12, 2024

Based on 2023 calendar year market trends, MPS staff anticipated a 5 to 10 percent increase in costs year over year for 2024 contract pricing. However, based on the bids MPS received, it appears that supply chain markets are beginning to stabilize—as reflected in an overall decrease in anticipated costs of approximately 1.25 percent based on per-unit chemical costs at the WTP. To account for any chemical use increases that may affect total costs, MPS staff recommends relying upon cash reserves to cover any potential budget variance. If needed, replenishment of cash reserves will be built into MPS' overall budget and water rates determination process for 2025.

FINANCIAL CONSIDERATIONS:

Both the City and MPS order chemicals (through a contract) for their respective treatment processes and are invoiced separately—as the chemicals are ordered on an as-needed basis. The City's 2024 budget for wastewater treatment chemicals is \$480,185. MPS' estimated 12-month cost for water treatment chemicals, based upon 2023 usage, is \$1,694,421.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Travis Schmidt, General Manager
Marc Pritchard, Water Plant Manager

Attachments: Bid Tabulation Sheet

Bid Tabulation Sheet

2024 Water Treatment and Wastewater Treatment Chemicals

Bid Opening: January 17, 2024, at 2:00 PM

Bidder	Check	Bid Bond	Bid Item #1:	Bid Item #2:	Bid Item #3:	Bid Item #4:	Bid Item #5:	Bid Item #6:
			Lime Price/Ton Qty. 2,000	Soda Ash Price/Ton Qty. 1,000	Dry Ferric Sulf. Price/Ton Qty. 250	Sodium Hexa. Price/Ton Qty. 4	Liquid Chlorine Price/Ton Qty. 36	Liquid CO ₂ Price/Ton Qty. 200
American Welding & Gas, Inc.	X		--	--	--	--	--	\$250.00
Carus LLC		X	--	--	--	\$4,520.00	--	--
Dubois Chemicals, Inc.		X	--	\$518.00 via Salt Lake \$540.00 via Crookston	--	--	--	--
Graymont (WI) LLC		X	\$326.70	--	--	--	--	--
Harcros Chemicals, Inc.		X	--	--	--	\$5,377.00	--	--
Hawkins, Inc.		X	--	--	--	--	\$2,609.00	--
Polydyne, Inc.		X	--	--	--	--	--	--
PVS Technologies, Inc.		X	--	--	--	--	--	--
Shannon Chemical Corporation		X	--	--	--	\$3,827.77	--	--
Thatcher Company, Inc.		X	--	\$509.00	--	--	--	--

Bid Tabulation Sheet

2024 Water Treatment and Wastewater Treatment Chemicals

Bid Opening: January 17, 2024, at 2:00 PM

Bidder	Check	Bid Bond	<u>Bid Item #7:</u>	<u>Bid Item #8:</u>	<u>Bid Item #9:</u>	<u>Bid Item #10:</u>	<u>Bid Item #11:</u>	<u>Bid Item #12:</u>
			Sodium Hypo. Price/Gallon Qty. 300	Sulfur Dioxide Price/Ton Qty. 4	Liquid Oxygen Price/Gallon ¹ Qty. 35,000	Fluoro. Acid Price/Gallon Qty. 5,000	Ammonia Price/Gallon Qty. 5,500	Anionic Poly. Price/Pound Qty. 4,000
American Welding & Gas, Inc.	X		--	--	\$1.151/gal \$1.00/ccf	--	--	--
Carus LLC		X	--	--	--	--	--	--
Dubois Chemicals, Inc.		X	--	--	--	--	--	--
Graymont (WI) LLC		X	--	--	--	--	--	--
Harcros Chemicals, Inc.		X	--	--	--	--	--	\$3.13
Hawkins, Inc.		X	\$4.41	\$1,690.00	--	\$6.26	\$5.22	--
Polydyne, Inc.		X	--	--		--	--	\$1.75 ²
PVS Technologies, Inc.		X	--	--	--	--	--	--
Shannon Chemical Corporation		X	--	--	--	--	--	
Thatcher Company, Inc.		X	--	--	--	--	--	--

¹One (1) gallon is equivalent to 115.1 standard cubic feet.

²Bid Item #12 is contingent upon successful trials in MPS' Water Treatment Plant prior to start date of contract.

