



**CITY COUNCIL  
MEETING AGENDA  
JULY 10, 2023 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: FM Trailbuilders
  - B. Presentation: 2022 Annual Comprehensive Financial Report and Audit, Eide Bailly LLP
  - C. Community Center/Regional Library Update - Rob Remark
6. Approve Minutes
  - A. June 26, 2023 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 for Appointment to Boards and Commissions
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.*

  - A. Public Hearing Regarding the Request of Kevin Bartram on behalf of Center Avenue LLC for a Renaissance Zone Property Tax Exemption for a Project located at 824 Center Ave (58.575.0730)

- B. Resolution to Approve a Property Tax Exemption for Center Avenue LLC for the Redevelopment of a Commercial Building located at 824 Center Ave (58.575.0730)
  - C. Public Hearing Regarding the Request of Joshua Abrahamson on behalf of Abrahamson Holdings LLC for a Property Tax Exemption for a Project located at 4117 32 Ave S (58.417.0070)
  - D. Resolution to Approve a Property Tax Exemption for Abrahamson Holdings LLC for the expansion of their commercial building located at 4117 32 Ave S (58.417.0070)
  - E. Public Hearing Regarding the Request of Blake Sunde on behalf of Agassiz Builders LLC for a Property Tax Exemption for a Project located at 1301 & 1401 Main Ave SE (58.799.0100; 58.801.0010)
  - F. Resolution to Approve a Property Tax Exemption for Agassiz Builders LLC for Construction of several Multi-Tenant Commercial Buildings located at 1301 & 1401 Main Ave SE (58.799.0100; 58.801.0010)
10. Community Development Department
- A. \*Resolution to Approve Corrected Plat for Johnson Farms Seventh Addition
  - B. \*Resolution to Approve Minor Subdivision – 3300 Hwy 10 E – Parcel 58.207.0024
11. Administration
- A. \*Resolution to Approve New Liquor License to Twenty Below Coffee Co. Moorhead, LLC DBA Twenty Below Coffee
  - B. \*Resolution to Accept Quarterly Donations
  - C. City Manager Evaluation Summary
  - D. Ward 4 Vacancy
12. Mayor and Council Reports
13. City Manager Reports
14. Executive Session
15. New Business
16. Adjourn





## City Council Communication

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July 10, 2023

**SUBJECT:**

MoorHeart Recognition: FM Trailbuilders

**RECOMMENDATION:**

The Mayor and City Council are asked to recognize and honor the FM Trailbuilders 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 by their actions and service. A team of volunteers from City boards and commissions selects award recipients who are recognized at City Council meetings. For the July 2023 award, the MoorHeart selection committee chose the FM Trailbuilders for their commitment to continuously improving the off-road trails around the Fargo-Moorhead area.

The Trailbuilders is a group of cyclists led by Laurens Robinson that seeks to maintain and improve trails commonly used by area cyclists. The group puts in extra effort to ensure that trails are accessible to all who wish to use them. Their work benefits all outdoor adventures in our community, and the Trailbuilders are greatly appreciated.

City of Moorhead Parks and Recreation Director Holly Heitkamp wrote in the nomination: "In 2010 a group of off-road cyclists got together and decided it was time for a cohesive and enjoyable off-road trail in the Fargo Moorhead area. Hard work, weed whacking, log removal and lots of bug spray all led to a 2.5-mile single-track trail at MB Johnson Park in Moorhead. The response to this effort has been overwhelmingly positive and has spurred numerous conversations to continue efforts to establish and promote the use of off-road recreational trails for biking, hiking, and just getting outdoors. Over 50 volunteers regularly work to maintain the three major Fargo-Moorhead area trail systems. All efforts are 100% volunteer and donations go directly back into trail development and maintenance. In total, these three systems currently have approximately 17 miles of off-road trails. In addition to the trail building, this groups holds several off-road bike events throughout the year. There are fat bike (winter) events as well as events in the summer at MB Johnson and Gooseberry / Horn Parks attracting bike enthusiasts from many different cities. In addition to the volunteer work trail grooming, the group works with the youth bicycle group called the Wolves. This is a group of kids from 6th grade to high school seniors that enjoy biking on trails and competing. There are no tryouts, no bench warmers, and you do not have to race to be on the team. They encourage all to join as it is a very family-oriented group. Scholarships are provided for entry fees and used equipment found for those in need."

Laurens and everyone involved in the Trailbuilders, we appreciate your ongoing dedication to continuously better outdoor spaces in our community. We are so grateful for the hard work you have done and for the way you inspire others to do good works themselves.



## City Council Communication

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July 10, 2023

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

As you learn of others in our community doing great things, large and small, please consider submitting a nomination. Information on nominating others for MoorHeart consideration is found at [cityofmoorhead.com](http://cityofmoorhead.com).

**FINANCIAL CONSIDERATIONS:**

Not Applicable

**Voting Requirements:** Not Applicable

**Submitted By:**

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Holly Heitkamp, Parks and Recreation Director

Mark Dickerson, Communications Coordinator

**Attachments:**



# **CITY OF MOORHEAD, MINNESOTA**

**Executive Summary – December 31, 2022**

Agenda Item 5.B.

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**CPAs & BUSINESS ADVISORS**



# AUDIT RESULTS



# AUDIT OPINION

- The City received a “clean” audit opinion
  - Unmodified opinion – financial statements are prepared using accounting principles generally accepted in the U.S. (GAAP)
  - Financial statements do not contain material misstatements and are fairly presented
- The City received a “clean” audit opinion for the Federal single audit
- Opinion is merely the auditor’s professional opinion, based on audit work, on whether the financial statements were prepared in accordance with GAAP, free from material misstatement, and fairly presented





## FEDERAL AUDIT RESULTS

- One program tested:
  - Federal Transit Cluster 20.507
- \$1,561,601 federal dollars during 2022



# Federal Audit



# AUDIT FINDINGS

# FINDINGS

## **Financial Statements:**

1. **Material Journal Entries**

## **Federal Award Findings:**

1. **None**

## **Minnesota Legal Compliance:**

1. **None**



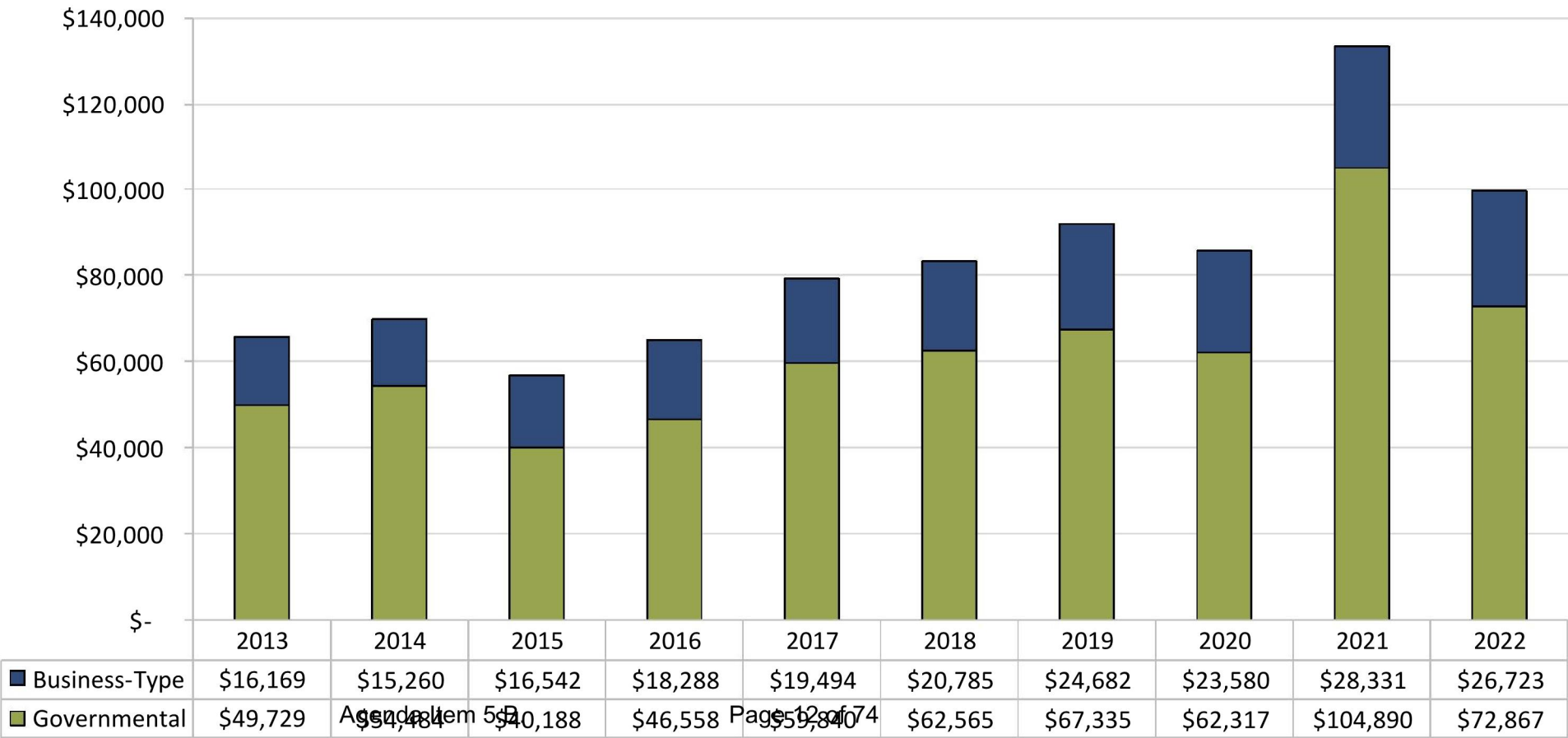


# CASH AND INVESTMENTS

# CASH/INVESTMENTS

Most significantly affected by the state aid payments structure and tax levy collection.

Balances of the City for the past ten years (in thousands) \* excluding dollars related to capital projects funds







# GENERAL FUND

# BUDGET TO ACTUAL

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Variance With Final Budget</u>
Revenues				
Taxes	\$ 7,820,113	\$ 7,820,113	\$ 8,252,757	\$ 432,644
Licenses and permits	745,950	745,950	890,131	144,181
Intergovernmental	10,944,369	11,091,150	11,001,009	(90,141)
Charges for services	1,244,042	1,244,042	2,964,358	1,720,316
Fines and forfeitures	438,100	438,100	357,881	(80,219)
Other	531,075	531,075	943,117	412,042
Total revenues	<u>21,723,649</u>	<u>21,870,430</u>	<u>24,409,253</u>	<u>2,538,823</u>
				<b>11.6%</b>
				<b>Positive</b>
Expenditures				
Administration	5,727,595	5,754,345	5,524,550	229,795
Police	11,618,043	11,657,875	11,428,418	229,457
Fire	5,395,417	5,542,198	5,297,839	244,359
Planning & neighborhood	1,954,769	1,982,641	1,974,357	8,284
Engineering	2,466,901	2,458,026	2,075,815	382,211
Public works	3,615,824	3,615,824	3,866,525	(250,701)
Total expenditures	<u>30,778,549</u>	<u>31,010,909</u>	<u>30,167,504</u>	<u>843,405</u>
				<b>2.7%</b>
				<b>Positive</b>
Revenues over Expenditures	(9,054,900)	(9,140,479)	(5,758,251)	3,382,228
Other Financing Sources (Uses)				
Leases	-	-	13,085	13,085
Transfers in	9,091,400	9,091,400	9,154,750	63,350
Transfer out	-	(8,875)	(138,242)	(129,367)
Total other financing sources (uses)	<u>9,091,400</u>	<u>9,082,525</u>	<u>9,029,593</u>	<u>(52,932)</u>
Net Change in Fund Balance	<u>\$ 36,500</u>	<u>\$ (57,954)</u>	3,271,342	<u>\$ 3,329,296</u>
Fund Balance - Beginning			<u>23,154,522</u>	
Fund Balance - Ending			<u>\$ 26,425,864</u>	

# A POSITIVE FUND BALANCE:

1

Contributes to a favorable bond rating

2

Produces investment income and provides a source of working capital to meet cash flow needs

3

Offers a cushion for unexpected expenditures or revenue shortfalls



# FUND BALANCE CATEGORIES

## Nonspendable

Represents  
amounts that  
cannot be  
spent

Not in  
spendable  
form

Inventory,  
prepaid  
expenses

## Restricted

Legally  
restricted by  
outside  
parties

Cannot be  
appropriated  
for other  
spending

Agenda Item 5.B.

## Committed

Intended for  
a specific  
activity

Imposed by  
formal action  
of the city  
council but is  
not legally  
restricted

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## Assigned

Intended for  
a specific  
activity by  
city council or  
designated  
individuals

Not legally  
restricted

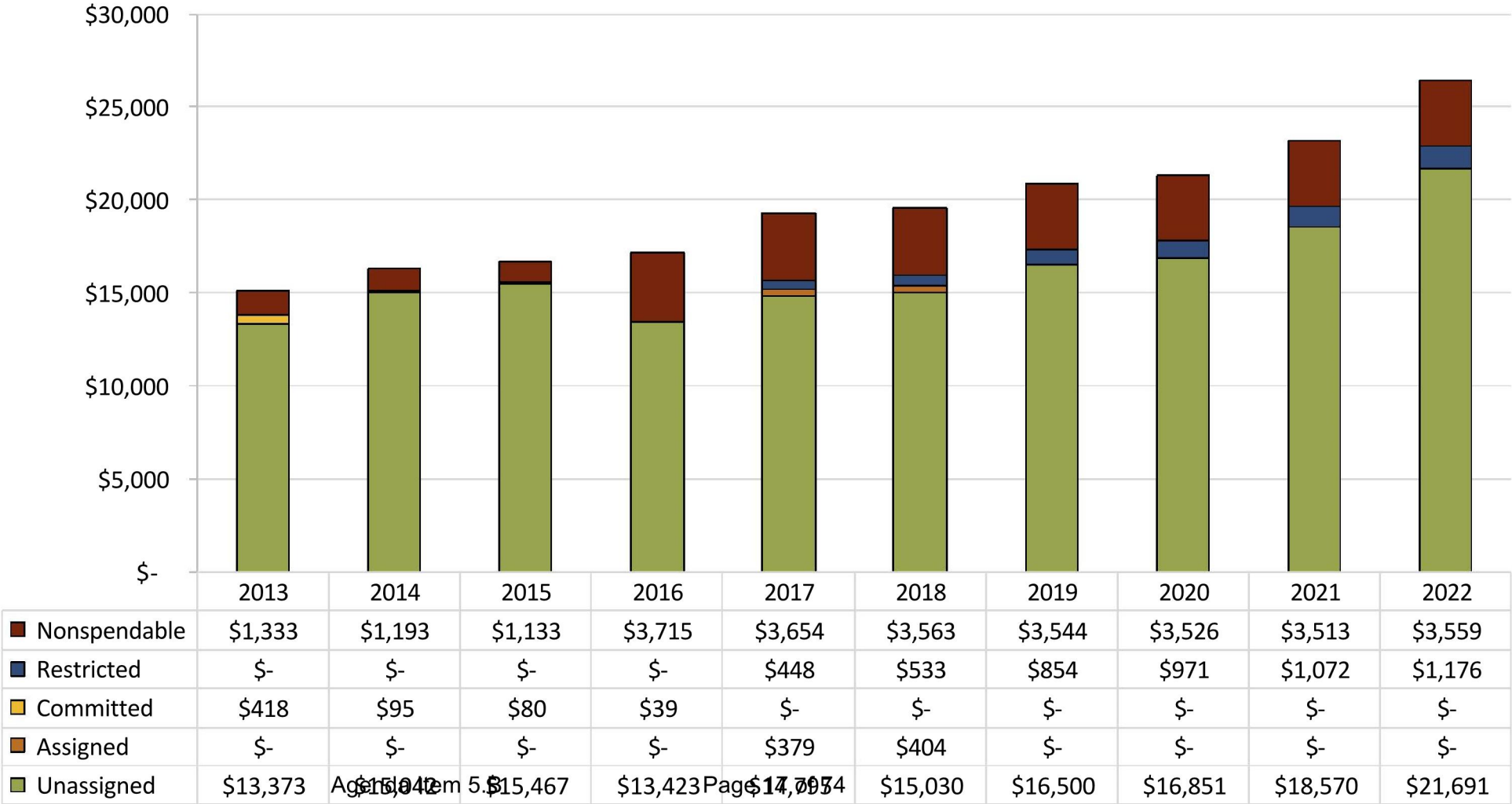
## Unassigned

Reserves

“Rainy day”  
fund

# TOTAL FUND BALANCES

Total fund balances of the General Fund for the past ten years (in thousands):