Bid Tabulation Sheet

2024 Water Treatment and Wastewater Treatment Chemicals

Bid Opening: January 17, 2024, at 2:00 PM

Bidder	Check	Bid Bond	<u>Bid Item #13:</u>	<u>Bid Item #14:</u>	<u>Bid Item #15:</u>	<u>Bid Item #16:</u>
			Calcium Thio. Price/Gallon Qty. 250	Ferrous Chloride Price/Pound Qty. 250,000	Ferric Sulfate Price/Gallon Qty. 60,000	Hydrogen Peroxide Price/Gallon Qty. 2,000
American Welding & Gas, Inc.	X		--	--	--	
Carus LLC		X	--	--	--	
Dubois Chemicals, Inc.		X	--	--	--	
Graymont (WI) LLC		X	--	--	--	
Harcros Chemicals, Inc.		X	\$11.00 ³	--	\$5.44	
Hawkins, Inc.		X	\$11.53	--	\$4.435	\$5.48
Polydyne, Inc.		X	--	--	--	
PVS Technologies, Inc.		X	--	\$1.67	--	
Shannon Chemical Corporation		X	--	--	--	
Thatcher Company, Inc.		X	--	--	--	

³Recommendation to not award Bid Item #13, Calcium Thiosulfate, in favor of Bid Item 16, Hydrogen Peroxide.

RESOLUTION

Resolution to Award Bids for 2024 Water Treatment and Wastewater Treatment Chemicals

WHEREAS, on January 17, 2024, bids were opened for 2024 Water Treatment and Wastewater Treatment Chemicals; and,

WHEREAS, Moorhead Public Service staff has evaluated the bids and submitted a Bid Tabulation Sheet with its recommendations,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead to award the bids for 2024 Water Treatment and Wastewater Treatment Chemicals to the lowest, qualified bidders meeting the specifications, as shown on the attached Bid Tabulation Sheet, as awarded by the Moorhead Public Service Commission on February 6, 2024. MPS' estimated 12-month cost for water treatment chemicals, based upon 2023 usage, is \$1,694,421.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council does hereby authorize and direct the Mayor and City Manager to execute the contracts for 2024 Water Treatment and Wastewater Treatment Chemicals.

PASSED: February 12, 2024, by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve Budget Adjustment #24-006 and Accept MN Natural Resources Shade Tree Program Bonding Grant

RECOMMENDATION:

The Mayor and City Council are asked to approve the acceptance of MN Natural Resources Shade Tree Program Bonding Grant.

BACKGROUND/KEY POINTS:

The City of Moorhead has been selected for the MN Natural Resources Shade Tree program and grant funding. The Shade Tree Program Bonding Grant aims to replace trees lost to forest pests and establish a more diverse urban forest.

This project will provide \$375,000 of grant funding for the planting of 1,575 trees within the City of Moorhead. The multi-year project will take place between fall 2024 and fall 2027. Tree plantings will be performed by both the Forestry Division staff and tree contractors.

The newly planted trees will establish a more diverse urban forest and support the current Emerald Ash Borer (EAB) Management Plan.

FINANCIAL CONSIDERATIONS:

The grant does not require matching funds from the City of Moorhead.

Budget Adjustment #24-006 is included within the resolution to accommodate 2024 grant funding. Grant funds for future years will be included in the future approved annual budgets.

Budget Adjustment #24-006

Fund Name	Account Description	Expenditure	Funding Source
Forestry	Grants and Aids		\$71,250.00
Forestry	Trees	\$11,250.00	
Forestry	Improvement Other than Buildings	\$60,000.00	
	Total	\$71,250.00	\$71,250.00

Voting Requirements: 3/4 of Council (6)



City Council Communication

February 12, 2024

Submitted By:

Dan Mahli, City Manager

Paul Fiechtner, Public Works Director

Nichole Parr, Administrative Assistant

Attachments:

RESOLUTION

Resolution to Approve Budget Adjustment #24-006 and Accept MN Natural Resources Shade Tree Program Bonding Grant

WHEREAS, the Forestry Division of Public Works applied for the MN Natural Resources Shade Tree Grant to support planting a more diverse urban forest in line with the Emerald Ash Borer (EAB) Management Plan

WHEREAS, the City of Moorhead was selected by the Minnesota Department of Natural Resources to receive the Shade Tree Program Bonding Grant.

WHEREAS, the Grant funding will provide \$375,000 for work performed between fall 2024 and fall 2027.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the Mayor and City Manager along with staff from Forestry are herein authorized to accept the 2024 MN Natural Resources Shade Tree Program Bonding Grant.

BE IT FURTHER RESOLVED that budget adjustment #24-006 is approved to allocate these funds to the correct revenue and expenditure accounts for 2024.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

RESOLUTION

Resolution to Approve the Consumption of Beer on the Premises of the Moorhead Youth Hockey Arena on March 29 & 30, 2024

WHEREAS, the Moorhead Youth Hockey Association has submitted a request to the City of Moorhead to allow the consumption of beer on the premises of the Moorhead Youth Hockey Arena (707 Main Avenue SE) during an event held from Friday, March 29, 2024 at 5:00 pm until March 30, 2024 at 10:00 pm; and

WHEREAS, the Moorhead Police Department must be notified of the approximate time consumption will start and allow admittance into the arena of a police officer during the event so the conditions of this permission may be monitored; and

WHEREAS, the Moorhead Police Department may revoke the permission on behalf of the City if any condition the permission is being violated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota does hereby approve the consumption of beer to the Moorhead Youth Hockey Association, contingent upon the following:

- Proof that Moorhead Youth Hockey Association has insurance.
- The insurance should name the City of Moorhead as an additionally insured.
- Moorhead Youth Hockey Association would specifically agree to defend and indemnify the City of Moorhead against any and all claims arising out of or associated with the consumption of alcohol on the premises.
- Only beer would be allowed to be consumed.
- No sale of beer.
- No kegs of beer.
- No one under 21 would be in the arena during the period of consumption.
- No consumption of beer until all skating is completed, no skating after consumption starts.
- Consumption should be modest in amount.
- Open containers must remain within the building, with no open container allowed outside the building.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Authorize Budget Adjustment 24-005 for Purchase of Replacement Paratransit Bus

RECOMMENDATION:

The Mayor and City Council are asked to consider approving Budget Adjustment 24-005 for \$60,000 in additional funds needed to purchase a replacement Paratransit Bus previously included in the 2023 Mass Transit Budget.

BACKGROUND/KEY POINTS:

The replacement of Paratransit Unit #7181 was included in the 2023 Mass Transit Budget as the 2018 vehicle had exceeded its useful life of 150,000 miles or five years. A price was requested from North Central Bus & Equipment through the State of Minnesota procurement for Elkhart Coach, model ECII, with a Ford Chassis. However, the price quote of \$190,678 far exceeded the \$96,000 budgeted. An alternative vehicle type was identified and quotes were requested on the open market from two vendors for a Sunset Van Ram Minibus. The price quotes still exceeded the budget by approximately \$60,000, including decals and set-up costs. The minibus is currently in stock, but if not purchased soon, the vendor indicates a new minibus could take up to a year to receive and would cost more.

FINANCIAL CONSIDERATIONS:

Federal grant funds appropriated to Moorhead are available to supplement this bus purchase. A grant amendment will be requested to the 2024 FTA Section 5307 capital grant application. The Transportation Improvement Plan will also be amended to include this supplemental cost. Under FTA pre-award authority, the City can order this vehicle, drawdown the existing grant funds and reimburse the remaining grant funds when the amendment is approved.

Fund Name	Acct. Description	Expenditure	Funding Source
Mass Transit	FTA Capital Grant		\$51,000.00
Mass Transit	From Reserves		\$9,000.00
Mass Transit	Buses	\$60,000.00	
	Total	\$60,000.00	\$60,000.00



City Council Communication

February 12, 2024

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Lori Van Beek, Transit Manager

Attachments:

RESOLUTION

Resolution to Authorize Budget Adjustment 24-005 for Purchase of Replacement Paratransit Bus

WHEREAS, a replacement for Paratransit bus unit #7181 was included in the 2023 Mass Transit Budget; and

WHEREAS, price quotes received for the replacement bus exceeded the budget by approximately \$60,000; and

WHEREAS, Federal Transit Administration 5307 grant funds appropriated to the City of Moorhead are available to supplement the bus purchase at 85% federal share and Capital Improvement Funds allocated to Mass Transit are available to meet the 15% local share;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that they do hereby approve Budget Adjustment 24-005 for up to \$60,000 to supplement the purchase of a replacement Paratransit Bus.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk



City Council Communication

February 12, 2024

SUBJECT:

Resolution to Approve the Public Transportation Agency Safety Plan 2023 Update and Authorize Submission to the Federal Transit Administration

RECOMMENDATION:

The Mayor and City Council are asked to consider approval of the 2023 Public Transportation Agency Safety Plan Update for the Cities of Fargo, ND, and Moorhead, MN (Safety Plan) and authorize the City Manager as the Accountable Executive to sign and the Transit Manager as Chief Safety Officer to submit the plan to the Federal Transit Administration (FTA).