# RECOMMENDATIONS REGARDING FUND BALANCES

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**State of Minnesota Office of the State Auditor (OSA):** at year-end, local governments maintain an unrestricted fund balance in their general fund

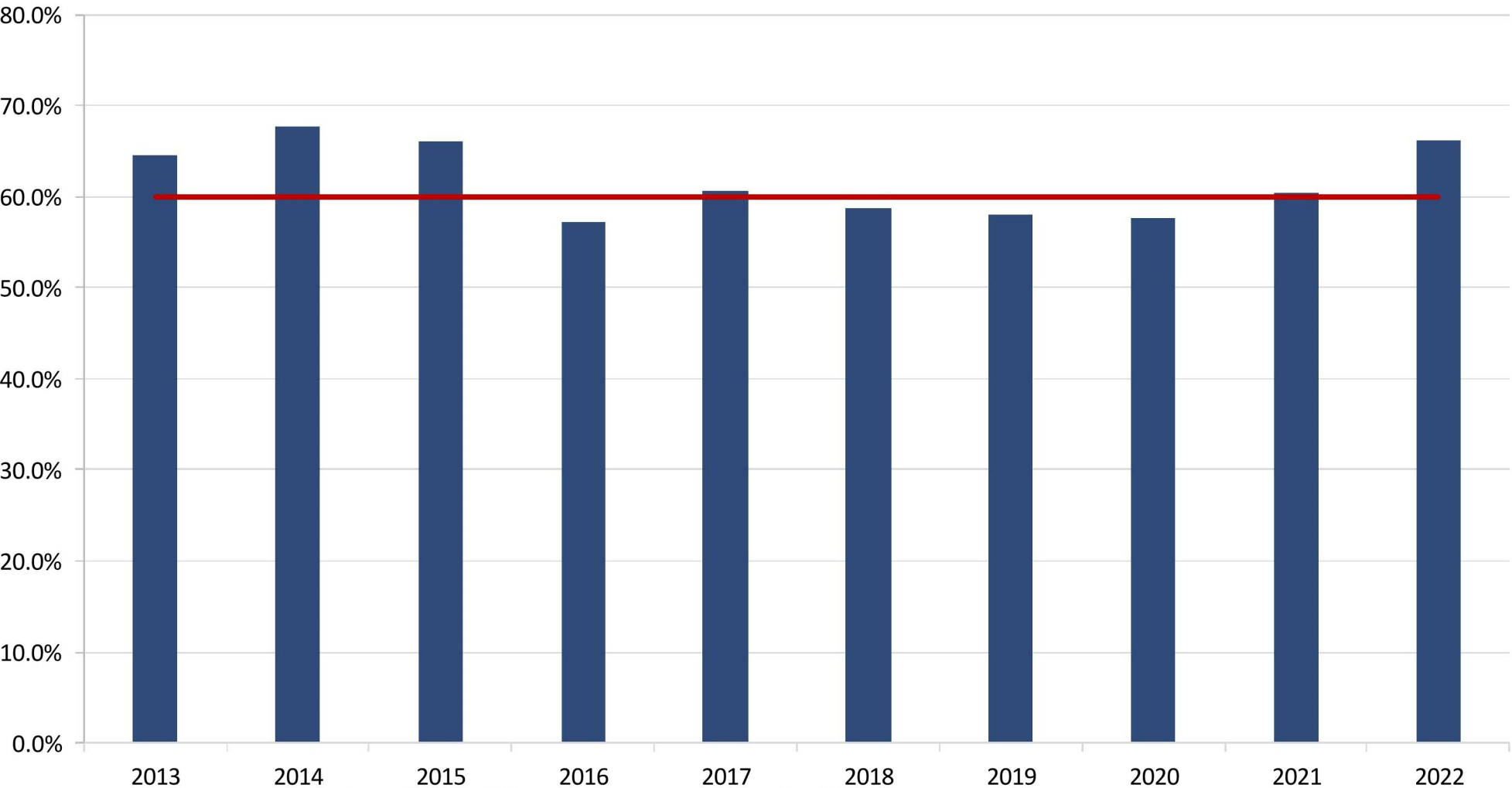
- Special Revenue Funds: approximately 35-50% of fund operating funds
- No less than 5 months of operating expenditures

**Government Finance Officers Association (GFOA):** at year-end, local governments maintain an unrestricted fund balance of no less than 5-15% of operating expenses.

**City's Policy:** it is the City's policy to maintain a minimum unassigned general fund balance of 60% of the City's General Fund operating budget, excluding those accounts associated within the Restricted category, in the combined total of the General Fund Committed, Assigned, and Unassigned fund balances.

# UNRESTRICTED FUND BALANCE

The City’s unrestricted fund balance as a percentage of future budgeted expenditures in the General Fund for the last ten years

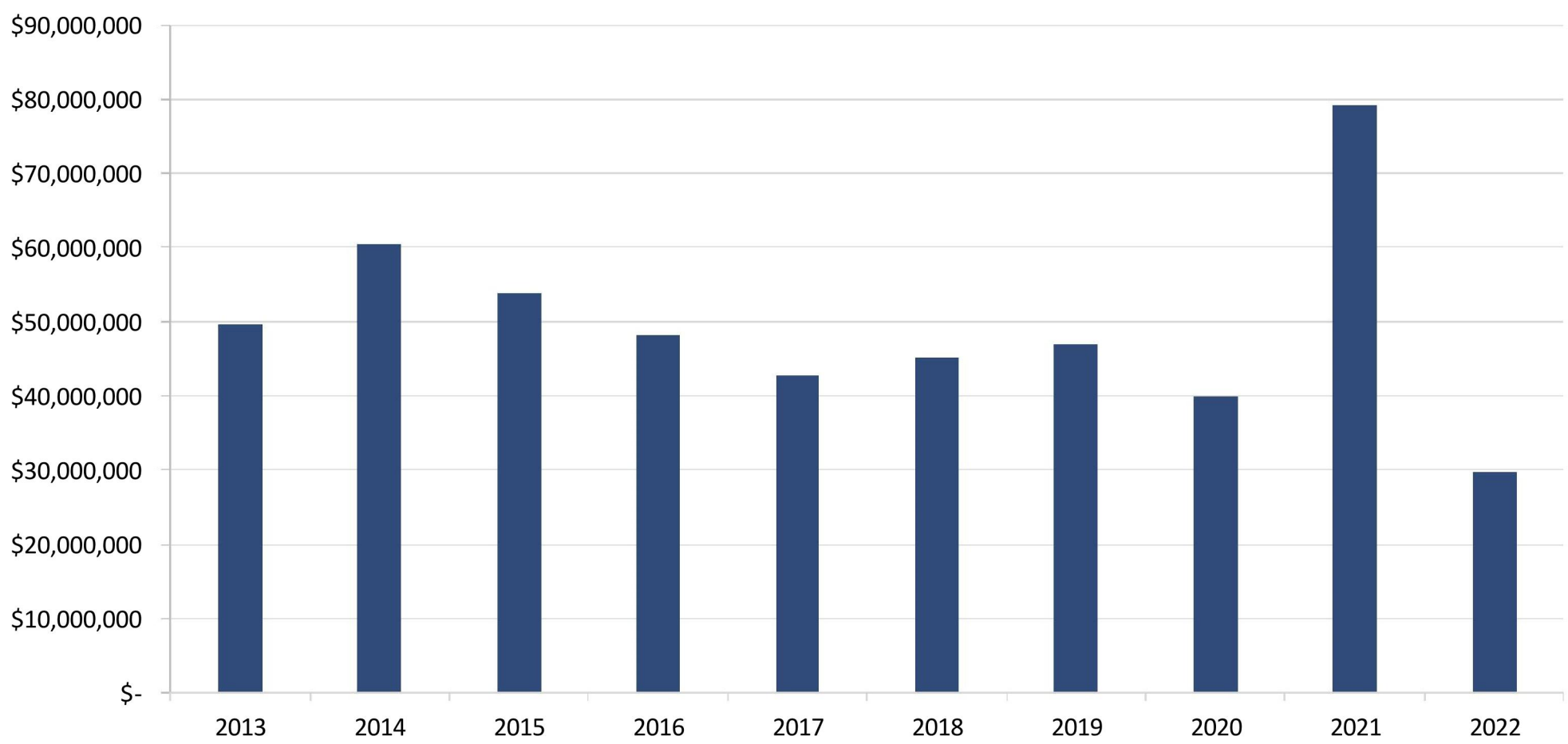




# OTHER FUNDS

# YEAR END FUND BALANCE – DEBT SERVICE FUNDS

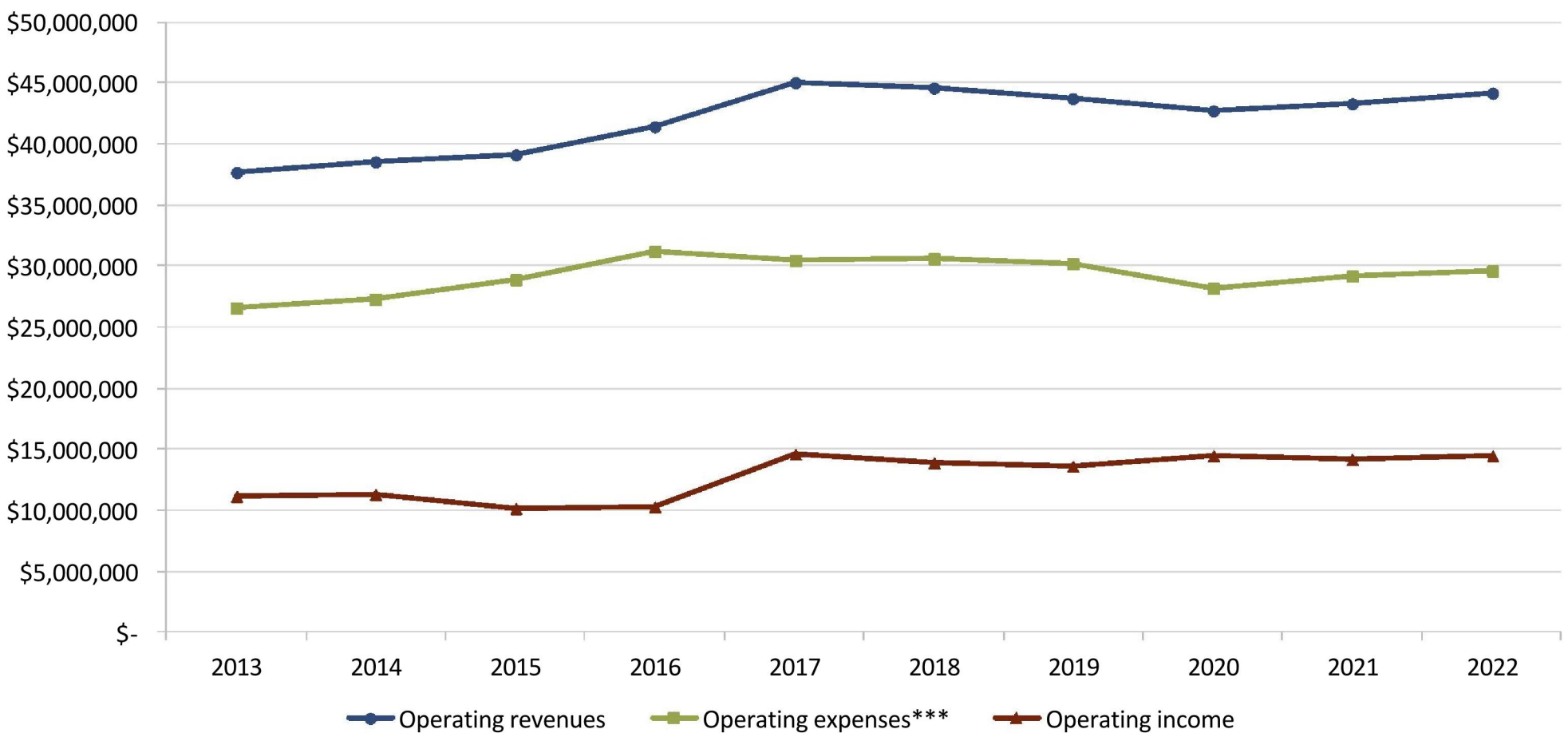
Positive fund balance indicates that revenues from property tax levies and special assessments have been sufficient to meet the required debt service payments.



# OPERATING REVENUES, EXPENSES, AND INCOME

## ELECTRIC FUND

The operating revenues (blue), operating expenses (green), and operating income (red) for the electric fund are presented below. For the last ten years, operating revenues have been sufficient to cover the operating expenses of the electric utility.

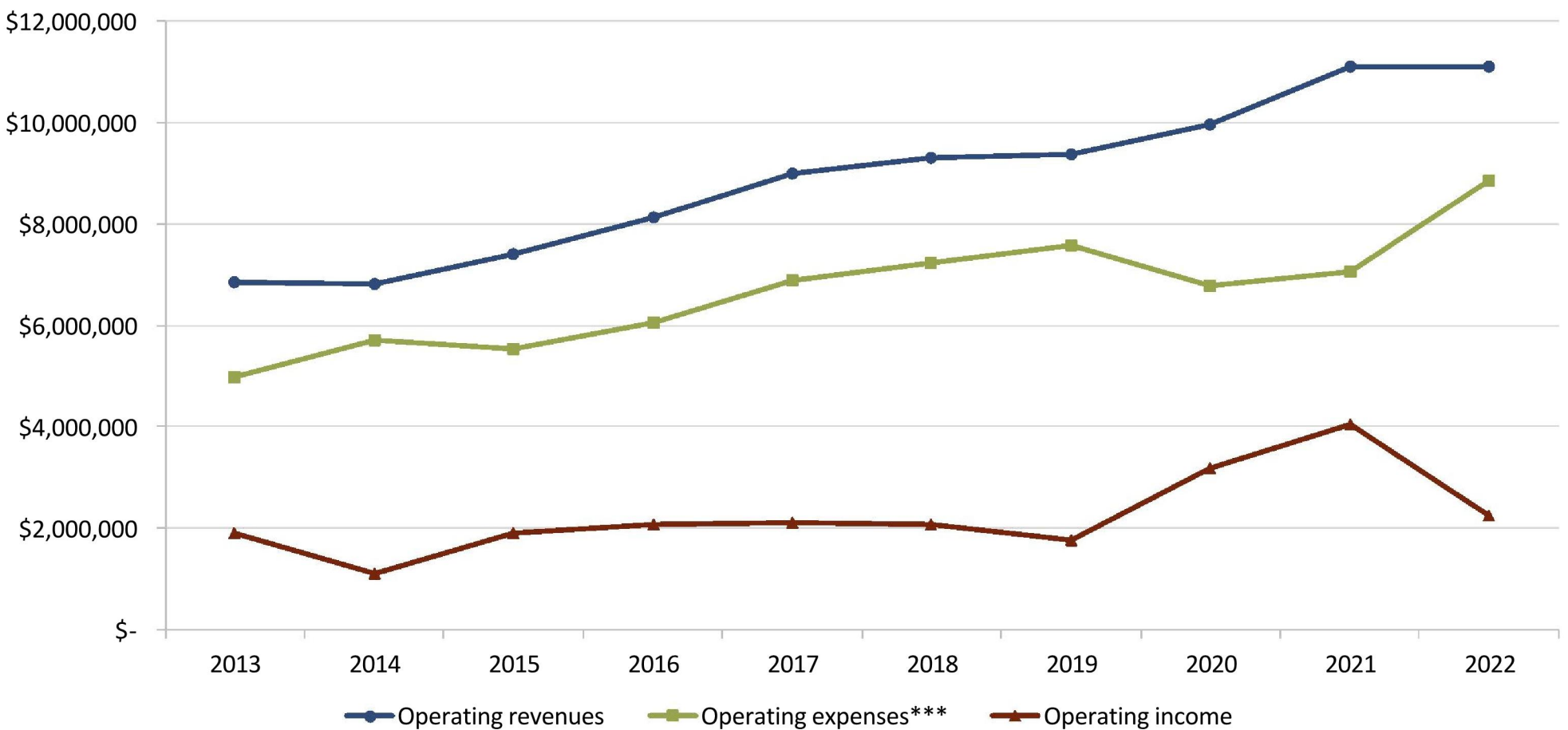




# OPERATING REVENUES, EXPENSES, AND INCOME

## WATER FUND

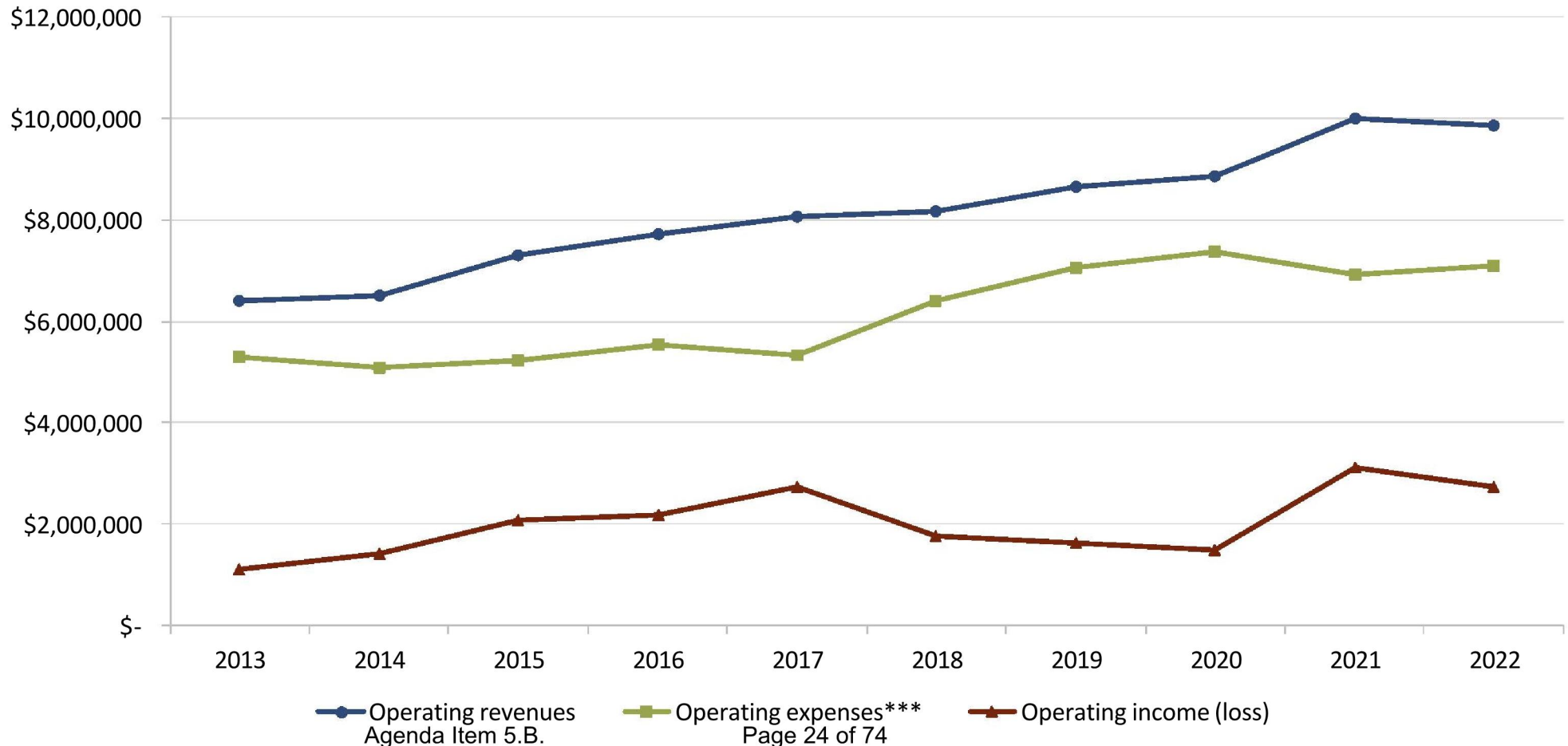
The operating revenues (blue), operating expenses (green), and operating income (red) for the sewer fund are presented below. For the last ten years, operating revenues have been sufficient to cover the operating expenses of the water utility.



# OPERATING REVENUES, EXPENSES, AND INCOME

## WASTEWATER TREATMENT FUND

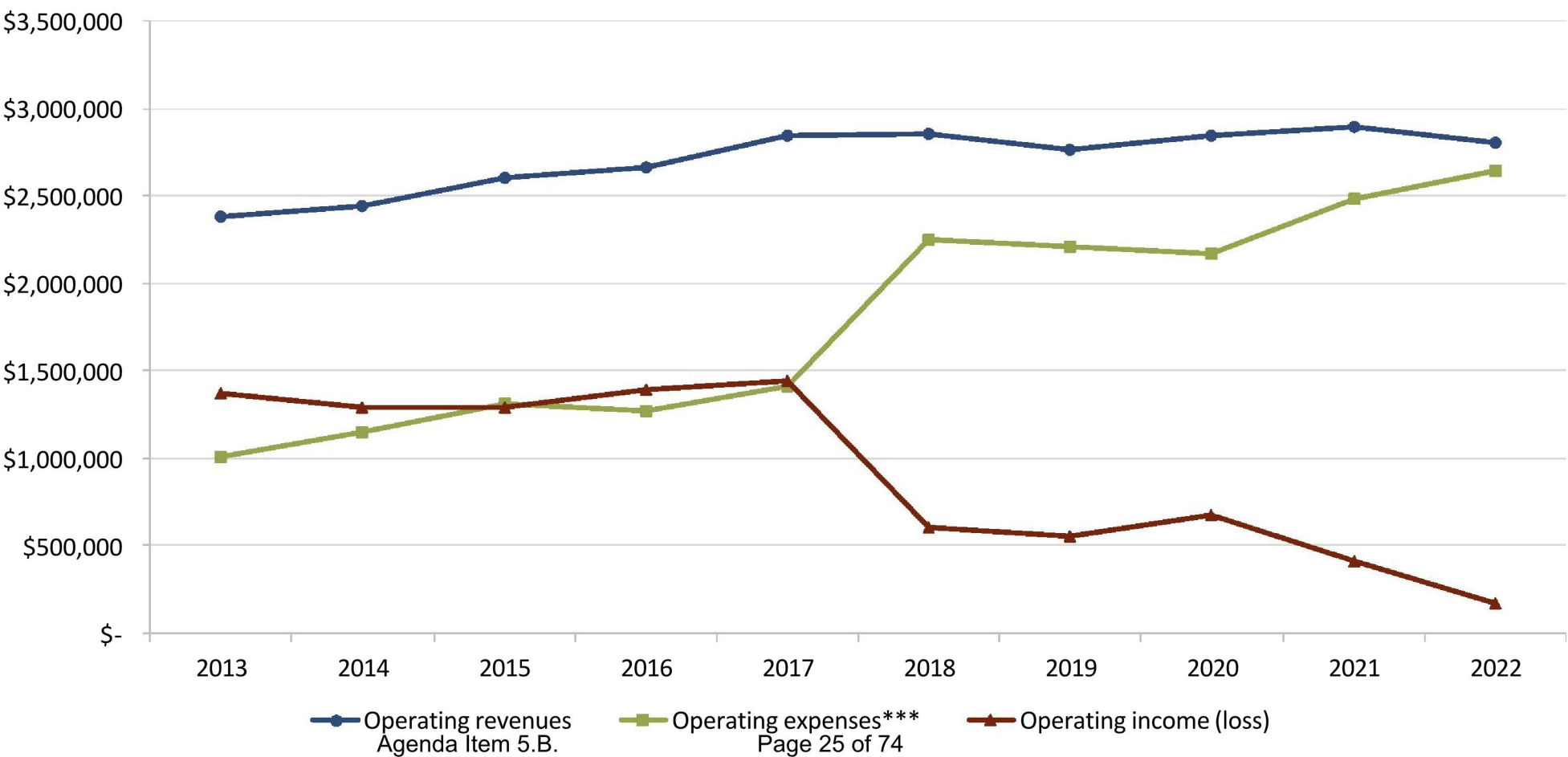
The operating revenues (blue), operating expenses (green), and operating income (red) for the wastewater treatment fund are presented below. For the last ten years, operating revenues have been sufficient to cover the operating expenses of the wastewater treatment system.



# OPERATING REVENUES, EXPENSES, AND INCOME

## STORM WATER FUND

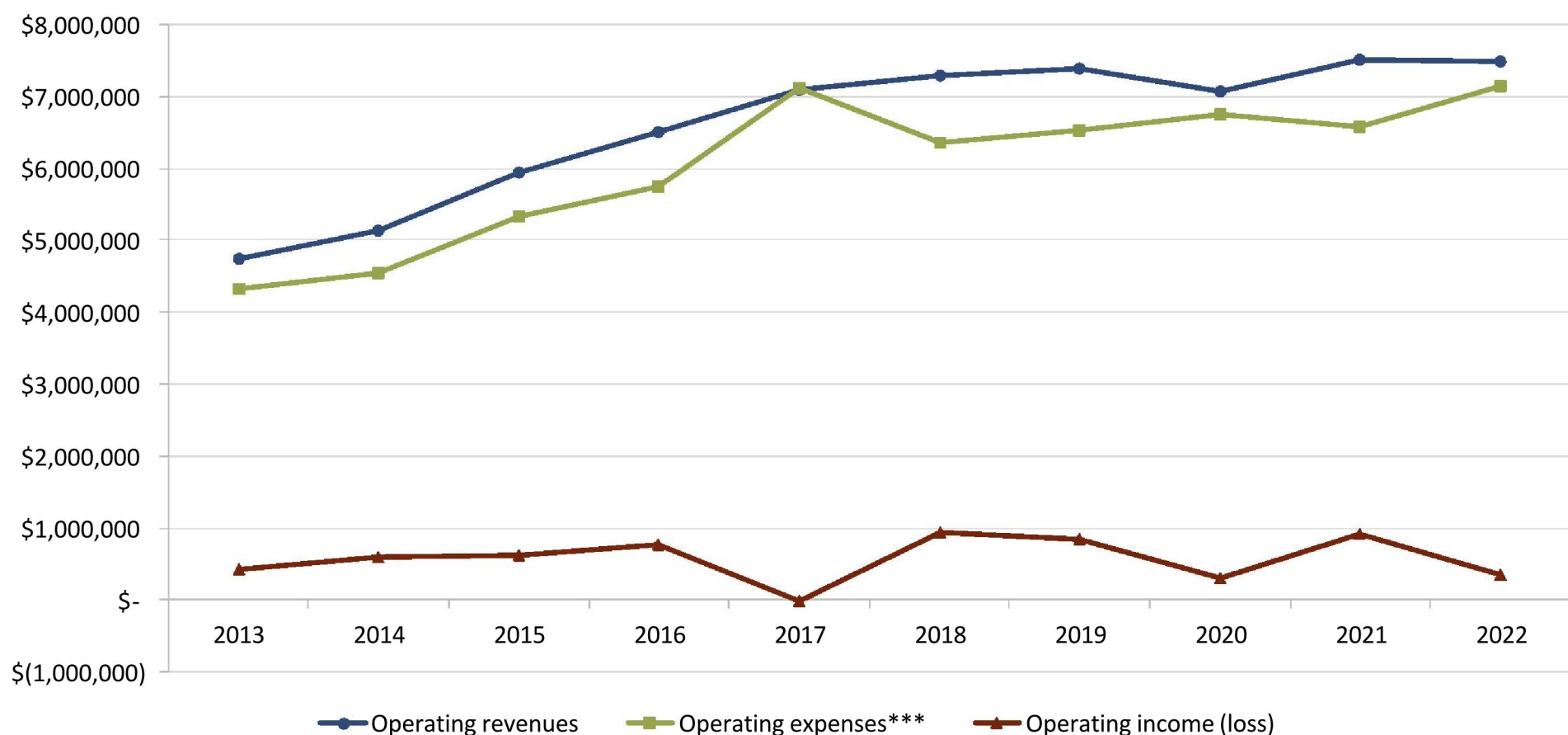
The operating revenues (blue), operating expenses (green), and operating income (red) for the storm water fund are presented below. For the last ten years, operating revenues have been sufficient to cover the operating expenses of the storm water system.



# OPERATING REVENUES, EXPENSES, AND INCOME

## NONMAJOR UTILITY FUNDS (SANITATION, PEST CONTROL, FORESTRY, AND STREET LIGHT FUNDS)

The operating revenues (blue), operating expenses (green), and operating income (red) for nonmajor utility funds are presented below. For nine of the last ten years, operating revenues have been sufficient to cover the operating expenses of the nonmajor utility systems.

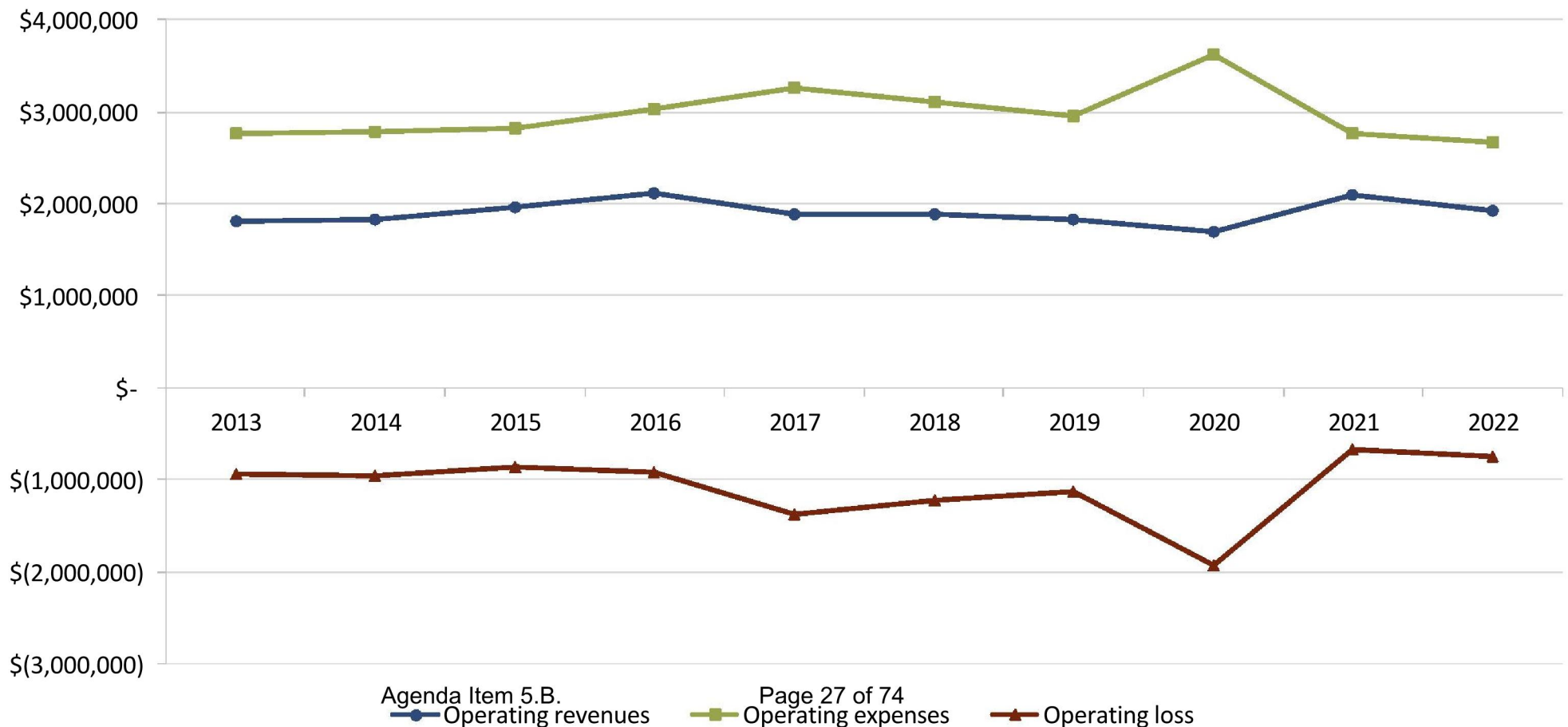




## OPERATING REVENUES, EXPENSES, AND INCOME

### NONMAJOR NONUTILITY FUNDS (GOLF COURSE, SPORTS CENTER, AND AIRPORT FUNDS)

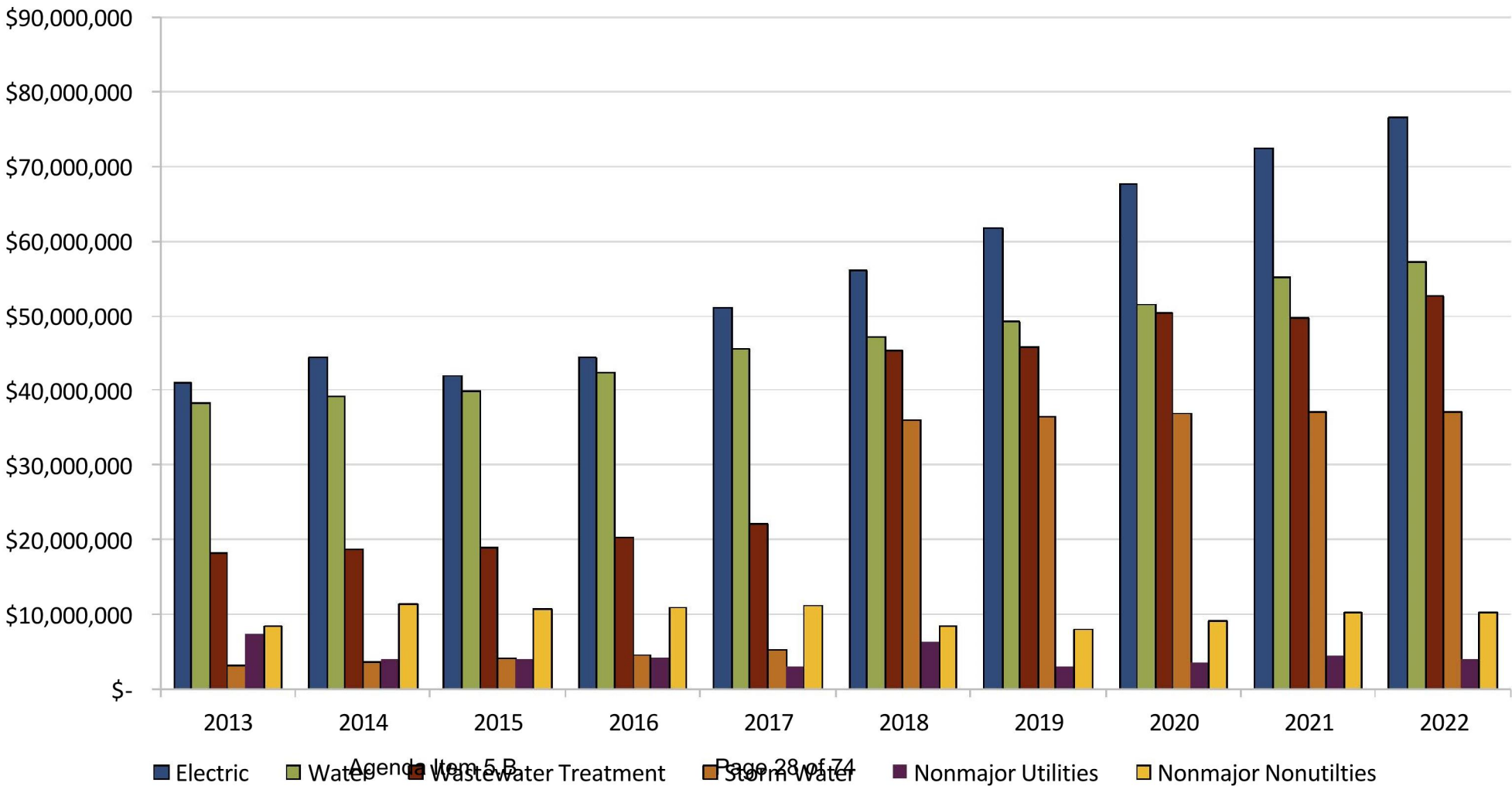
The operating revenues (blue), operating expenses (green), and operating income (red) for nonmajor nonutility funds are presented below. For the last ten years, operating revenues have not been sufficient to cover the operating expenses of the nonmajor nonutility services.



# YEAR-END NET POSITION

## ENTERPRISE FUNDS

Positive net position indicates that revenues from operating activities, grant revenues, and interest have been sufficient to meet the required debt service payments and provide for transfers to governmental activities.

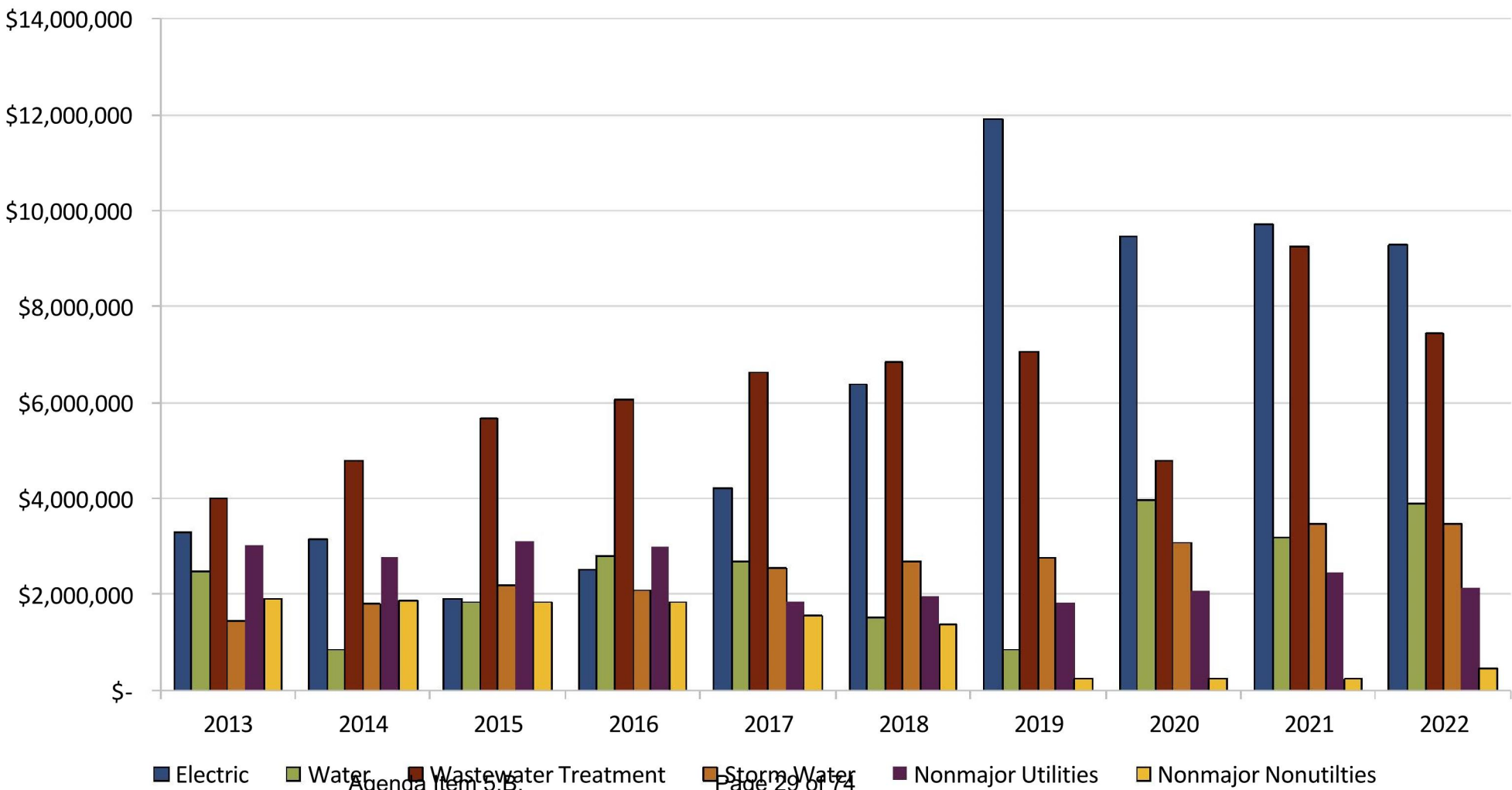




# YEAR-END CASH AND INVESTMENTS

## ENTERPRISE FUNDS

A healthy cash balance in the enterprise funds allows for continued payments towards debt and operations.





# QUESTIONS?

This presentation is presented with the understanding that the information contained does not constitute legal, accounting or other professional advice. It is not intended to be responsive to any individual situation or concerns, as the contents of this presentation are intended for general information purposes only. Viewers are urged not to act upon the information contained in this presentation without first consulting competent legal, accounting or other professional advice regarding the facts of a particular fact situation. Questions and additional information can be submitted to your Eide Bailly representative, or to the presenter of this session.





# THANK YOU



**CITY COUNCIL  
MEETING MINUTES  
JUNE 26, 2023 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: Steve Lindaas  
Council Member: Larry Seljevold  
Mayor: Shelly Carlson

Absent: Council Member: Chuck Hendrickson

2. Pledge of Allegiance

3. Agenda Amendments

4. Consent Agenda

**Motion to Approve made by Heather Nesemeier and seconded by Steve Lindaas**

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevold

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Hendrickson

5. Recognitions - Presentations

A. Presentation: 2022 Annual Comprehensive Financial Report and Audit, Eide Bailly LLP

Finance Director Jenica Flanagan shared brief a summary of the City of Moorhead's 2022 Audit and Annual Comprehensive Financial Report. Due to audio issues Jamie Fay from Eide Bailly was unable to speak and the formal presentation was moved to the July 10 City Council Meeting.

B. Recognition: Minnesota GreenStep Cities

Sustainability Coordinator Crystal Rayamajhi provided background on the Minnesota GreenStep Cities program, Moorhead's recognition as a Step 5 GreenStep City during the League of MN Cities' Annual Conference in Duluth on June 22, and sustainability programs and initiatives in Moorhead.

6. Approve Minutes

A. June 12, 2023 Meeting Minutes

**Motion to Approve June 12, 2023 Meeting Minutes made by Laura Caroon and seconded by Larry Seljevoid**

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevoid

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Hendrickson

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

Moorhead resident Leah Simmons shared concerns about accessibility for people with disabilities at Green Goods, a medical cannabis dispensary in Moorhead.

8. Mayor and Council Appointments

A. Ward 4 City Council Member Resignation

Council member Steve Lindaas announced he accepted a Science and Technology Policy Fellowship with the US Department of Energy in Washington DC starting September 1, 2023. As a result, Council member Lindaas submitted his resignation to the Moorhead City Council effective August 31, 2023 and thanked residents and the community for the opportunity to serve.

B. Accept Resignation of Ward 4 Council Member

**Motion to Approve Accept Resignation of Ward 4 Council Member made by Heather Nesemeier and seconded by Laura Caroon**

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevoid

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Hendrickson

C. Declare Ward 4 City Council seat Vacant

**Motion to Approve Declare Ward 4 City Council seat Vacant made by Larry Seljevoid and seconded by Ryan Nelson**

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevoid

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Hendrickson

**Motion to Authorize City Staff to Advertise the Ward 4 Vacancy Pursuant to the City Charter and Prepare a Timeline for the Appointment of a new Council Member to the Vacant Position made by Heather Nesemeier and seconded by Laura Caroon**

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevoid

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Hendrickson

City Attorney John Shockley presented options to fill the Ward 4 vacancy and the process as informed by the City Charter to fill the open City Council seat.

- D. \*Resolution for Appointment to Boards and Commissions
- 9. Public Hearings (5:45 pm)
- 10. Engineering Department
  - A. \*Resolution to Approve Budget Adjustment and Award Bid for the 2023 Wastewater Treatment Facility Roof Replacement Project (Eng. No. 23-06-03)
  - B. \*Resolution to Approve Agreement #1054033 with MnDOT for Traffic Control Signal System Operations and Maintenance
- 11. Community Development Department
  - A. \*Resolution to Award Bid - Taxiway Project at the Moorhead Municipal Airport Florence Klingensmith Field
  - B. \*Resolution to Approve Agreement with Mead and Hunt for Construction Administration and Close Out Services - Taxiway Project
  - C. \*Resolution to Approve Grant Agreements with State of MN and US Federal Aviation Administration - Taxiway Project
  - D. \*Resolution to Approve Agreement with Mead and Hunt - Phase I Automated Weather Observing System (AWOS) Relocation at Moorhead Municipal Airport Florence Klingensmith Field
- 12. Administration
  - A. Resolution to Receive the 2022 Annual Comprehensive Financial Report (ACFR)  
  
**Motion to Approve Resolution to Receive the 2022 Annual Comprehensive Financial Report (ACFR) made by Ryan Nelson and seconded by Steve Lindaas**  
Motion Passed  
For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevold  
Against: 0  
Abstain/Recuse: 0  
Absent: 1; Hendrickson
  - B. \*Second Reading of Ordinance 2023-07 Relating to Administrative Procedures for Utility Service Disconnection Due to Nonpayment of Municipal Services
  - C. \*Resolution to Approve Title & Summary of Ordinance No. 2023-07 Relating to Administrative Procedures for Utility Service Disconnection Due to Nonpayment of Municipal Services
  - D. \*Resolution to Approve Off-Site Gambling Permit to Moorhead Youth Hockey Association on August 14, 2023
  - E. \*Resolution to Authorize Contract with the City of Fargo for Support Equipment and Vehicle Leases for Transit Purposes
  - F. \*Resolution Authorizing the City Manager and Mayor to approve the Memorandum of Agreement



between the City and International Association of Firefighters (IAFF), Local Union 1323 (Fire Fighters and Fire Captains) Regarding Compensation for Sick Leave Upon Separation from Employment

13. Mayor and Council Reports

Council member Heather Nesemeier encouraged residents to attend two community events on Wednesday June 28, Coffee with a Food Commissioner at the Rourke and an open house to gather insight on the Community Center Regional Library at the Moorhead Public Library. Council member Nesemeier also mentioned an open board seat on the Clay County Housing and Redevelopment Authority and asked residents to consider applying.

Council member Deb White recognized the first region-wide Juneteenth commemoration and celebration in the FM area in June and thanked everyone for the efforts to make the event a success. Council member White mentioned an event called Conversation with Ward 3 Council Members is scheduled on July 11 at Gooseberry Park in the small shelter.

Council member Ryan Nelson mentioned Safe City Nights at City parks across Moorhead throughout summer months and thanked all who attend and participate.

Mayor Shelly Carlson spoke of her participation at a Friends of the Children event and her attendance at the River Point Senior Living Center for the Alzheimer's Longest Day of the Year program. Mayor Carlson shared that she and Parks Director Holly Heitkamp had an opportunity to promote the inclusive playground on the North Dakota Today Show. Mayor Carlson also spoke about offering a welcome at the Nordic Culture Clubs Scandinavian Fest opening ceremony and her attendance at a Red Hawks baseball game for FM Military Appreciation Night. Mayor Carlson also provided an update on progress underway with the FM Diversion Project.

14. City Manager Reports

City Manager Dan Mahli shared sympathy with the family, friends, neighborhood and emergency responders in wake of the tragic single shooting that took place in Moorhead on June 23.

15. Executive Session

- A. Executive session pursuant to Minnesota Statute § 13D.05, subd. 3(a) for the purpose of conducting the City Manager's annual performance evaluation

**Motion to Enter Closed Session Executive session pursuant to Minnesota Statute § 13D.05, subd. 3(a) for the purpose of conducting the City Manager's annual performance evaluation made by Steve Lindaas and seconded by Laura Caroon**

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevold

Against: 0

Abstain/Recuse: 0

Absent: 1; Hendrickson

**Motion to Exit Closed Session at 7:49pm made by Steve Lindaas and seconded by Laura Caroon**

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, White, Lindaas, Seljevold

Against: 0

Abstain/Recuse: 0  
Absent: 1; Hendrickson

16. New Business

**Motion to Authorize City Manager to Coordinate with the Planning and Zoning Commission to Review Sustainability & Resiliency Opportunities and Goals and Report to the City Council with a Draft Support and Communication Framework by August 28<sup>th</sup> or Such Additional Time as Needed by City Staff made by Steve Lindaas and seconded by Heather Nesemeier**

Motion Passed

For: 6; Nelson, Nesemeier, Caroon, White, Lindaas, Seljevoll

Against: 1; Gilbertson

Abstain/Recuse: 0

Absent: 1; Hendrickson

Council member Steve Lindaas motioned for the City Manager to work with the Planning Commission and staff to review sustainability & resiliency opportunities and goals in Moorhead and report to the City Council with a draft support framework by August 28, 2023, with the ability to extend if needed.

17. Adjourn

Meeting adjourned at 7:58pm

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 for Appointment to Boards and Commissions

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

#### Park Advisory Board

- Sean Brandenburg, Moorhead resident, is appointed to a term commencing July 11, 2023 and ending January 31, 2026. (Ward 1)

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

PASSED: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

\_\_\_\_\_  
Michelle (Shelly) A. Carlson, Mayor

\_\_\_\_\_  
Christina Rust, City Clerk



## City Council Communication

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July 10, 2023

**SUBJECT:**

Public Hearing Regarding the Request of Kevin Bartram on behalf of Center Avenue LLC for a Renaissance Zone Property Tax Exemption for a Project located at 824 Center Ave (58.575.0730)

**RECOMMENDATION:**

The Mayor and City Council are asked to conduct a Public Hearing and consider, upon the unanimous recommendation of the Moorhead Economic Development Authority, approval of a Renaissance Zone property tax exemption for Center Avenue LLC for the redevelopment of a commercial building located at 824 Center Ave (58.575.0730).

**BACKGROUND/KEY POINTS:**

The Moorhead City Council and Moorhead Economic Development Authority find that granting property tax exemptions pursuant to program requirements set forth in policies approved on September 12, 2011, increases the community's long-term economic vitality through the creation of additional housing choice, new jobs, increasing employment opportunities for Moorhead residents and expanding Moorhead's property tax base. Further, that existing business will benefit by increasing total number of businesses in Moorhead, thereby positioning Moorhead as a destination to more customers.

**Details:** Kevin Bartram, on behalf of Center Avenue LLC, has plans to redevelop an infill building located adjacent to the Armory Event Center at 824 Center Ave. The building has been vacant from more than a decade with the notable exception of the architecture firm which has been operating out of that location for a long time. The existing building will be remodeled and restored in a manner that will enhance the detailing and other elements of the historic building.

The project will be designed to work with and enhance the Armory Event Center by adding additional choice for indoor and outdoor events. The existing office space, Michael Burns Architects, will remain. Materials will be selected to blend with the neighborhood and the historic Armory Event Center to create a cohesive look.

**Goals & Objectives:** The Renaissance Zone Policy requires the applicant to outline how their project will meet or exceed the City's Renaissance Zone goals and objectives. Here are the highlights:

- ✓ Activity Generators – New event spaces will generate activity in this area of the city.
- ✓ Walkable Districts – The project is within walking distance to a grocery store, drug store, banks, colleges and university, churches, eateries, coffee shops, bars, shopping, and park facilities.



## City Council Communication

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July 10, 2023

- ✓ Ground Floor Uses – This existing first floor will be used for new event spaces and existing office spaces.
- ✓ Neighborhood Center – The pedestrian friendly design is an excellent addition to other buildings already located in Moorhead’s “Center.” This is a facility that will be an excellent addition to an existing mixed-use neighborhood.
- ✓ Infill – The proposed project will remodel and restore an existing building that is underutilized to bring more activity to this area. Streets and infrastructure are existing.
- ✓ Downtown Entryways – This project will update the deteriorated storefront on Center Ave along with providing an outdoor structure in the parking lot between this building and the Armory Event Center that can be used for outdoor events. These improvements will provide a unique gateway to downtown. Note that the Center Ave LLC will make a separate submittal to vacate 9<sup>th</sup> Street between the Armory Annex and the Armory Event Center, both of which will be owned by Center Ave LLC.
- ✓ More objectives are included in the attached application.

**Zoning:** The parcel is located within the “MU-1 Downtown Mixed Use” zoning district. The purpose of the MU-1 downtown mixed-use district is to “promote a variety of uses aimed at building and maintaining a pedestrian friendly, sustainable downtown environment. Uses that provide a diversity of jobs, residential opportunities, entertainment venues, civic functions, commercial services and shopping are encouraged in the downtown mixed-use district. The district will encourage a scale of development, mixture of uses and other such urban design attributes that promote the safe and efficient pedestrian and vehicular movements throughout the district.” (Ord. 2004-40, 1-3-2005)

**Financial Considerations:** The exemption term is based on the developer’s capital investment per square foot. To calculate “per square foot” values, the investment number is divided by the total square footage of the entire building, excluding the basement and all non-working or non-living areas. Capital investment costs are defined as *“demolition, repair, replacement, or renovation of a building’s exterior, roof, structural systems, electrical/plumbing, heating/ventilation/air conditioning systems, windows, exterior doors, elevator improvements, and accessibility improvements. In addition, capital costs also include soft costs including architecture and management fees.”*

### Cost Per Square Foot Calculation

Remodel 824 Center Ave building  
 $\$2,360,000 \text{ cost} / 10,050 \text{ sf} = \sim\$235 \text{ cost/sf}$

Based on the above criteria and the projections found within the application, this project is eligible for a 15-year exemption period. The exemption breakdown is for a period of fifteen years at 100%





## City Council Communication

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July 10, 2023

exemption for the first five-years, 75% exemption for years six through ten, and 50% exemption for years eleven through fifteen. Please see the attached application for more details.

**Current Land and Improvement Value:** Land and existing building/improvement value of \$453,000 remains taxable throughout the exemption period. After project completion, the new building value is estimated at \$1,000,000.

**Timeline:** Construction of the project, if approved, will begin in summer 2023 with an anticipated completion of March 2024.

### **FINANCIAL CONSIDERATIONS:**

The total benefit to the applicant for this project is estimated at approximately \$180,000 in property tax exemptions using projected new building value (\$1,000,000) and current tax rate (1.6%) for a period of 15 years (5 years at 100%, 5 years at 75%, 5 years at 50%).

**Voting Requirements:** 3/4 of Council (6)

### **Submitted By:**

Dan Mahli, City Manager

Derrick LaPoint, DMI/Economic Development

Amy Thorpe, Economic Development Program Administrator

**Attachments:** General Location Map  
Renaissance Zone Application  
Draft Resolution



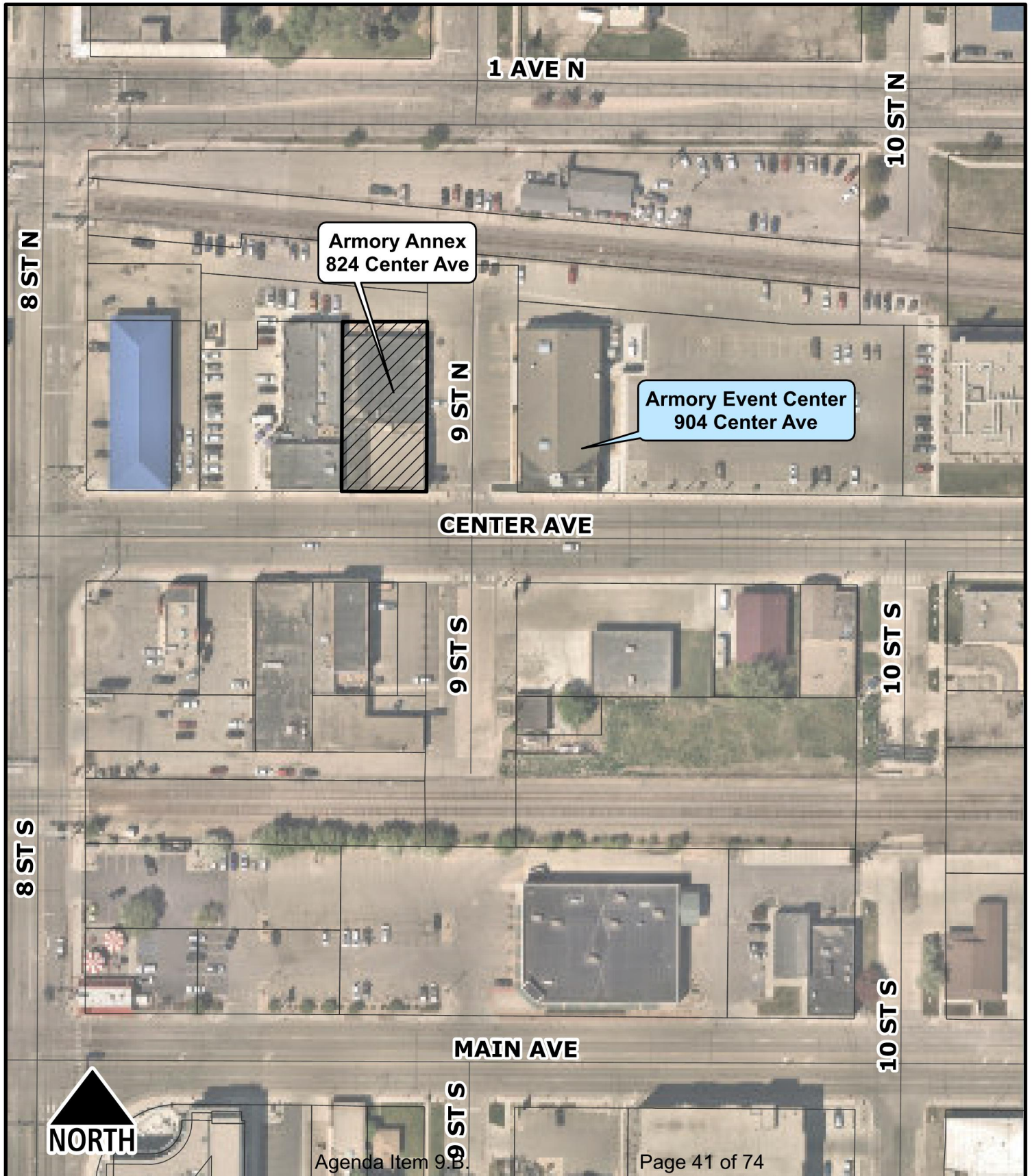


# GENERAL LOCATION MAP

RENAISSANCE ZONE PROJECT

Parcel ID:58.575.0730

824 Center Ave - Moorhead MN



## RESOLUTION

### **Resolution to Approve a Property Tax Exemption for Center Avenue LLC for the Redevelopment of a Commercial Building located at 824 Center Ave (58.575.0730)**

WHEREAS, Center Avenue LLC desires to redevelop a commercial building located at 824 Center Avenue (58.575.0730); and

WHEREAS, the City of Moorhead, pursuant to Minnesota Statute Chapter 469.1732, Subdivision 1, has authority to grant a partial or complete exemption from property taxation of all buildings, structures, fixtures, and improvements used in or necessary to a qualifying business; and

WHEREAS, the City of Moorhead has received a completed application form filed in accordance with applicable City procedures, policy, and guidelines from Kevin Bartram on behalf of Center Avenue LLC requesting the following tax incentives: exemption from property taxation; and

WHEREAS, the application form filed with the City and all associated documentation are complete and have been reviewed and evaluated by City staff; and

WHEREAS, proper notice to competitors pursuant to Minnesota Statute Chapter 469.1734, Subdivision 7, was published twice in the City's official newspaper on June 15, 2023, and June 22, 2023, respectively; and

WHEREAS, Center Avenue LLC is a qualifying business as defined in Minnesota Statute 469.1734; and

WHEREAS, granting the requested tax incentive is in the best interest of the City of Moorhead to enhance the property tax base and create new jobs.

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

1. The City Council of the City of Moorhead hereby finds that granting an exemption from property taxation to Center Avenue LLC is necessary to enable Center Avenue LLC to expand services in the City of Moorhead and is in the best interest of the City of Moorhead.
2. The City Council of the City of Moorhead hereby grants the tax incentives contained here subject to the terms and conditions in this resolution, the corresponding Tax Incentive Agreement, and the Laws of Minnesota.
3. The City of Moorhead hereby approves the application and grants Center Avenue LLC an exemption from property taxation of new building value according to the following schedule:

New Construction Minimum Investment Threshold	Rehabilitation Minimum Investment Threshold	Exemption Term	Exemption Percentage
\$100 / square foot	\$50 / square foot	5 years	Years 1-5 (100%)
\$150 / square foot	\$100 / square foot	10 years	Years 1-5 (100%) Years 6-10 (75%)
\$200 / square foot	\$150+ / square foot	15 years	Years 1-5 (100%) Years 6-10 (75%) Years 11-15 (50%)

After the project is complete, Kevin Bartram, on behalf of Center Avenue LLC, is responsible to provide to the City a financial report with enough detail to document costs and capital investments in the project to be utilized by the City to determine the final minimum investment threshold and exemption term.

4. The Mayor and City Manager are hereby authorized and directed to execute the Tax Incentive Agreement on file by and between the City of Moorhead and Center Avenue LLC.
5. The City Clerk is hereby authorized and directed to certify this grant of exemption from property taxation to the City Assessor and County Assessor contingent upon Center Avenue LLC and the City executing the Tax Incentive Agreement.

PASSED: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

\_\_\_\_\_  
Michelle (Shelly) A. Carlson, Mayor

\_\_\_\_\_  
Christina Rust, City Clerk





## City Council Communication

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March 27, 2023

**SUBJECT:**

Public Hearing Regarding the Request of Joshua Abrahamson on behalf of Abrahamson Holdings LLC for a Property Tax Exemption for a Project located at 4117 32 Ave S (58.417.0070)

**RECOMMENDATION:**

The Mayor and City Council are asked to conduct a Public Hearing and consider approval of a property tax exemption for Abrahamson Holdings LLC for an expansion of their commercial building located at 2410 2 Ave N (58.307.0360).

**BACKGROUND/KEY POINTS:**

The Moorhead City Council and Moorhead Economic Development Authority find that granting property tax exemptions pursuant to program requirements set forth in policies approved on September 12, 2011, increases the community's long-term economic vitality through the creation of additional housing choice, new jobs, increasing employment opportunities for Moorhead residents and expanding Moorhead's property tax base. Further, that existing business will benefit by increasing total number of businesses in Moorhead, thereby positioning Moorhead as a destination to more customers.

**Project:** Joshua Abrahamson, on behalf of Abrahamson Holdings LLC, doing business as Valley Green & Associates, has planned a 40-foot by 65-foot expansion to their industrial building to include addition shop space with windows, mezzanine offices with windows, and overhead and walk-in doors.

Valley Green & Associations (<https://valleygreenassociates.com/>) offers full-service lawncare and snow removal services for businesses and homes in the Fargo-Moorhead and surrounding areas.

**Employees:** Valley Green & Associations will retain their current fulltime and part-time seasonal employees (estimated at 44 fulltime and 70 parttime seasonal) which exceeds the minimum threshold of three employees with wages above the minimum wage floor.

**Property Valuation:** The parcel has an assessed land value of \$162,500 and building value of \$679,400. Existing land and building/improvement value, and any future value, remains taxable during the duration of property tax exemption. Only the new assessed building/improvement value receives the exemption.

Based on the preliminary plans submitted with the application, the City Assessor has estimated that the new assessed building value for the project will be approximately \$270,000.

**Exemption Term:** The term of the exemption is based upon the *new assessed building value* as determined by the City Assessor following building completion. The estimate found in this



## City Council Communication

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March 27, 2023

communication provides an indication of the scope of the project. The new building value and jobs retained and/or created post construction should meet the minimum requirements for a 3-year property tax exemption.

**Timeline:** Construction of the project, if approved, will begin in July 2023 with an estimated completion of December 2023. Whatever construction is completed in 2023 will be assessed January 2, 2024, and become payable in 2025. Therefore, the first year of the proposed exemption would be 2025. In the event that construction is only partially complete on January 2, 2024, the project operator may choose to pay taxes for the partial year and begin the full exemption in 2026.

**Zoning:** The parcel is located within the "Light Industrial" zoning district. The proposed use is permitted with the zoning district. The final building plans will meet all the requirements of the existing zoning district.

### **FINANCIAL CONSIDERATIONS:**

The maximum total benefit to the applicant for this expansion project is estimated at approximately \$12,960 in property tax exemptions using projected new assessed building value (\$270,000) and current tax rate (1.6%) for a period of three (3) years.

**Voting Requirements:** 3/4 of Council (6)

### **Submitted By:**

Dan Mahli, City Manager

Derrick LaPoint, DMI/Economic Development

Amy Thorpe, Economic Development Program Administrator

**Attachments:** General Location Map  
Site Plan, Building Floor Plan, and Building Elevation  
Draft Resolution





# GENERAL LOCATION MAP

PROPERTY TAX EXEMPTION

Parcel ID: 58.417.0070

4117 32 Ave S | Moorhead MN

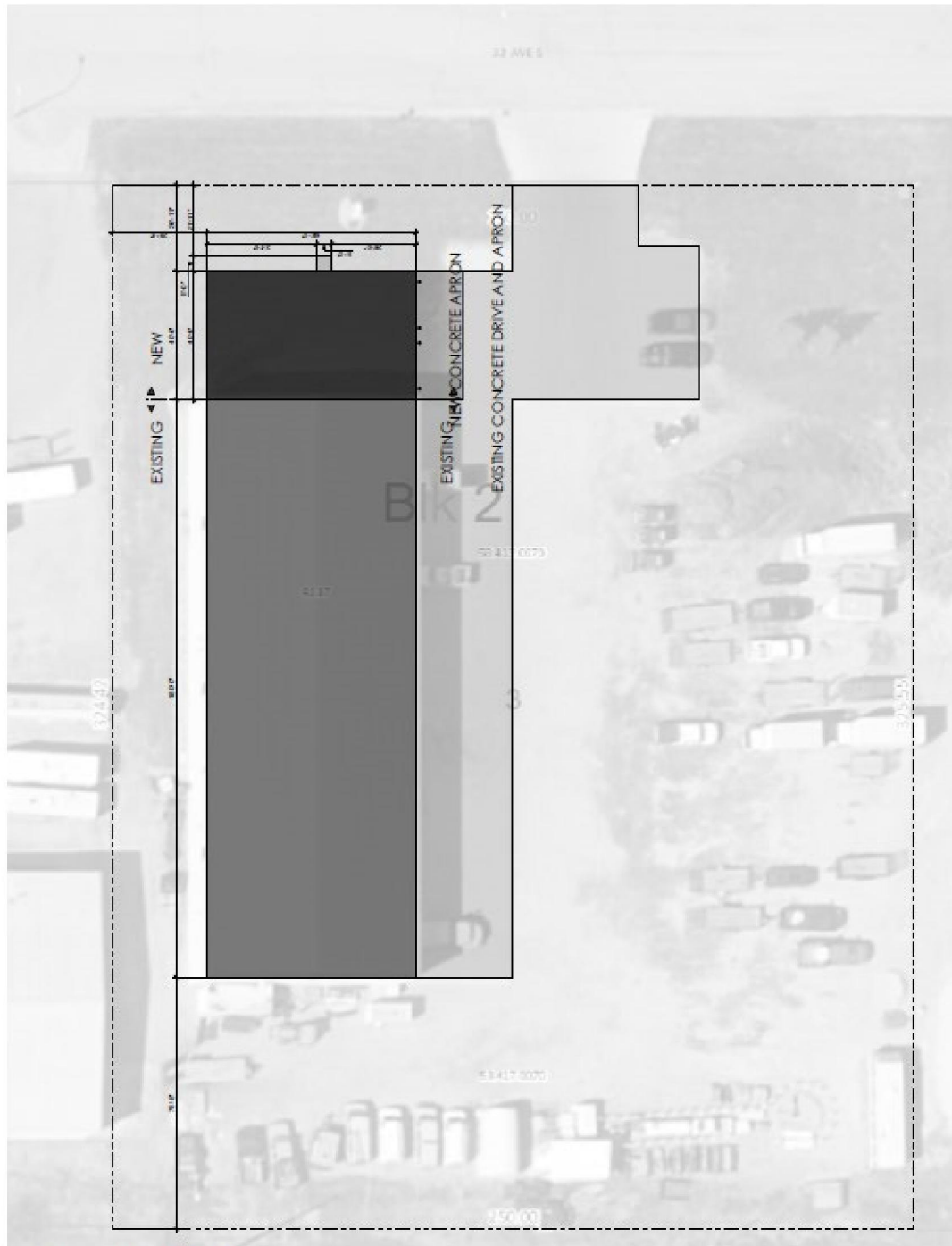




**Abrahamson Holdings LLC**  
**4117 32 Ave S – 58.417.0070**

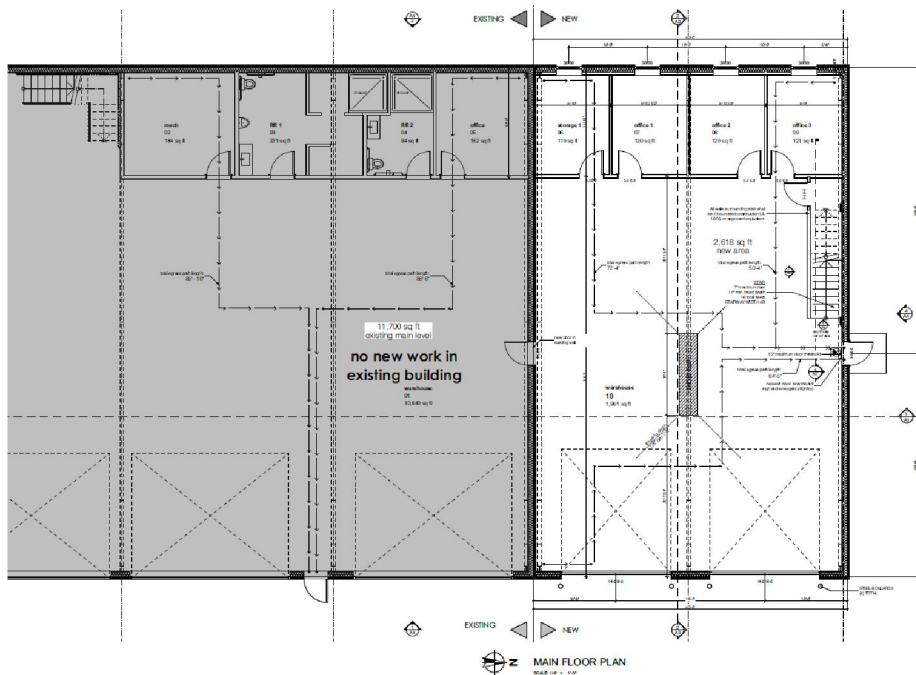
**Site Plan**

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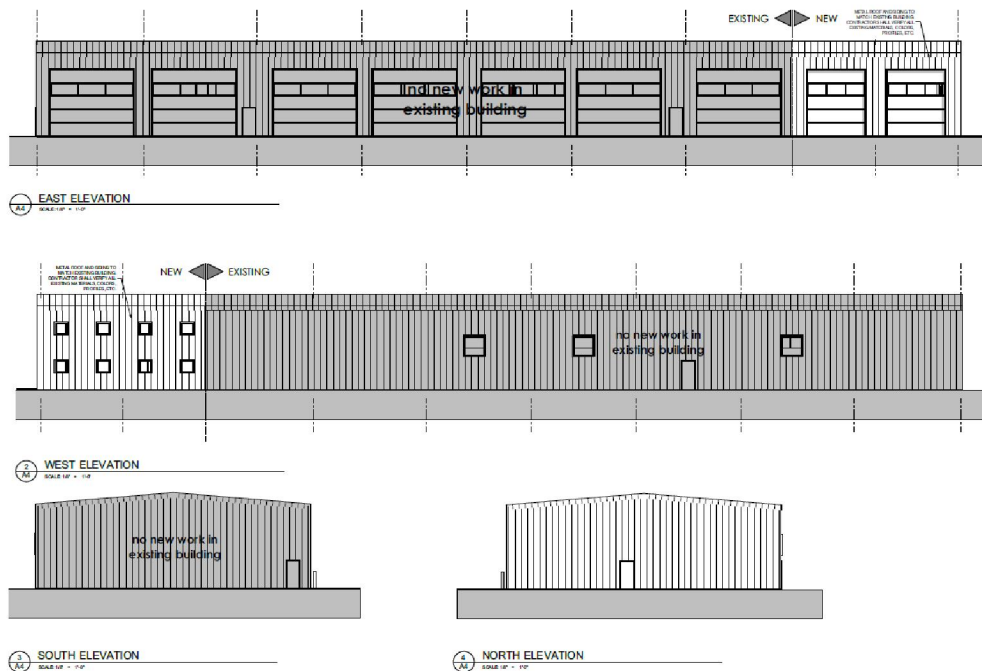


**SITE PLAN**  
SCALE: 1" = 20'

## Building Floor Plan



## Building Elevation



## RESOLUTION

### **Resolution to Approve a Property Tax Exemption for Abrahamson Holdings LLC for the expansion of their commercial building located at 4117 32 Ave S (58.417.0070)**

WHEREAS, Abrahamson Holdings LLC desires to construct an expansion of their commercial building located at 4117 32 Ave S (58.417.0070); and

WHEREAS, the City of Moorhead, pursuant to Minnesota Statute Chapter 469.1732, Subdivision 1, has authority to grant a partial or complete exemption from property taxation of all buildings, structures, fixtures, and improvements used in or necessary to a qualifying business; and

WHEREAS, the City of Moorhead has received a completed application form filed in accordance with applicable City procedures, policy, and guidelines from Joshua Abrahamson on behalf of Abrahamson Holdings LLC requesting the following tax incentives: exemption from property taxation; and

WHEREAS, the application form filed with the City and all associated documentation are complete and have been reviewed and evaluated by City staff; and

WHEREAS, proper notice to competitors pursuant to Minnesota Statute Chapter 469.1734, Subdivision 7, was published twice in the City's official newspaper on June 15, 2023, and June 22, 2023, respectively; and

WHEREAS, Abrahamson Holdings LLC is a qualifying business as defined in Minnesota Statute 469.1734; and

WHEREAS, granting the requested tax incentive is in the best interest of the City of Moorhead to enhance the property tax base and create new jobs.

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

1. The City Council of the City of Moorhead hereby finds that granting an exemption from property taxation to Abrahamson Holdings LLC is necessary to enable Abrahamson Holdings LLC to expand services in the City of Moorhead and is in the best interest of the City of Moorhead.
2. The City Council of the City of Moorhead hereby grants the tax incentives contained here subject to the terms and conditions in this resolution, the corresponding Tax Incentive Agreement, and the Laws of Minnesota.
3. The City of Moorhead hereby approves the application and grants Abrahamson Holdings LLC an exemption from property taxation of new building value according to the following schedule:

New Building Taxable Value	Full Time Equivalent (FTE) Jobs Minimum Created or Retained	Term of Exemption
\$250,000-1,249,999	1-2	3 years
\$1,250,000+	3+	5 years

The new building value will fall within the above chart and the exemption is approved for the category in which it falls. Based on an estimated \$270,000 new assessed building value, the exemption would be for a period of 3 years.

4. The Mayor and City Manager are hereby authorized and directed to execute the Tax Incentive Agreement on file by and between the City of Moorhead and Abrahamson Holdings LLC.
5. The City Clerk is hereby authorized and directed to certify this grant of exemption from property taxation to the City Assessor and County Assessor contingent upon Abrahamson Holdings LLC and the City executing the Tax Incentive Agreement.

PASSED: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

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Michelle (Shelly) A. Carlson, Mayor

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Christina Rust, City Clerk



## City Council Communication

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July 10, 2023

**SUBJECT:**

Public Hearing Regarding the Request of Blake Sunde on behalf of Agassiz Builders LLC for a Property Tax Exemption for a project located at 1301 & 1401 Main Ave SE (58.799.0100; 58.801.0010)

**RECOMMENDATION:**

The Mayor and City Council are asked to conduct a Public Hearing and consider approval of a property tax exemption for Agassiz Builders LLC for the construction of eight multi-tenant commercial buildings located at 1301 & 1401 Main Ave SE (58.799.0100; 58.801.0010).

**BACKGROUND/KEY POINTS:**

The Moorhead City Council and Moorhead Economic Development Authority find that granting property tax exemptions pursuant to program requirements set forth in policies approved on September 12, 2011, increases the community's long-term economic vitality through the creation of additional housing choice, new jobs, increasing employment opportunities for Moorhead residents and expanding Moorhead's property tax base. Further, that existing business will benefit by increasing total number of businesses in Moorhead, thereby positioning Moorhead as a destination to more customers.

**Project:** Agassiz Builders LLC has planned to construct up to eight multi-tenant commercial buildings with 5 or 6 units in each building (wood frame construction, metal siding and roof) to be leased or sold to small commercial businesses such as builders, plumbers, or electricians. Each unit includes 100 square foot office, half bath, an overhead door, and a walk-in door.

Once constructed, Agassiz Builders LLC anticipates forming a CIC condo and may sell a portion of the units to qualified businesses eligible to receive an incentive. The aggregate exemption term shall pass to the new business owners on a pro rata basis as allowed by Resolution 2014-1124-N. Agassiz Builders LLC will be responsible for meeting and reporting on the jobs created or retained.

**Employees:** Agassiz Builders LLC, through the leasing or sale of the spaces to qualified businesses, estimates that it will meet the minimum threshold of one employee per five hundred thousand in new building value (estimated at 15 employees) with wages above the minimum wage floor.

**Property Valuation:** The parcel has an assessed land and building value of \$663,500. Existing land value and existing improvements (if any), and any future land value, remains taxable during the duration of property tax exemption. Only the new assessed building/improvement value receives the exemption.

Based on the preliminary plans submitted with the application, the City Assessor has estimated that the new assessed building value for the project will be approximately \$7.4 million.





## City Council Communication

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July 10, 2023

**Exemption Term:** The term of the exemption is based upon the *new assessed building value* as determined by the City Assessor following building completion. The estimate found in this communication provides an indication of the scope of the project.

The project will be constructed in three phases. Phase Two must be completed as evidenced by a Certificate of Occupancy issued by Moorhead Building Codes before the exemption term of Phase One expires or it does not count toward increasing the cumulative project value and cumulative exemption term.

**Timeline:** Construction of the project, if approved, Phase 1 will begin in August 2023 with an estimated completion of March 2024. Whatever construction is completed in 2023 will be assessed January 2, 2024, and become payable in 2025. Therefore, the first year of the proposed exemption would be 2025. In the event that construction is only partially complete on January 2, 2024, the project operator may choose to pay taxes for the partial year and begin the full exemption in 2026.

**Zoning:** The parcel is located within the "Community Commercial" zoning district. The proposed use is permitted with the zoning district. The final building plans will meet all the requirements of the existing zoning district. Gateway Overlay standards may also apply to a portion of this project.

### **FINANCIAL CONSIDERATIONS:**

The maximum total benefit to the applicant for this project is estimated at approximately \$592,000 in property tax exemptions using projected values (\$7,400,000) and current tax rate (1.6%) for a period of five years.

**Voting Requirements:** 3/4 of Council (6)

### **Submitted By:**

Dan Mahli, City Manager

Derrick LaPoint, DMI/Economic Development

Amy Thorpe, Economic Development Program Administrator

**Attachments:** General Location Map  
Site Plan, Building Floor Plan, and Building Elevation  
Draft Resolution



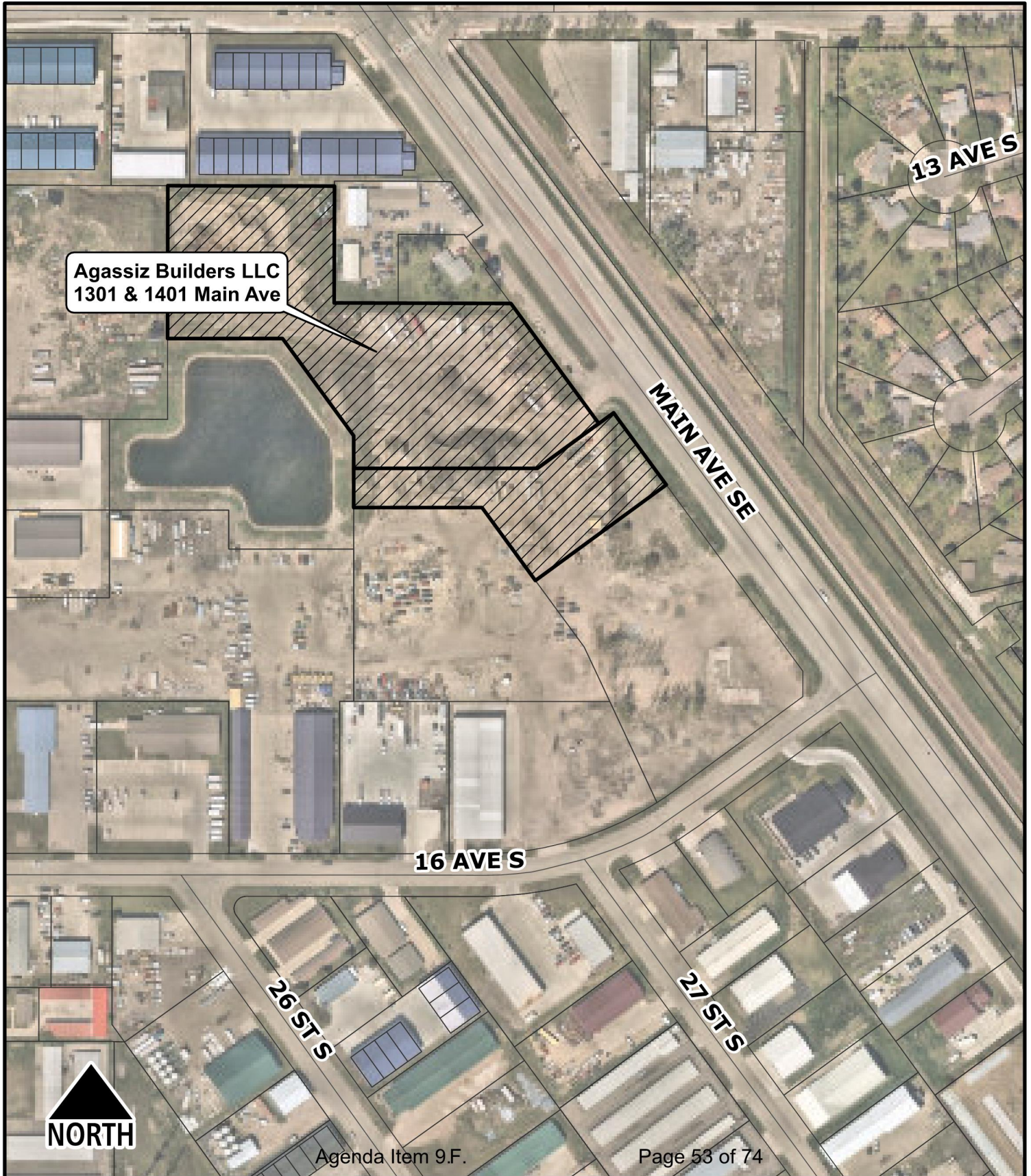


# GENERAL LOCATION MAP

PROPERTY TAX EXEMPTION

Parcel ID: 58.799.0100; 58.801.0010

1301 & 1401 Main Ave SE - Moorhead MN





## RESOLUTION

### **Resolution to Approve a Property Tax Exemption for Agassiz Builders LLC for Construction of several Multi-Tenant Commercial Buildings located at 1301 & 1401 Main Ave SE (58.799.0100; 58.801.0010)**

WHEREAS, Agassiz Builders LLC desires to construct several multi-tenant commercial buildings located at 1301 & 1401 Main Ave SE (58.799.0100; 58.801.0010); and

WHEREAS, the City of Moorhead, pursuant to Minnesota Statute Chapter 469.1732, Subdivision 1, has authority to grant a partial or complete exemption from property taxation of all buildings, structures, fixtures, and improvements used in or necessary to a qualifying business; and

WHEREAS, the City of Moorhead has received a completed application form filed in accordance with applicable City procedures, policy, and guidelines from Thad Thorsness on behalf of Agassiz Builders LLC requesting the following tax incentives: exemption from property taxation; and

WHEREAS, the application form filed with the City and all associated documentation are complete and have been reviewed and evaluated by City staff; and

WHEREAS, proper notice to competitors pursuant to Minnesota Statute Chapter 469.1734, Subdivision 7, was published twice in the City's official newspaper on June 15, 2023, and June 22, 2023, respectively; and

WHEREAS, Agassiz Builders LLC is a qualifying business as defined in Minnesota Statute 469.1734; and

WHEREAS, granting the requested tax incentive is in the best interest of the City of Moorhead to enhance the property tax base and create new jobs.

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

1. The City Council of the City of Moorhead hereby finds that granting an exemption from property taxation to Agassiz Builders LLC is necessary to enable Agassiz Builders LLC to expand services in the City of Moorhead and is in the best interest of the City of Moorhead.
2. The City Council of the City of Moorhead hereby grants the tax incentives contained here subject to the terms and conditions in this resolution, the corresponding Tax Incentive Agreement, and the Laws of Minnesota.
3. The City of Moorhead hereby approves the application and Agassiz Builders LLC an exemption from property taxation of new building value according to the following schedule:

New Building Taxable Value	Full Time Equivalent (FTE) Jobs Minimum Created or Retained	Term of Exemption
\$250,000-1,249,999	1-2	3 years
\$1,250,000+	3+	5 years

The new building value will fall within the above chart and the exemption is approved for the category in which it falls. Based on an estimated \$7.4 million new assessed building value for all three phases, the exemption would be for a period of 5 years.

The project will be constructed in three phases. Phase Two must be completed as evidenced by a Certificate of Occupancy issued by Moorhead Building Codes before the exemption term of Phase One expires or it does not count toward increasing the cumulative project value and cumulative exemption term.

4. The Mayor and City Manager are hereby authorized and directed to execute the Tax Incentive Agreement on file by and between the City of Moorhead and Agassiz Builders LLC.
5. The City Clerk is hereby authorized and directed to certify this grant of exemption from property taxation to the City Assessor and County Assessor contingent upon Agassiz Builders LLC and the City executing the Tax Incentive Agreement.

PASSED: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

\_\_\_\_\_  
Michelle (Shelly) A. Carlson, Mayor

\_\_\_\_\_  
Christina Rust, City Clerk



## City Council Communication

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July 10, 2023

**SUBJECT:**

Resolution to Approve Corrected Plat for Johnson Farms Seventh Addition

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a Resolution for Corrected Plat for Johnson Farms Seventh Addition.

**BACKGROUND/KEY POINTS:**

The request is to correct the placement of easements on Lots 1-28, Block 2. The replatted Seventh Addition is comprised of 24 single-family attached lots for 14 twin homes and 20 single-family detached lots.

**FINANCIAL CONSIDERATIONS:**

Not Applicable

**Voting Requirements:** Majority of Council

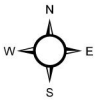
**Submitted By:**

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

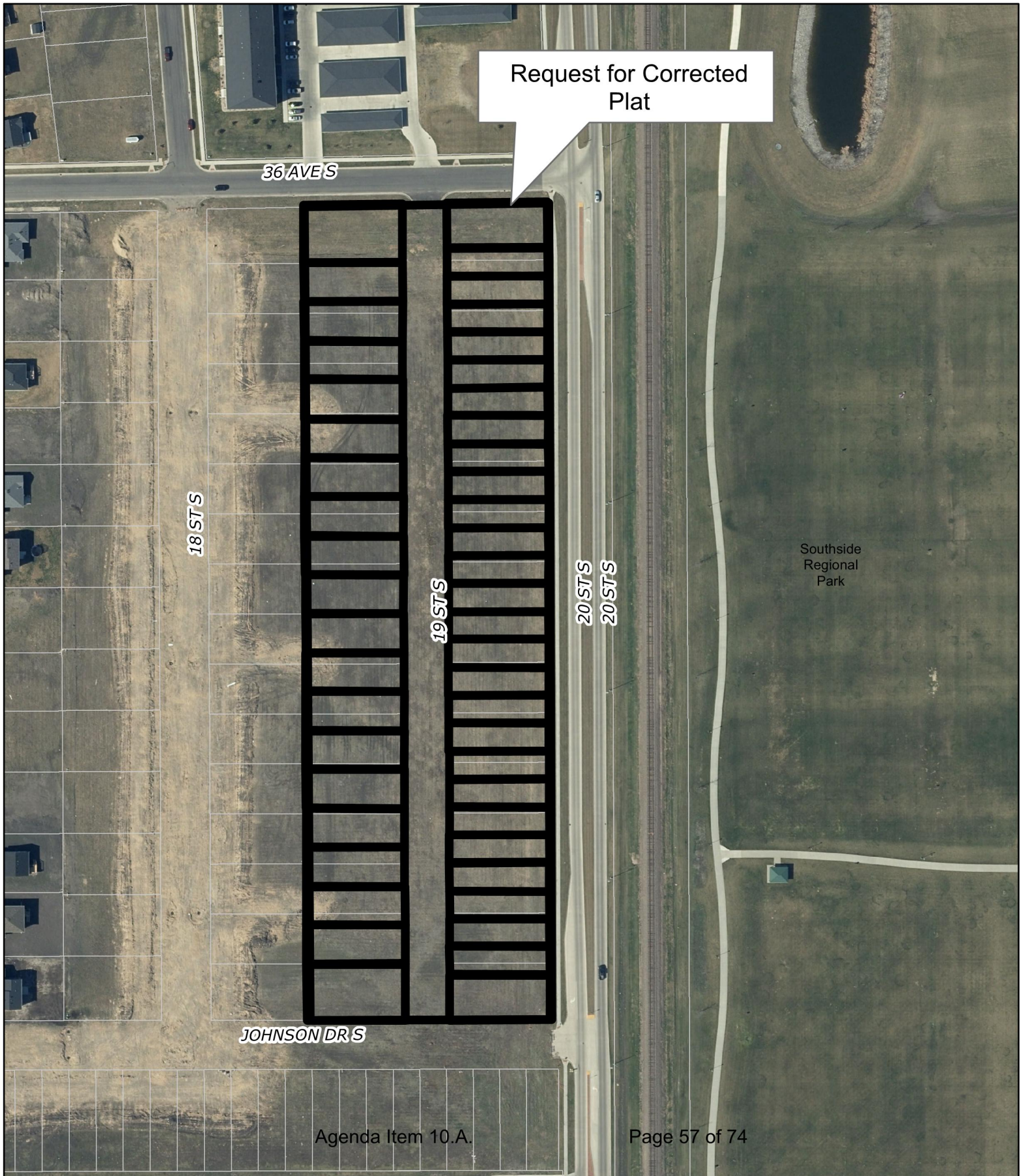
**Attachments:** General Location Map  
Corrected Plat Drawing  
Resolution – Corrected Plat





# General Location Map - Corrected Plat Johnson Farms 7th Addition

## Lots 17 - 32, Block 11, Johnson Farms First Addition, and Lots 1 - 16, Block 1, Johnson Farms Fifth Addition



NEED MORE SPACE? HEAD  
OFF TO MINNESOTA

Page 58 of 74



## RESOLUTION

### Resolution to Approve Corrected Plat for Johnson Farms Seventh Addition

WHEREAS, the Moorhead City Council previously approved a preliminary and final plat for Johnson Farms Seventh Addition, legally described as:

Lots 17 - 32, Block 11, Johnson Farms First Addition, and Lots 1 - 16, Block 1, Johnson Farms Fifth Addition to the City of Moorhead, Clay County, Minnesota, all being more particularly described as:

Beginning at the northeast corner of said Lot 1, said point also lying on the southerly line of 36th Avenue South; thence South 00°15'02" East, along the easterly line of said Lots 1 through 16, for a distance of 1089.88 feet to the southeast corner of said Lot 16, said point also lying on the northerly line of Johnson Drive; thence South 89°52'31" West, along the northerly line of said Johnson Drive, for a distance of 321.69 feet to the southwest corner of said Lot 17; thence North 00°18'02" West, along the westerly line of said Lots 17 through 32, for a distance of 1083.68 feet to the northwest corner of said Lot 32, said point also lying on the southerly line of said 36th Avenue South; thence North 88°46'27" East, along the southerly line of said 36th Avenue South, for a distance of 322.68 feet to the point of beginning. Said tract contains 8.038 acres, more or less; and

WHEREAS, the developer noted misplacement of side yard utility and drainage easements on the recorded plat; and

WHEREAS, staff has reviewed the corrected utility and drainage easement locations on Lots 1-28, Block 2 and noted there are no other changes to the plat; and

WHEREAS, the City Council of the City of Moorhead finds the corrected plat of Johnson Farms Seventh Addition consistent with Title 11 of the Moorhead City Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the corrected plat of Johnson Farms Seventh Addition is hereby approved contingent upon the applicable conditions noted in Resolution 2022-1212-C.

PASSED: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

\_\_\_\_\_  
Michelle (Shelly) A. Carlson, Mayor

\_\_\_\_\_  
Christina Rust, City Clerk



## City Council Communication

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July 10, 2023

**SUBJECT:**

Resolution to Approve Minor Subdivision – 3300 Hwy 10 E – Parcel 58.207.0024

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a resolution to approve a minor subdivision of 3300 Hwy 10 E, Parcel 58.207.0024.

**BACKGROUND/KEY POINTS:**

EasTen Retail, LLC has requested to subdivide the above parcel to accommodate an additional buildable lot. The proposal is consistent with Title 11, Chapter 3 of the Moorhead City Code.

**FINANCIAL CONSIDERATIONS:**

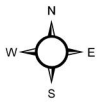
Not Applicable

**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



**General Location Map**  
**3300 Highway 10 East**  
**58.207.0024**



Request for  
Minor Subdivision

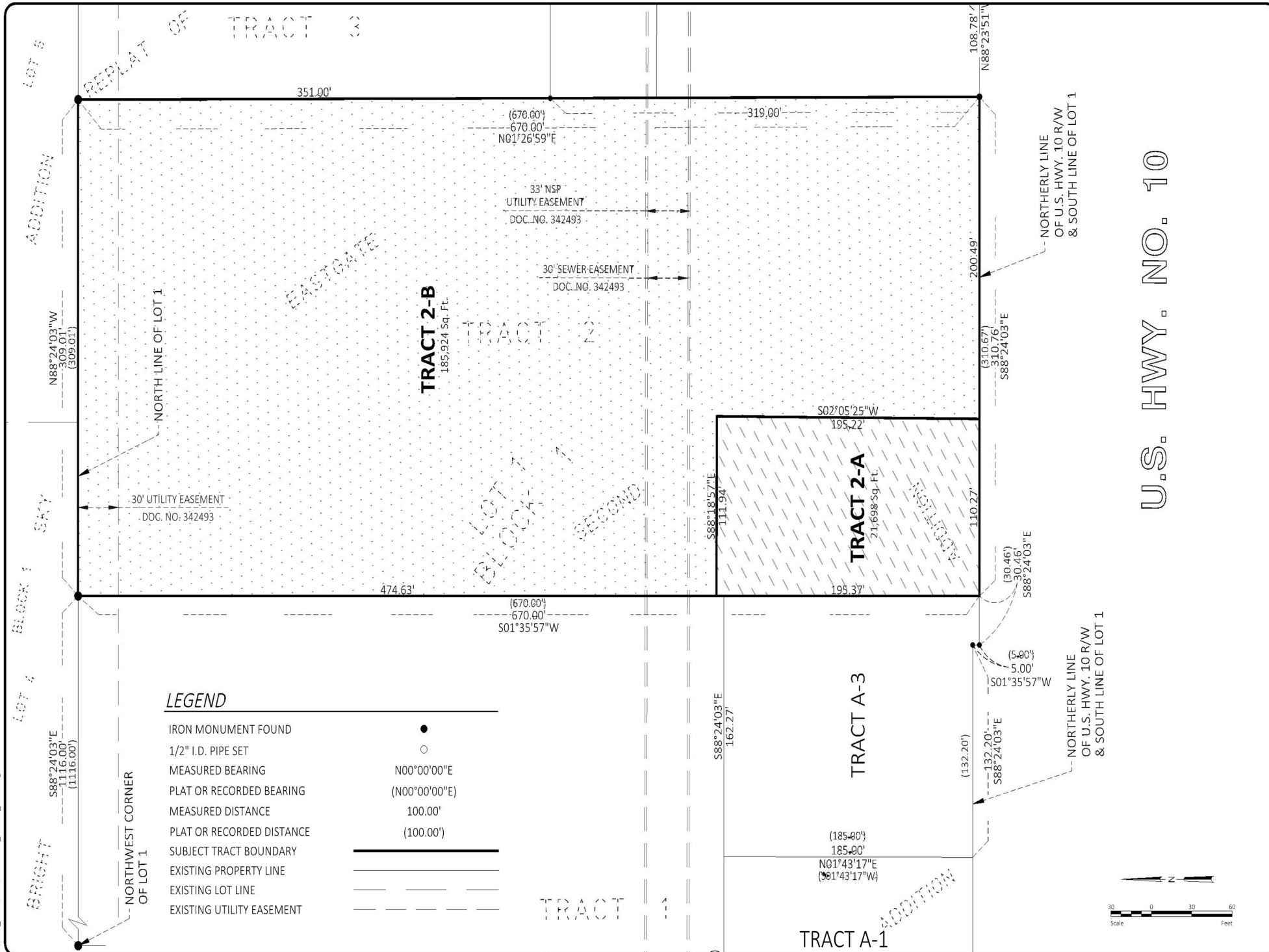
HWY 10 E

HWY 10 E

- 3300 Hwy 10 E
- New Parcel



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No.		Revision	Date	By	I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer in the State of Minnesota.		Page 62 of 74		Drawn by D.S.B.	Date 6-27-23	EASTEN RETAIL, LLC PART OF LOT 1, BLOCK 1, REPLAT OF EASTGATE 2ND ADDITION CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA		CERTIFICATE OF SURVEY CASHWISE TRACT SPLIT PROJECT NO. 8839-0006	SHEET 1 OF 2
6-27-2023		Curtis A. Skarphol		6-27-2023		Checked by CAS		Scale AS SHOWN						

Description of Record - Tract 2:

That part of Lot 1 of Block 1 of the Replat of Eastgate Second Addition, Moorhead, Minnesota, described as follows: Commencing at the northwest corner of Lot 1 of Block 1 of said Replat of Eastgate Second Addition; thence South 88 degrees 24 minutes 03 seconds East (assuming bearing) along the north line of said Lot 1 for a distance of 1116.00 feet to the True Point of Beginning; thence South 01 degrees 35 minutes 57 seconds West for a distance of 670.00 feet to the southerly line of said Lot 1; thence South 88 degrees 24 minutes 03 seconds East along the northerly right-of-way line of Trunk Highway No. 10 for a distance of 310.67 feet (deeded), 310.76 feet (measured); thence North 01 degrees 26 minutes 59 seconds East for a distance of 670.00 feet to the northerly line of said Lot 1; thence North 88 degrees 24 minutes 03 seconds West for a distance of 309.01 feet to the True Point of Beginning.

Description - Tract 2-A:

That part of Lot 1 of Block 1 of the Replat of Eastgate Second Addition, Moorhead, Minnesota, described as follows:

Commencing at the northwest corner of Lot 1 of Block 1 of said Replat of Eastgate Second Addition; thence South 88°24'03" East (assuming bearing) along the north line of said Lot 1 for a distance of 1116.00 feet; thence South 01°35'57" West for a distance of 474.63 feet to the True Point of Beginning; thence South 88°18'57" East for a distance of 111.94 feet; thence South 02°05'25" West for a distance of 195.22 feet to a point of intersection with the south line of said Lot 1; thence North 88°24'03" West, along the south line of said Lot 1, for a distance of 110.27 feet; thence North 01°35'57" East for a distance of 195.37 feet to the True Point of Beginning.

Said tract contains 21,698 square feet, more or less.

Description - Tract 2-B:

That part of Lot 1 of Block 1 of the Replat of Eastgate Second Addition, Moorhead, Minnesota, described as follows:

Commencing at the northwest corner of Lot 1 of Block 1 of said Replat of Eastgate Second Addition; thence South 88°24'03" East (assuming bearing) along the north line of said Lot 1 for a distance of 1116.00 feet to the True Point of Beginning; thence South 01°35'57" West for a distance of 474.63 feet; thence South 88°18'57" East for a distance of 111.94 feet; thence South 02°05'25" West for a distance of 195.22 feet to a point of intersection with the south line of said Lot 1; thence South 88°24'03" East, along the south line of said Lot 1, for a distance of 200.49 feet; thence North 01°26'59" East for a distance of 670.00 feet to the north line of said Lot 1; thence North 88°24'03" West, along the north line of said Lot 1, for a distance of 309.01 feet to the True Point of Beginning.

Said tract contains 185,924 square feet, more or less.

H:\VBA\8839\8839\_0006\CA01\8839-0006\_EastTen\_Cent.dwg

Agenda Item 10-B:

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer in the State of Minnesota.  
*Curtis A. Skarphol*  
Curtis A. Skarphol  
MN LS No. 42303  
6-27-2023



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Drawn by	Date
DCB	6-27-23
Checked by	Scale
CAS	-

EASTEN RETAIL, LLC  
PART OF LOT 1, BLOCK 1, REPLAT OF EASTGATE 2ND ADDITION  
CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA

CERTIFICATE OF SURVEY  
CASHWISE TRACT SPLIT  
PROJECT NO. 8839-0006

SHEET  
2 OF 2

## RESOLUTION

### Resolution to Approve Minor Subdivision – 3300 Highway 10 E – Parcel 58.207.0024

WHEREAS, EasTen Retail, LLC has requested a minor subdivision of property at 3300 Highway 10 E, Parcel 58.207.0024, legally described as:

#### Tract 2-A:

That part of Lot 1 of Block 1 of the Replat of Eastgate Second Addition, Moorhead, Minnesota, described as follows:

Commencing at the northwest corner of Lot 1 of Block 1 of said Replat of Eastgate Second Addition; thence South 88°24'03" East (assuming bearing) along the north line of said Lot 1 for a distance of 1116.00 feet; thence South 01°35'57" West for a distance of 474.63 feet to the True Point of Beginning; thence South 88°18'57" East for a distance of 111.94 feet; thence South 02°05'25" West for a distance of 195.22 feet to a point of intersection with the south line of said Lot 1; thence North 88°24'03" West, along the south line of said Lot 1, for a distance of 110.27 feet; thence North 01°35'57" East for a distance of 195.37 feet to the True Point of Beginning. Said tract contains 21,698 square feet, more or less; and

#### Tract 2-B:

That part of Lot 1 of Block 1 of the Replat of Eastgate Second Addition, Moorhead, Minnesota, described as follows:

Commencing at the northwest corner of Lot 1 of Block 1 of said Replat of Eastgate Second Addition; thence South 88°24'03" East (assuming bearing) along the north line of said Lot 1 for a distance of 1116.00 feet to the True Point of Beginning; thence South 01°35'57" West for a distance of 474.63 feet; thence South 88°18'57" East for a distance of 111.94 feet; thence South 02°05'25" West for a distance of 195.22 feet to a point of intersection with the south line of said Lot 1; thence South 88°24'03" East, along the south line of said Lot 1, for a distance of 200.49 feet; thence North 01°26'59" East for a distance of 670.00 feet to the north line of said Lot 1; thence North 88°24'03" West, along the north line of said Lot 1, for a distance of 309.01 feet to the True Point of Beginning. Said tract contains 185,924 square feet, more or less; and

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: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

\_\_\_\_\_  
Michelle (Shelly) A. Carlson, Mayor

\_\_\_\_\_  
Christina Rust, City Clerk



## City Council Communication

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July 10, 2023

**SUBJECT:**

Resolution to Approve New Liquor License to Twenty Below Coffee Co. Moorhead, LLC DBA Twenty Below Coffee

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a resolution to approve the issuance of a Wine/Strong Beer license to Twenty Below Coffee Co. Moorhead, LLC (DBA Twenty Below Coffee).

**BACKGROUND/KEY POINTS:** Approval is contingent upon the following:

- Favorable Background Investigation
- Certificate of Liquor Liability Insurance
- Liquor License Fees
- Liquor License Server Training Roster
- Certificate of Compliance/Minnesota Worker's Compensation Law
- Proof of Paid Real Estate Taxes

**FINANCIAL CONSIDERATIONS:**

Not Applicable

**Voting Requirements:** Majority of Quorum

**Submitted By:**

Dan Mahli, City Manager  
Kelle Jenkins, Deputy City Clerk

**Attachments:**



**RESOLUTION**

**Resolution to Approve New Liquor License to Twenty Below Coffee**

WHEREAS, the following business applied for a Wine/Strong Beer License in the City of Moorhead under the laws of the State of Minnesota and regulations of the Commissioner of Public Safety:

**Wine** .....\$300  
**3.2 On-Sale**.....\$300  
Name: Twenty Below Coffee Co. Moorhead  
DBA: Twenty Below Coffee  
Location: 600 8<sup>th</sup> St. S  
License Period: July 1, 2023 to June 30, 2024

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby approve the issuance of the liquor licenses noted above, contingent upon licensing requirements.

PASSED: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

\_\_\_\_\_  
Michelle (Shelly) A. Carlson, Mayor

\_\_\_\_\_  
Christina Rust, City Clerk



## City Council Communication

---

July 10, 2023

**SUBJECT:**

Resolution to Accept Quarterly Donations

**RECOMMENDATION:**

The Mayor and City Council are asked to approve a resolution accepting various donations/gifts that are \$1,000 or greater in value on behalf of the City.

**BACKGROUND/KEY POINTS:**

Minnesota Statutes Section 465.03 allows the City to accept donations of real and personal property by resolution with an affirmative vote of two-thirds of the members of the City Council. The City has been accepting donations without a formal process of approval by the City Council. City staff has developed a policy and procedures to manage the acceptance of donations by the City, which includes the approval of an annual resolution to allow the City Manager to accept smaller donations, and quarterly resolutions for Council approval of larger donations. In both cases the City Council will be provided with a list of donations for approval by resolution for all donations accepted on behalf of the City.

The donations of \$1,000 or more that have been received, but not formally accepted since the last quarterly review in March 2023 include:

Name of Donor	Amount	Terms and Conditions
PACTIV	1,000.00	Fire Department
Moorhead Vikingland Kiwani's	1,000.00	Inclusive Playground

**FINANCIAL CONSIDERATIONS:**

In an effort to minimize the administrative time involved with asking the City Council to approve separate resolutions for every donation it was decided that quarterly reporting to accept donations of \$1,000 or more and an annual resolution accepting those of smaller amounts would be presented to Council.

**Voting Requirements:** 2/3 of Council (6)

**Submitted By:**

Dan Mahli, City Manager  
Jami McGregor, Executive Assistant

**Attachments:**

## RESOLUTION

### Resolution to Accept Quarterly Donations

WHEREAS, the City of Moorhead is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 et seq. for the benefit of its citizens; and

WHEREAS, cities may accept gifts of real or personal property, including money and use them in accordance with the terms described by the donor; however, a municipality may not accept or use donations for religious or sectarian purposes; and

WHEREAS, under Minnesota Statute 465.03, a resolution accepting donations and the terms for such, requires an affirmative vote of two-thirds of the members of the Council; and

WHEREAS, the following persons and entities have offered to contribute the cash amounts set forth below to the city with the terms and conditions, if any:

Name of Donor	Amount	Terms and Conditions
PACTIV	1,000.00	Fire Department
Moorhead Vikingland Kiwani's	1,000.00	Inclusive Playground

WHEREAS, all such donations have been contributed to the city for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donations offered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead Minnesota that, in accordance with Minnesota Statute 465.03, the City Council does hereby authorize and direct the City Manager to accept gifts of real or personal property, including money to be utilized by the City of Moorhead as listed above that shall be used as the terms and conditions describe above, as allowed by law.

PASSED: July 10, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

\_\_\_\_\_  
Michelle (Shelly) A. Carlson, Mayor

\_\_\_\_\_  
Christina Rust, City Clerk



## City Council Communication

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July 10, 2023

**SUBJECT:**

Ward 4 Vacancy

**RECOMMENDATION:**

The Mayor and Council are asked to approve the proposed schedule for the appointment of a Ward 4 Council Member.

**BACKGROUND/KEY POINTS:**

At the Council meeting held on June 26, 2023 Council member Steve Lindaas resigned effective as of August 31, 2023. In an effort to expedite the appointment of the Ward 4 Council seat staff and Mayor Carlson suggest the following schedule:

July 11, 2023 to July 20, 2023:

After the Council members approve the application, the City Clerk and City Attorney publish notice of the vacancy on the City website and in the newspaper. Within this timeframe, the Council accepts applications. Any applications received by the City Clerk and/or City Attorney will be forwarded to the Council members for review.

July 20, 2023 to July 24, 2023:

The Council members will have this time period to review the applications. The Applicants will be notified and asked to appear at the July 24, 2023, Council meeting for an interview.

July 24, 2023 City Council Meeting:

The Applicants will be seated in front of the Council. The Applicants will be asked questions and will be allowed to present closing statements to the Council. After interviews have been conducted, the Council may deliberate and discuss the Applicants before voting to fill the vacancy. After closing statements and deliberation, the Council members will have an opportunity to consider all of the information and will vote at the following Council meeting.

August 14, 2023 City Council Meeting:

After interviews have been conducted, the Council may deliberate and discuss the Applicants before voting to fill the vacancy. The Applicant with a majority of the votes of the Council members will be appointed to fill the vacancy by final resolution of the Council immediately thereafter and at the same meeting.

September 11, 2023 City Council Meeting:

The newly appointed Council member will be officially sworn in at the September 11, 2023 City Council meeting.





## City Council Communication

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July 10, 2023

**FINANCIAL CONSIDERATIONS:**

Not Applicable

**Voting Requirements:** Not Applicable

**Submitted By:**

Dan Mahli, City Manager  
John Shockley, City Attorney  
Christina Rust, City Clerk

**Attachments:** Application for Appointment - Ward 4 Vacancy



# APPLICATION FOR APPOINTMENT

## City of Moorhead City Council

Full Name		Date of Application
Home Address		Ward (applicant must be resident of Ward 4)
Day Phone	Evening Phone	
Personal E-mail Address		
Employer	Occupation	
Work Address		
Work Phone	May we contact you at work?	
	No      Yes      (If yes, work hrs: _____)	
Work E-mail Address		

### OPTIONAL:

*The City strives to have a variety of people serving on the City Council.*

*The following information is optional, but would be helpful to us in achieving our goal of balance.*

Gender: \_\_\_\_\_ Age: \_\_\_\_\_ Racial/Ethnic Group: \_\_\_\_\_

### APPLICATION QUESTIONS:

*Applicants must limit responses to no more than 600 words per question.*

*If additional space is required, applicants should use separate pages and attach them to the application.*

**How long have you been a Moorhead resident?** \_\_\_\_\_

**Please describe why you are interested in being appointed.**

**Provide a brief description of your background and experience relevant to appointment.**

**Do you have any special qualifications that you feel would help you be particularly effective** (i.e. work experience, volunteer experience, education, professional or organizational memberships, hobbies, etc.)?

**What are your ideas or observations on the role of the City Council?**

**CONSENT TO RELEASE PRIVATE DATA**

Below you will find a copy of the Minnesota State Statute that explains what data furnished by you are considered public and private. By completing the information below you will authorize the City of Moorhead to release the following private data upon request. Please check all that may be made public.

**You must choose at least one phone number or e-mail address to be made public.**

Public

Home Phone Number \_\_\_\_\_

Personal E-mail Address \_\_\_\_\_

Work Phone Number \_\_\_\_\_

Work E-mail Address \_\_\_\_\_

Mobile Phone Number \_\_\_\_\_



.....

MINNESOTA STATUTES 2020  
13.601 ELECTED AND APPOINTED OFFICIALS

Applicants for appointment

(a) Data about applicants for appointment to a public body collected by a government entity as a result of the applicant's application for appointment to the public body are private data on individuals except that the following are public:

- (1) name;
- (2) city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
- (3) education and training;
- (4) employment history;
- (5) volunteer work;
- (6) awards and honors;
- (7) prior government service;
- (8) any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to section [15.0597](#); and
- (9) veteran status.

(b) Once an individual is appointed to a public body, the following additional items of data are public:

- (1) residential address;
- (2) either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
- (3) first and last dates of service on the public body;
- (4) the existence and status of any complaints or charges against an appointee; and
- (5) upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.

(c) Notwithstanding paragraph (b), any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

**APPLICATION DIRECTIONS**

Return application form by mail, fax or email to:

Mail: City Clerk's Office  
500 Center Avenue, Box 779  
Moorhead, MN 56560

Fax: 218-299-5306

E-mail: [cityclerk@cityofmoorhead.com](mailto:cityclerk@cityofmoorhead.com)

Phone: 218-299-5304

***Applications will be kept on file for two (2) years after date of submittal.***