BACKGROUND/KEY POINTS:

The Public Transportation Agency Safety Plan was originally approved by the City Council on December 14, 2020. The plan requires an annual update to be approved by the City Council. The Safety Committee reviewed and approved the plan on August 30, 2023, at their bi-monthly committee meeting. The MAT Coordinating Board reviewed and recommended Council approval at their meeting of October 23, 2023.

The plan changes include updated safety performance targets or goals based on a five-year rolling average of reportable safety events. Refer to [2023 Safety Plan](#) for the full document. Changes to Moorhead Transit's Safety Targets for 2023 compared to 2022 are listed below.

Safety Plan implementation is assigned to the Moorhead Transit Manager and Fargo Fleet and Facilities Manager. First Transit (aka Transdev), as the operator of public transit for MATBUS, has a separate but coordinated Safety Plan referenced as an exhibit. An update to First Transit's plan to incorporate Transdev as the parent organization is underway, but not yet complete at this time. The Transdev Safety Plan will be incorporated into the MATBUS Plan when received.

SAFETY TARGETS - COMPARISON BY YEAR

MATBUS Fixed Routes - Moorhead	<u>2023</u>	<u>2022</u>
Total Injuries	0.60	0.40
Injuries per 100,000 VRM	0.13	0.08
Total Fatalities	0.00	0.00
Fatalities per 100,000 VRM	0.00	0.00
Total Safety Events	1.40	1.20
Safety Events per 100,000 VRM	0.29	0.25
Mean distance between major mechanical failures	9,000	9,000



City Council Communication

February 12, 2024

MAT Paratransit	<u>2023</u>	<u>2022</u>
Total Injuries	0.00	0.00
Injuries per 100,000 VRM	0.00	0.00
Total Fatalities	0.00	0.00
Fatalities per 100,000 VRM	0.00	0.00
Total Safety Events	0.17	0.20
Safety Events per 100,000 VRM	0.06	0.06

Mean distance between major mechanical failures	12,000	12,000
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Metro Senior Ride	<u>2023</u>	<u>2022</u>
Total Injuries	0	0
Injuries per 100,000 VRM	0	0
Total Fatalities	0	0
Fatalities per 100,000 VRM	0	0
Total Safety Events	0	0
Safety Events per 100,000 VRM	0	0

Mean distance between major mechanical failures	12,000	12,000
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Preventive maintenance completed within 10% of scheduled mileage	90%	90%
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VRM = Vehicle Revenue Miles (Vehicles In Service)

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager
 Lisa Bode, Governmental Affairs Director
 Lori Van Beek, Transit Manager

Attachments: None

RESOLUTION

Resolution to Approve the Public Transportation Agency Safety Plan 2023 Update and Authorize Submission to the Federal Transit Administration

WHEREAS, the Federal Transit Administration instituted the Public Transportation Agency Safety Plan (Safety Plan) regulation, requiring recipients of Urbanized Area Formula Program grant funds to establish and certify a safety plan no later than December 31, 2020, and to update said plan in July annually thereafter; and

WHEREAS, the Cities of Moorhead and Fargo developed a joint MATBUS Safety Plan in accordance with the regulation, which plan was approved by the Moorhead City Council on December 14, 2020; and

WHEREAS, the Safety Plan uses performance metrics of injuries, fatalities, safety events, system reliability and safety culture to measure the effectiveness and performance of the plan, and includes non-punitive safety reporting with staff involvement at all levels to ensure the establishment of a safety culture within the MATBUS system; and

WHEREAS, the MATBUS Safety Committee reviewed and recommended approval of the Updated 2023 Safety Plan at their meeting of August 30, 2023, and the MAT Coordinating Board reviewed and recommended approval at their meeting of October 23, 2023;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that they hereby approve the updated 2023 Safety Plan and authorize the City Manager, as the City's Accountable Executive, to execute and the Transit Manager, as Chief Safety Officer, to submit the plan to the Federal Transit Administration on behalf of the City of Moorhead.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that they hereby authorize the Transit Manager to incorporate the updated Safety Plan from First Transit (also known as Transdev) when received.

PASSED: February 12, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk