



**CITY COUNCIL  
MEETING AGENDA  
JULY 24, 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
6. Approve Minutes
  - A. July 10, 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
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 on Amendments to the Community Development Block Grant 2020-2024 Consolidated Plan and the 2022 & 2023 Annual Action Plans
10. Community Development Department
  - A. \*Resolution to Approve Vacation of Two 5-foot Drainage & Utility Easements within Twelfth Avenue Business Park and Twelfth Avenue Business Park Second Addition
  - B. \*Resolution to Approve Vacation of a portion of 9th Street N between Center Avenue and 1st Avenue N

- C. \*Resolution to Approve Preliminary and Final Plat relating to Horizon Shores Holiday Addition
  - D. \*Resolution to Approve Developer's Agreement for Horizon Shores Holiday Addition
  - E. \*Resolution to Approve Future Land Use Map Updates in the Onward Moorhead Comprehensive Plan
11. Administration
- A. \*Resolution to Authorize Contract with MnDOT for 2024 Public Transportation Services
  - B. \*Resolution to Authorize Contract with MnDOT for 2024 Special Transportation Services for Persons with Disabilities and Senior Citizens
  - C. \*Resolution to Approve Contracts with Moorhead Higher Education Institutions for 2023-24 MATBUS U-Pass Program
  - D. Ward 4 City Council Candidate Interviews
12. Mayor and Council Reports
13. City Manager Reports
14. Executive Session
15. New Business
16. Adjourn



**CITY COUNCIL  
MEETING MINUTES  
JULY 10, 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: Larry Seljevold  
Council Member: Steve Lindaas  
Council Member: Chuck Hendrickson  
Mayor: Shelly Carlson

Absent:

2. Pledge of Allegiance

3. Agenda Amendments

4. Consent Agenda

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

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

5. Recognitions - Presentations

A. MoorHeart Recognition: FM Trailbuilders

Moorhead Director of Parks & Recreation Holly Heitkamp presented a MoorHeart recognition to the FM Trailbuilders. Members of the FM Trailbuilders thanked the community and expressed excitement for continuing to grow and maintain an excellent trail network in Moorhead.

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

Finance Director Jenica Flanagan introduced Certified Public Accountant with Eide Bailly Jamie Fay to present Moorhead's 2022 Comprehensive Annual Financial Report and Audit.

C. Community Center/Regional Library Update - Rob Remark

Rob Remark with JLG Architects shared an update on the Community Center Regional Library. A community survey is available on the City of Moorhead website. The information gathered at community meetings and the survey will be shared at [www.yes56560.com](http://www.yes56560.com) in the coming months.

6. Approve Minutes

A. June 26, 2023 Meeting Minutes

**Motion to Approve June 26, 2023 Meeting Minutes made by Ryan Nelson and seconded by Steve Lindaas**

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

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

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)

Downtown Moorhead Inc President/CEO Derrick LaPoint presented a property tax exemption request at 824 Center Ave. The project includes event space along with existing offices. No public comment was received.

**Motion to Open Public Hearing 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) made by Heather Nesemeier and seconded by Deb White**

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

**Motion to Close Public Hearing 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) made by Deb White and seconded by Larry Seljevold**

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;



- 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)

**Motion to Approve 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) made by Chuck Hendrickson and seconded by Heather Nesemeier**

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

- 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)

Downtown Moorhead Inc President/CEO Derrick LaPoint presented a property tax exemption request for a project at 4117 32 Ave S. The project will increase shop space with offices as well as overhead and walk-in doors. No public comment was received.

**Motion to Open Public Hearing 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). made by Deb White and seconded by Steve Lindaas**

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

**Motion to Close Public Hearing 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) made by Larry Seljevold and seconded by Heather Nesemeier**

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

- 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)

**Motion to Approve 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) made by Deb White and seconded by Heather Nesemeier**

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

- 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)

Downtown Moorhead Inc President/CEO Derrick LaPoint presented a property tax exemption request for a project at 1301 & 1401 Main Ave SE. Construction will take place in three phases and will include 8 multi-tenant commercial buildings to include new jobs and 35-40 units for sale or lease to qualified businesses. No public comment was received.

**Motion to Open Public Hearing 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) made by Laura Caroon and seconded by Deb White**

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevoll, Lindaas, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

**Motion to Close Public Hearing 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) made by Larry Seljevoll and seconded by Steve Lindaas**

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevoll, Lindaas, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

- 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)

**Motion to Approve 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) made by Chuck Hendrickson and seconded by Heather Nesemeier**

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevoll, Lindaas, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

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

Mayor Carlson stated the Moorhead City Council met on June 26, 2023 in executive session to conduct a regular performance review of City Manager Dan Mahli. During the annual performance evaluation, the Moorhead City Council evaluated City Manager Mahli in Elected Body Relationships, Organization, Community Relations, Fiscal Performance, Intergovernmental/Agency/Association Relationships, Communication, Personal, and Goals/Target Achievement. The City Council determined that Dan Mahli's performance in each of the areas ranged from "exceeds expectations" to "exceptional." The City Council then reviewed Mr. Mahli's overall performance as City Manager and determined that he is exceeding expectations for the position of City Manager. Dan Mahli provided input and feedback regarding his position and discussed goals and targets for achievement for the upcoming year.

- D. Ward 4 Vacancy

City Manager Dan Mahli shared a proposed schedule to fill the Ward 4 City Council seat vacancy starting September 1, 2023. Council member White asked about the timeline for applications to be received. An amendment was made to extend the application submittal deadline to Friday July 21 at 4:30 p.m. Applications will be forwarded to City Council members as they are received.

## 12. Mayor and Council Reports

Council Member Deb White stated a Conversation with Ward 3 Council Members event is scheduled at Gooseberry Park on July 11 from 6:00-8:00 p.m. Council Member White talked about a Police Community Picnic at Queens Park on Monday, July 17 from 5:30-7:30 p.m. Council Member White expressed condolences to the family and friends of Mark Knutson.

Council Member Matt Gilbertson shared a report from the Moorhead Public Service Commission in which water quality in the service area meets all requirements. He stated the MPS wind turbines in Moorhead are also in the process of being decommissioned.

Mayor Shelly Carlson reported on a Moorhead Clay County Joint Powers Authority meeting and gave an update on the FM Diversion project. Mayor Carlson talked about a presentation with area realtors. She added the City is listening and providing realtors with information on programs and incentives to encourage homeownership in Moorhead. Mayor Carlson talked about hosting Lt. Governor Peggy Flanagan during a site visit at the Moorhead Fire Department headquarters to discuss the 11 Street underpass. Mayor Carlson recognized First International Bank & Trust that held a ribbon cutting at its new bank location in south Moorhead. Mayor Carlson also spoke about a tour of the Pactiv facility in south Moorhead and shared information about a recent Moorhead Police Department swearing-in and recognition ceremony.

## 13. City Manager Reports

City Manager Dan Mahli thanked community leaders for normalizing mental health in organizations. Mr. Mahli spoke of a staff meeting in which representatives from the League of Minnesota Cities' Insurance Trust recognized success among Moorhead's efforts, specifically in public safety functions, and shared information about addressing mental health challenges and opportunities in the workplace.

14. Executive Session

15. New Business

16. Adjourn

Meeting adjourned at 6:58pm

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.



## City Council Communication

---

July 24, 2023

### **SUBJECT:**

Public Hearing on Amendments to the Community Development Block Grant 2020-2024 Consolidated Plan and the 2022 & 2023 Annual Action Plans

### **RECOMMENDATION:**

This is a public hearing only. The Mayor and City Council are asked to receive public comments on proposed amendments to the Five-Year 2020-2024 Consolidated Plan and the 2022 & 2023 Annual Action Plans for the Community Development Block Grant (CDBG). Formal consideration of the proposed amended plans is scheduled for August 14, 2023.

### **BACKGROUND/KEY POINTS:**

The U.S. Department of Housing and Urban Development (HUD) is in the final review process of Moorhead's 2023 Annual Action Plan. Upon review, HUD has determined the need for the City of Moorhead to implement the following amendments:

- **The Five-Year Consolidated Plan must specify a strategic goal to support the snow removal program introduced in 2022.** The new program, which is proving very popular, is eligible as a public service CDBG activity under the Non-Homeless Special Needs Services category. The proposed goal to be included in the Consolidated Plan is: Provide services for low to moderate income homeowners that are elderly and/or disabled so that they may safely access their homes. Qualifying homeowners are those who would not have the means to conduct services independently and would not have access to the service would result in the homeowner being unable to live independently. The newly proposed goal will support the basis of the snow removal program which will be reflected in the 2022 & 2023 annual plans.
- **The Opportunities Under Transit (OUT) program must remove the job seeking/work transportation requirement.** The 2023 City Council approved annual plan includes public service program, Opportunities Under Transit (OUT). The programs intent is to provide discounted bus passes to individuals on a referral basis. The requirement of OUT is that the client must meet income qualifications which target those who are homeless or extremely low income of 30% AMI or less and seeking employment, attending job training, or going to work. The amendment is to make this opportunity available for all income qualifying individuals and to remove the job seeking/work requirement since the City cannot document that participants are solely using the bus passes for employment training.

### **FINANCIAL CONSIDERATIONS:**

Not Applicable

**Voting Requirements:** Not Applicable





## City Council Communication

---

July 24, 2023

**Submitted By:**

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Tanya Kunza, Community Development Program Administrator

**Attachments:** Public Hearing Notice published in FM Extra July 13, 2023

## City of Moorhead Public Hearing & Public Comment Period Community Development Block Grant

The City of Moorhead is opening a 30-day public comment period starting July 14, 2023 including a public hearing on Monday July 24, 2023, at the Moorhead City Council Meeting. Final consideration will be at the August 14, 2023, Moorhead City Council Meeting. The purpose for the public comment period is to consider a proposed amendment to the Community Development Block Grant (CDBG) 5-Year Consolidated Plan (2020-2024), the 2022 Annual Action Plan, and the 2023 Annual Action Plan, which is summarized in this notice. During this public comment period there will also be the 2022 Consolidated Annual Program Evaluation Report (CAPER) open for a 15-day Public Comment Period, July 14 – July 29, 2023.

### Summary of Proposed Amendments

#### 1. 5 Year Annual Plan

Strategic Goals The 5-year Consolidated Plan currently has 11 strategic goals; this proposed amendment is to add an additional goal: SN3 – Non-Homeless Special Needs Services: Provide Services for low- to moderate-income homeowners that are elderly and/or disabled so that they may safely access their homes. The qualifying criteria proposed is that the homeowner does not have the means to conduct services independently and that not having access to the service would result in the homeowner being unable to live independently.

#### 2. 2022 and 2023 Annual Plans

Proposed amendment is to include the Snow Removal Assistance Program as an activity under the proposed SN3 Non-Homeless Special Needs Goal, in both 2022 and 2023 Annual Action Plans. This program was previously approved by the City Council and is being amended only to associate it with the new goal described above.

#### 3. Opportunities Under Transit (OUT) Program – 2023 Annual Plan

An amendment is proposed to remove the requirement of seeking employment, attending job training, or going to work as an OUT-program qualification. The proposed opportunity will be available for all income-qualifying applicants. OUT provides discounted bus passes for persons who are homeless or extremely low income (less than 30% median income). The 2023 Annual Plan has \$10,200 allocated for OUT.

### Comments & Suggestions

The proposed amendments and CAPER are available online at [www.cityofmoorhead.com](http://www.cityofmoorhead.com) (type "CDBG" in search bar) or by contacting the Administration Department at the address below.

Comments and suggestions from the public are encouraged through a public comment period. Alternative formats of this information or accommodation for persons with disabilities or limited English proficiency will be made upon request (10 hours' notice is required). To arrange services, call 218-299-5398 for TDD/Relay service dial 711.

30-Day Public Comment Period: July 14 – August 13, 2023

**Contact Information:** City of Moorhead  
Administration  
Attn: CD Program Administrator  
201 1 Ave North  
218.299.5375  
[Tanya.Kunza@moorheadmn.gov](mailto:Tanya.Kunza@moorheadmn.gov)

**Public Hearing:** Monday, July 24, 2023 - 5:45 pm  
Moorhead City Council Meeting  
Hjemkomst Center, Auditorium  
201 1 Ave N, Moorhead MN 56560

**City Council Consideration:** Monday August 14, 2023  
Hjemkomst Center  
201 1 Ave N, Moorhead MN 56560

### 2022 Consolidated Annual Performance and Evaluation Report (CAPER)

15-Day Public Comment Period: July 14 – July 29, 2023

Public Meeting: Tuesday, July 25, 2023, at Noon  
Hjemkomst Center Oak Room  
201 1 Ave North, Moorhead MN 56560

327180



## City Council Communication

---

July 24, 2023

**SUBJECT:**

Resolution to Approve Vacation of Easements within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a vacation of two 5-foot drainage & utility easements within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition.

**BACKGROUND/KEY POINTS:**

The request is intended to facilitate commercial development that requires the easements to be vacated along a shared lot line where two lots will be combined.

The Moorhead Planning Commission considered the request at their July 11, 2023 meeting and unanimously recommended approval of the vacation with no public comments. The complete Planning Commission packet is available at:

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

**FINANCIAL CONSIDERATIONS:**

Not Applicable

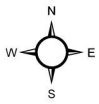
**Voting Requirements:** Majority of Council

**Submitted By:**

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

**Attachments:** General Location Map  
Resolution – Vacation of Easement & Findings of Fact





# General Location Map - Vacation Area 1301 & 1401 Main Ave SE 58.779.0100 and 58.801.0010





## RESOLUTION

### **Resolution to Approve Vacation of Two 5-foot Drainage and Utility Easement within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition**

WHEREAS, Lowry Engineering, on behalf of Summit Sand & Gravel, Inc. and West Holdings, LLC, has requested a vacation of easements within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition, described as follows:

Along the south boundary of Lot 10, Block 1, Twelfth Avenue Business Park Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 124.72 feet, excluding the westerly 5 feet and easterly 10 feet thereof – 1301 Main Ave SE – Parcel 58.799.0100; and

Along the north boundary of Lot 1, Block 1, Twelfth Avenue Business Park Second Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 154.72 feet, excluding the westerly 15 feet and easterly 40 feet thereof – 1401 Main Ave SE – Parcel 58.801.0010; and

WHEREAS, a public hearing to consider the vacation request was held on July 11, 2023 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 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 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 shop condos.
- 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 easement vacations within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition, described as follows:

Along the south boundary of Lot 10, Block 1, Twelfth Avenue Business Park Addition, which



runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 124.72 feet, excluding the westerly 5 feet and easterly 10 feet thereof – 1301 Main Ave SE – Parcel 58.799.0100; and

Along the north boundary of Lot 1, Block 1, Twelfth Avenue Business Park Second Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 154.72 feet, excluding the westerly 15 feet and easterly 40 feet thereof – 1401 Main Ave SE – Parcel 58.801.0010; and

contingent upon the following conditions:

1. Owner/Applicant is responsible for all rerouting and reestablishing easements for existing utilities.
2. Owner/Applicant to receive all required federal, state and local permits.

PASSED: July 24, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

---

Michelle (Shelly) A. Carlson, Mayor

---

Christina Rust, City Clerk

**Easements Vacation  
Moorhead Planning Commission  
Findings of Fact**

**REQUEST:** Vacation of Two 5-foot Drainage & Utility Easements within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition

**LOCATION:** 1301 Main Avenue SE – Lot 10, Block 1 – 58.799.0100  
1401 Main Avenue SE – Lot 1, Block 1 – 58.801.0010

**APPLICANT/OWNER:** Lowry Engineering, on behalf of Summit Sand and Gravel, Inc. and West Holdings LLC

**FILE NO:** 23P007

WHEREAS, the Moorhead Planning Commission received a full and complete application for Vacation of Easements within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition, described as:

Along the south boundary of Lot 10, Block 1, Twelfth Avenue Business Park Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 124.72 feet, excluding the westerly 5 feet and easterly 10 feet thereof; and

Along the north boundary of Lot 1, Block 1, Twelfth Avenue Business Park Second Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 154.72 feet, excluding the westerly 15 feet and easterly 40 feet thereof; and

WHEREAS, the vacations are to accommodate the development of shop condos; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the aforementioned request on July 11, 2023; 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 Lowry Engineering, on behalf of Summit Sand and Gravel, Inc. and West Holdings LLC, and received June 13, 2023 (herein referred to as “Application”) seeking a Vacation of Easements within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition, legally described as:

Along the south boundary of Lot 10, Block 1, Twelfth Avenue Business Park Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 124.72 feet, excluding the westerly 5 feet and easterly 10 feet thereof; and

Along the north boundary of Lot 1, Block 1, Twelfth Avenue Business Park Second Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 154.72 feet, excluding the westerly 15 feet and easterly 40 feet thereof; and

- The request is to accommodate the development of shop condos.
- A public hearing was held by the Planning Commission on July 11, 2023 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 vacation is 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 vacation will accommodate the development of shop condos.
- 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 Lowry Engineering, on behalf of Summit Sand and Gravel, Inc. and West Holdings LLC, for Vacation of Easements within Twelfth Avenue Business Park Addition and Twelfth Avenue Business Park Second Addition, legally described as:

Along the south boundary of Lot 10, Block 1, Twelfth Avenue Business Park Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 124.72 feet, excluding the westerly 5 feet and easterly 10 feet thereof; and

Along the north boundary of Lot 1, Block 1, Twelfth Avenue Business Park Second Addition, which runs S89-57-34E for a distance of 301.45 feet, then continues N53-47-41E for 154.72 feet, excluding the westerly 15 feet and easterly 40 feet thereof

is hereby approved contingent upon:

- a. Owner/Applicant is responsible for all rerouting and reestablishing easements for existing utilities.
- b. Owner/Applicant to receive all required federal, state and local permits.

PASSED by the Moorhead Planning Commission this 11th day of July, 2023.

  
\_\_\_\_\_  
Nicole Mattson, Vice-Chair  
Moorhead Planning Commission

  
\_\_\_\_\_  
Attest: Robin Huston,  
City Planner/Zoning Administrator



## City Council Communication

---

July 24, 2023

**SUBJECT:**

Resolution to Approve Vacation of 9th Street N Right of Way within the Original Townsite Moorhead Plat

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a vacation of a portion of 9th Street N Right of Way within the Original Townsite Moorhead Plat.

**BACKGROUND/KEY POINTS:**

The request is to accommodate creation of outdoor plaza space and pedestrian access between two shared-use buildings.

The Moorhead Planning Commission considered the request at their July 11, 2023 meeting and unanimously recommended approval of the Vacation. 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

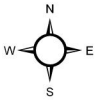
**Voting Requirements:** Majority of Council

**Submitted By:**

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

**Attachments:** General Location Map  
Draft Resolution – Vacation of 9th St N Right of Way





# General Location Map Vacation of Right of Way - Portion of 9th St N Original Moorhead Townsite Plat





## **RESOLUTION**

### **Resolution to Approve Vacation of 9<sup>th</sup> Street N Right of Way within the Original Townsite Moorhead Plat**

WHEREAS, Center Avenue, LLC and Edwin & Lorraine Welle, LP have requested a vacation of a portion of 9<sup>th</sup> Street N Right of Way within the Original Townsite Moorhead Plat, described as follows:

A portion of 9th Street North between Blocks 38 and 40 of the Original Townsite Moorhead Plat. Said right of way being adjacent to Lots 18, 19 and 20 in Block 38 and Lots 5, 6, and 7 in Block 40; and

WHEREAS, a public hearing to consider the vacation request was held on July 11, 2023 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 vacation described herein; and

WHEREAS, the right of way vacation 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 vacation is consistent with 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 vacation will accommodate the creation of outdoor plaza space and pedestrian access between two shared-use buildings.
- 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 vacation within Original Townsite Moorhead Plat, described as follows:

A portion of 9<sup>th</sup> Street North between Blocks 38 and 40 of the Original Townsite Moorhead Plat. Said right of way being adjacent to Lots 18, 19 and 20 in Block 38, and Lots 5, 6, and 7 in Block 40; and

contingent upon the following conditions:

1. Owner/Applicant to work with City of Moorhead, Xcel Energy and Lumen/Century Link to provide an easement or easements over areas where existing utilities are located in this

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

PASSED: July 24, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

---

Michelle (Shelly) A. Carlson, Mayor

---

Christina Rust, City Clerk

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

**REQUEST:** Vacation of 9<sup>th</sup> Street N Right of Way within Original Townsite Moorhead Plat

**LOCATION:** A portion of 9th Street North between Blocks 38 and 40 of the Original Townsite Moorhead Plat. Said right of way being adjacent to Lots 18, 19 and 20 in Block 38, and Lots 5, 6, and 7 in Block 40.

**APPLICANT/OWNER:** Center Avenue, LLC & Ed & Lorraine Welle, LP

**FILE NO:** 23P006

WHEREAS, the Moorhead Planning Commission received a full and complete application for Vacation of 9<sup>th</sup> Street N Right of Way within Original Townsite Moorhead Plat, described as:

A portion of 9th Street North between Blocks 38 and 40 of the Original Townsite Moorhead Plat. Said right of way being adjacent to Lots 18, 19 and 20 in Block 38, and Lots 5, 6, and 7 in Block 40; and

WHEREAS, the vacation is to accommodate the creation of an outdoor plaza space; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the aforementioned request on July 11, 2023; 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 Center Avenue, LLC and Ed & Lorraine Welle, LP, received on June 5, 2023 (herein referred to as "Application") seeking a Vacation of 9<sup>th</sup> Street N Right of Way within Original Townsite Moorhead Plat, legally described as:

A portion of 9th Street North between Blocks 38 and 40 of the Original Townsite Moorhead Plat. Said right of way being adjacent to Lots 18, 19 and 20 in Block 38, and Lots 5, 6, and 7 in Block 40; and
- The request is to accommodate the creation of an outdoor plaza space.
- A public hearing was held by the Planning Commission on July 11, 2023 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 vacation is 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 vacation will accommodate the creation of an outdoor plaza space.

- 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 Center Avenue, LLC and Ed & Lorraine Welle, LP for Vacation of 9<sup>th</sup> Street N Right of Way within Original Townsite Moorhead Plat, legally described as:

A portion of 9th Street North between Blocks 38 and 40 of the Original Townsite Moorhead Plat. Said right of way being adjacent to Lots 18, 19 and 20 in Block 38, and Lots 5, 6, and 7 in Block 40

is hereby approved contingent upon:

1. Owner/Applicant to work with City of Moorhead, Xcel Energy and Lumen/Century Link to provide an easement or easements over areas where existing utilities are located in this right of way area.
2. Owner/Applicant is responsible for rerouting of existing utilities/reestablishing easements or must provide additional easements, if needed.
3. Owner/Applicant to receive all required federal, state and local permits.

PASSED by the Moorhead Planning Commission this 11th day of July, 2023.

  
\_\_\_\_\_  
Nicole Mattson, Vice-Chair  
Moorhead Planning Commission  
\_\_\_\_\_  
Attest: Robin Huston,  
City Planner/Zoning Administrator



## City Council Communication

---

July 24, 2023

**SUBJECT:**

Resolution to Approve Preliminary and Final Plat relating to Horizon Shores Holiday Addition

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a Resolution for Preliminary and Final Plat for Horizon Shores Holiday Addition. In addition, a Resolution to Approve a Developer's Agreement for same is also requested.

**BACKGROUND/KEY POINTS:**

This vacant unplatted parcel is part of the larger Horizon Shores development area. The Holiday Station Store would like to expand onto Lot 1 by adding diesel pumps and some short-term truck parking while also creating a second lot for future development.

The Planning Commission held a public hearing for this item on July 11, 2023 and unanimously recommended approval of the preliminary and final plat with no public comment. The Planning Commission packet is available

at: [www.cityofmoorhead.com/government/boards-commissions/planning-commission](http://www.cityofmoorhead.com/government/boards-commissions/planning-commission)

**FINANCIAL CONSIDERATIONS:**

Not Applicable

**Voting Requirements:**

Preliminary & Final Plat – Majority of Council

Developer's Agreement - Three-Fourths of Council (6)

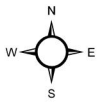
**Submitted By:**

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

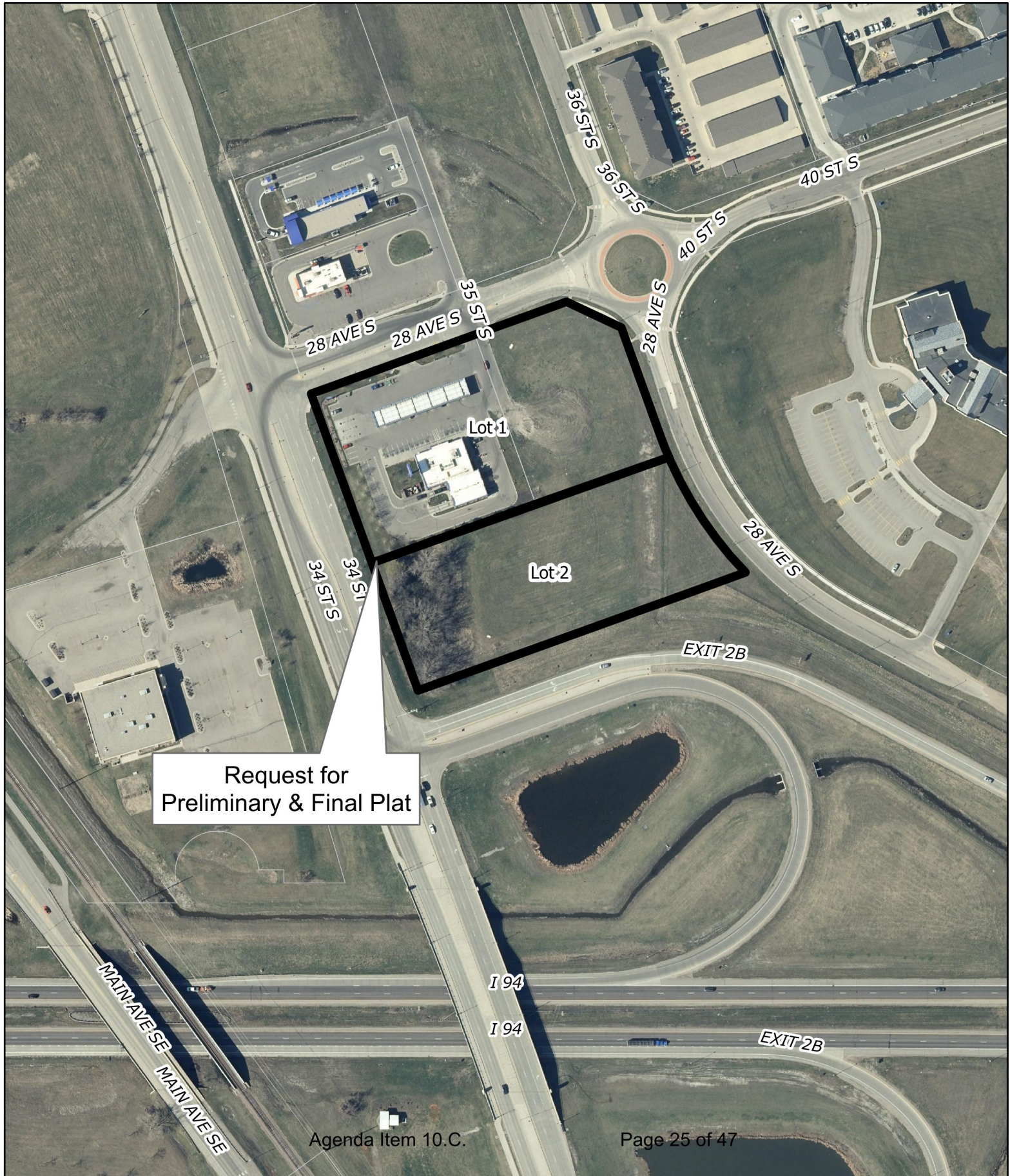
**Attachments:** General Location Map  
Preliminary & Final Plat Drawing  
Draft Resolution – Preliminary & Final Plat  
Draft Resolution – Developer's Agreement





# General Location Map - Preliminary & Final Plat

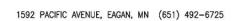
3475 28th Ave S  
58.349.0010 and a portion of 58.900.1062



Request for  
Preliminary & Final Plat



BEING A PLAT OF PART OF THE SOUTHEAST QUARTER SECTION 15, TOWNSHIP 139 N, RANGE 48 W. 5TH P.M.  
TO THE CITY OF MOORHEAD  
CLAY COUNTY



# HORIZON SHORES HOLIDAY ADDITION

BEING A PLAT OF PART OF THE SOUTHEAST QUARTER SECTION 15, TOWNSHIP 139 N, RANGE 48 W. 5TH P.M.

TO THE CITY OF MOORHEAD  
CLAY COUNTY

KNOW ALL PERSONS BY THESE PRESENTS: THAT PROFFUTT LIMITED PARTNERSHIP, A MINNESOTA LIMITED PARTNERSHIP, BY RDO FAMILY, LLC, A MINNESOTA LIMITED LIABILITY COMPANY AND HOLIDAY STATIONSTORES, LLC, A MINNESOTA LIMITED LIABILITY COMPANY, OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 139 NORTH, RANGE 48 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CLAY COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH-WEST CORNER OF LOT 1, BLOCK 1, HORIZON SHORES EIGHTH ADDITION; THENCE NORTH 70°10'51" EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 1, FOR A DISTANCE OF 290.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 19°49'09" WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, FOR A DISTANCE OF 300.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 70°10'51" EAST, ALONG THE SOUTHERLY LINE OF 28th AVENUE SOUTH, FOR A DISTANCE OF 162.76 FEET TO A CORNER POINT ON THE WESTERLY LINE OF HORIZON SHORES FIFTH ADDITION; THENCE SOUTH 64°49'09" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID HORIZON SHORES FIFTH ADDITION, FOR A DISTANCE OF 101.20 FEET TO A CORNER POINT ON THE SOUTHWESTERLY LINE OF SAID HORIZON SHORES FIFTH ADDITION, SAID CORNER POINT ALSO BEING THE NORTHWEST CORNER OF HORIZON SHORES SIXTH ADDITION; THENCE SOUTH 18°49'09" EAST, ALONG THE WESTERLY LINE OF SAID HORIZON SHORES SIXTH ADDITION, FOR A DISTANCE OF 192.21 FEET TO A POINT OF TANGENTIAL CURVATURE TO THE LEFT, RADIUS 640.00 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE TO THE LEFT AND ALONG THE WESTERLY LINE OF SAID HORIZON SHORES SIXTH ADDITION, FOR AN ARC DISTANCE OF 270.38 FEET, CENTRAL ANGLE 24°12'19", TO A CORNER POINT ON THE WESTERLY LINE OF SAID HORIZON SHORES SIXTH ADDITION; THENCE SOUTH 70°10'51" WEST, ALONG THE WESTERLY LINE OF SAID HORIZON SHORES SIXTH ADDITION, FOR A DISTANCE OF 42.78 FEET TO A CORNER POINT ON THE WESTERLY LINE OF SAID HORIZON SHORES SIXTH ADDITION, SAID CORNER POINT ALSO BEING A CORNER POINT ON THE EASTERLY LINE OF SAID HORIZON SHORES EIGHTH ADDITION; THENCE CONTINUE SOUTH 70°10'51" WEST, ALONG THE EASTERLY LINE OF SAID HORIZON SHORES EIGHTH ADDITION, FOR A DISTANCE OF 538.21 FEET TO A CORNER POINT ON THE EASTERLY LINE OF SAID HORIZON SHORES EIGHTH ADDITION; THENCE NORTH 19°49'09" WEST, ALONG THE EASTERLY LINE OF SAID HORIZON SHORES EIGHTH ADDITION, FOR A DISTANCE OF 226.17 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH

LOT 1, BLOCK 1, HORIZON SHORES EIGHTH ADDITION ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, CLAY COUNTY MINNESOTA

HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS HORIZON SHORES HOLIDAY ADDITION AND DOES HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE THE PUBLIC WAY AND THE DRAINAGE AND UTILITY EASEMENTS AS CREATED BY THIS PLAT.

IN WITNESS WHEREOF SAID PROFFUTT LIMITED PARTNERSHIP, A MINNESOTA LIMITED PARTNERSHIP, BY RDO FAMILY, LLC, A MINNESOTA LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PROPER OFFICER THIS \_\_\_\_ DAY OF \_\_\_\_ 2023.

SIGNED: PROFFUTT LIMITED PARTNERSHIP, A MINNESOTA LIMITED PARTNERSHIP, BY RDO FAMILY, LLC, A MINNESOTA LIMITED LIABILITY COMPANY

BY: F. SCOTT NEAL, PRESIDENT  
PROFFUTT LIMITED PARTNERSHIP, A MINNESOTA LIMITED PARTNERSHIP,  
BY RDO FAMILY, LLC, A MINNESOTA LIMITED LIABILITY COMPANY

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2023, BY F. SCOTT NEAL, PRESIDENT, PROFFUTT LIMITED PARTNERSHIP, A MINNESOTA LIMITED PARTNERSHIP, BY RDO FAMILY, LLC, A MINNESOTA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY.

(SIGNATURE)

NOTARY NAME \_\_\_\_\_  
(PRINTED)

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

IN WITNESS WHEREOF SAID HOLIDAY STATIONSTORES, LLC, A MINNESOTA LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PROPER OFFICER THIS \_\_\_\_ DAY OF \_\_\_\_ 20 \_\_\_\_

SIGNED: HOLIDAY STATIONSTORES, LLC.

BY: GARY M. BRANT, VICE PRESIDENT OPERATIONS

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_ 20 \_\_\_\_, BY GARY M. BRANT, VICE PRESIDENT OPERATIONS OF HOLIDAY STATIONSTORES, LLC, A MINNESOTA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY.

(SIGNATURE)

NOTARY NAME \_\_\_\_\_  
(PRINTED)

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

IN WITNESS WHEREOF SAID HOLIDAY STATIONSTORES, LLC, A MINNESOTA LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PROPER OFFICER THIS \_\_\_\_ DAY OF \_\_\_\_ 20 \_\_\_\_

SIGNED: HOLIDAY STATIONSTORES, LLC.

BY: GARY M. BRANT, VICE PRESIDENT OPERATIONS

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_ 20 \_\_\_\_, BY GARY M. BRANT, VICE PRESIDENT OPERATIONS OF HOLIDAY STATIONSTORES, LLC, A MINNESOTA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY.

(SIGNATURE)

NOTARY NAME \_\_\_\_\_  
(PRINTED)

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

I DENNIS M. HONSA DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM A DULY LICENSED LAND SURVEYOR IN THE STATE OF MINNESOTA; THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE BOUNDARY SURVEY; THAT ALL MATHEMATICAL DATA AND LABELS ARE CORRECTLY DESIGNATED ON THIS PLAT; THAT ALL MONUMENTS DEPICTED ON THIS PLAT HAVE BEEN, OR WILL BE CORRECTLY SET WITHIN ONE YEAR; THAT ALL WATER BOUNDARIES AND WET LANDS, AS DEFINED IN MINNESOTA STATUTES, SECTION 505.01, SUBD. 3, AS OF THE DATE OF THIS CERTIFICATE ARE SHOWN AND LABELED ON THIS PLAT; AND ALL PUBLIC WAYS ARE SHOWN AND LABELED ON THIS PLAT.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_ 2023.

BY: DENNIS M. HONSA, LICENSED LAND SURVEYOR  
MINNESOTA LICENSE NO. 22440

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2023, BY DENNIS M. HONSA, LICENSED LAND SURVEYOR.

(SIGNATURE)

NOTARY NAME \_\_\_\_\_  
(PRINTED)

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

## CITY COUNCIL'S CERTIFICATE

THIS PLAT OF HORIZON SHORES HOLIDAY ADDITION WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL, MOORHEAD, MINNESOTA AT A REGULAR MEETING THEREOF HELD THIS \_\_\_\_ DAY OF \_\_\_\_ 2023, AND SAID PLAT IS IN COMPLIANCE WITH ALL REQUIREMENTS AS SET FORTH IN MINNESOTA STATUTES, SECTION 505.03, SUBD. 2.

BY: CHRISTINA RUST, CITY CLERK  
CITY OF MOORHEAD, MINNESOTA

## CITY ENGINEER'S APPROVAL

BY: ROBERT A. ZIMMERMAN, CITY ENGINEER  
CITY OF MOORHEAD, MINNESOTA

## CITY ATTORNEY'S APPROVAL

BY: JOHN T. SHOCKLEY, CITY ATTORNEY  
CITY OF MOORHEAD, MINNESOTA

## CITY PLANNING COMMISSION'S RECOMMENDATION

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF MOORHEAD, MINNESOTA ON THIS \_\_\_\_ DAY OF \_\_\_\_ OF 2023, THE PLAT OF HORIZON SHORES HOLIDAY ADDITION TO THE CITY OF MOORHEAD WAS DULY RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL.

BY: ROBIN HUSTON, CITY PLANNER  
CITY OF MOORHEAD, MINNESOTA

## CLAY COUNTY AUDITOR-TREASURER CERTIFICATE

PURSUANT TO MINNESOTA STATUTES, SECTION 505.021, SUBD. 9, TAXES PAYABLE IN THE YEAR 2023 ON THE LAND HEREIN BEFORE DESCRIBED HAVE BEEN PAID. ALSO, PURSUANT TO MINNESOTA STATUTES, SECTION 272.12, THERE ARE NO DELINQUENT TAXES AND TRANSFER HAS BEEN ENTERED ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2023.

BY: LORI J. JOHNSON, COUNTY AUDITOR-TREASURER  
CLAY COUNTY, MINNESOTA

## CLAY COUNTY RECORDER'S CERTIFICATE

DOCUMENT NUMBER \_\_\_\_\_

I, HEREBY CERTIFY THAT THIS PLAT OF HORIZON SHORES HOLIDAY ADDITION WAS RECORDED IN THE OFFICE OF THE COUNTY RECORDER FOR RECORD ON THIS \_\_\_\_ DAY OF \_\_\_\_ 2023, AT \_\_\_\_ O'CLOCK \_\_\_\_ M., AND WAS DULY RECORDED IN CLAY COUNTY RECORDS.

BY: KIMBERLY S. SAVAGEAU, COUNTY RECORDER  
CLAY COUNTY, MINNESOTA

## **RESOLUTION**

### **Resolution to Approve Preliminary and Final Plat relating to Horizon Shores Holiday Addition**

WHEREAS, Holiday Stationstores, LLC has requested preliminary and final plat approval for Horizon Shores Holiday Addition, Parcel 58.349.0010 and a portion of Parcel 58.900.1062, legally described as:

That Part Of The Southeast Quarter Of Section 15, Township 139 North, Range 48 West Of The Fifth Principal Meridian, Clay County, Minnesota, Described As Follows:

Beginning At The Southwest Corner Of Lot 1, Block 1, Horizon Shores Eighth Addition; Thence North 70°10'51" East, Along The Southerly Line Of Said Lot 1, For A Distance Of 290.40 Feet To The Southeast Corner Of Said Lot 1; Thence North 19°49'09" West, Along The Easterly Line Of Said Lot 1, For A Distance Of 300.00 Feet To The Northeast Corner Of Said Lot 1; Thence North 70°10'51" East, Along The Southerly Line Of 28th Avenue South, For A Distance Of 162.75 Feet To A Corner Point On The Westerly Line Of Horizon Shores Fifth Addition; Thence South 64°49'09" East, Along The Southwesterly Line Of Said Horizon Shores Fifth Addition, For A Distance Of 101.20 Feet To A Corner Point On The Southwesterly Line Of Said Horizon Shores Fifth Addition, Said Corner Point Also Being The Northwest Corner Of Horizon Shores Sixth Addition; Thence South 19°49'09" East, Along The Westerly Line Of Said Horizon Shores Sixth Addition, For A Distance Of 192.21 Feet To A Point Of Tangential Curvature To The Left, Radius 640.00 Feet; Thence Southeasterly, Along Said Curve To The Left And Along The Westerly Line Of Said Horizon Shores Sixth Addition, For An Arc Distance Of 270.38 Feet, Central Angle 24°12'19", To A Corner Point On The Westerly Line Of Said Horizon Shores Sixth Addition; Thence South 70°10'51" West, Along The Westerly Line Of Said Horizon Shores Sixth Addition, For A Distance Of 42.76 Feet To A Corner Point On The Westerly Line Of Said Horizon Shores Sixth Addition, Said Corner Point Also Being A Corner Point On The Easterly Line Of Said Horizon Shores Eighth Addition; Thence Continue South 70°10'51" West, Along The Easterly Line Of Said Horizon Shores Eighth Addition, For A Distance Of 538.21 Feet To A Corner Point On The Easterly Line Of Said Horizon Shores Eighth Addition; Thence North 19°49'09" West, Along The Easterly Line Of Said Horizon Shores Eighth Addition, For A Distance Of 226.17 Feet To The True Point Of Beginning.

Together With

Lot 1, Block 1, Horizon Shores Eighth Addition According To The Plat On File And Of Record In The Office Of The County Recorder, Clay County Minnesota. Said Tract Of Land Contains 6.390 Acres, More Or Less; and

WHEREAS, the Moorhead Planning Commission held a public hearing regarding said request on July 11, 2023 and unanimously recommended approval of the preliminary and final plat subject to the conditions noted below; and

WHEREAS, the City Council of the City of Moorhead finds the final plat of Horizon Shores Holiday 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 final plat of Horizon Shores Holiday Addition is hereby approved contingent upon the following conditions:

1. Make the following plat drawing corrections:
  - a. For both Lot 1 & 2, widen line dimension for 20-foot easement alongside 28<sup>th</sup> Ave S – Eastside (dimension shown as 10-foot easement).
  - b. Update Boundaries, Chord Bearings and Measurements that are missing or incorrect.
  - c. Updates requested by the Clay County Recorder.
2. Lot 1, Block 1 will not be required to install sidewalk on 28<sup>th</sup> Ave S – Eastside until Lot 2, Block 1 develops.
3. Lot 1 and Lot 2, Block 1 will share one access from 28<sup>th</sup> Ave S – Eastside. A private access and utility easement must be provided and shown in this location.
4. Utility and drainage easements shall be provided, as needed.
5. Owner shall enter into a developer's agreement with the City of Moorhead.
6. Owner/Applicant shall receive all required federal, state and local permits.

PASSED: July 24, 2023 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 Developer's Agreement for Horizon Shores Holiday Addition**

WHEREAS, Holiday Stationstores, LLC has requested final plat approval for Horizon Shores Holiday Addition; and

WHEREAS, a preliminary and final plat of Horizon Shores Holiday Addition was approved by the City Council on July 24, 2023; and

WHEREAS, the City Council and Holiday Stationstores, LLC are desirous of executing agreements stipulating the terms and conditions regarding development of Horizon Shores Holiday Addition.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Mayor and City Manager are hereby authorized and directed to execute on behalf of the City of Moorhead a Developer's Agreement stipulating the terms and conditions for development of Horizon Shores Holiday Addition.

PASSED: July 24, 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 24, 2023

**SUBJECT:**

Resolution to Approve Future Land Use Map Updates in the Onward Moorhead Comprehensive Plan

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a resolution to approve future land use map updates in the Onward Moorhead Comprehensive Plan.

**BACKGROUND/KEY POINTS:**

The Onward Moorhead Comprehensive Plan was approved by City Council on March 28, 2022. Once staff began working with the document, updates were required on the Future Land Use Map. Staff has spent considerable time reviewing the 14,508 parcels in city limits and the 526 parcels in our growth areas. In total, 1,551 parcels required amendments to their future land use designation. Most of the updates are as follows:

1. Flood control parcels were changed from Low Density Residential to Parks/Open Space.
2. Public stormwater ponds were designated as Parks/Open Space.
3. Community Commercial parcels were changed to Commercial.
4. Remnant parcels near the 20<sup>th</sup> /21<sup>st</sup> Street Underpass Project are guided to Mixed Use.
5. City, including MPS, County and State properties are changed to Public/Institutional.
6. Religious institutions are changed to Public/Institutional.
7. Growth areas outside city limits and parcels within city limits that had multiple land use designations were changed to Transitional Areas because our current GIS system cannot maintain more than one land use per parcel. Staff will refer to previously approved land use plans for the growth areas, which have not changed, and new smaller area maps will be created for the multi-land use-designated parcels within city limits (i.e., the Horizon Shores area has over 200 acres of unplatted land within a few parcels but has multiple land use designations – please see attached maps).

In addition to parcel changes on the Future Land Use Map, the following changes were made to the Future Land Use Map legend and Plan document:

1. The Agricultural land use category was removed from the map legend and page 26 of the Plan as we have no agricultural land within city limits (i.e., land used by American Crystal Sugar and Anheuser-Busch is designated as Industrial).
2. The Community Commercial category was changed to Commercial on the map legend and on page 26 of the Plan. This change corresponds to the deleted Regional Commercial and Neighborhood Commercial designations, which are removed making “Community” Commercial no longer relevant.



## City Council Communication

---

July 24, 2023

When approved, staff will update the Plan document and map on the City website at <http://www.cityofmoorhead.com/onwardmoorhead> and GIS systems.

**FINANCIAL CONSIDERATIONS:**

Not Applicable

**Voting Requirements:** Majority of Council

**Submitted By:**

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

**Attachments:** 2023 Future Land Use Map - showing only updated parcels  
2023 Future Land Map – showing all parcels  
2022 Future Land Use Map – previously approved  
2022 & 2023 Horizon Shores Area Maps  
Edited Page 26 of the Onward Moorhead Comprehensive Plan  
Draft Resolution – Approving Corrections to the 2022 Onward Moorhead Comprehensive Plan



## LEGEND

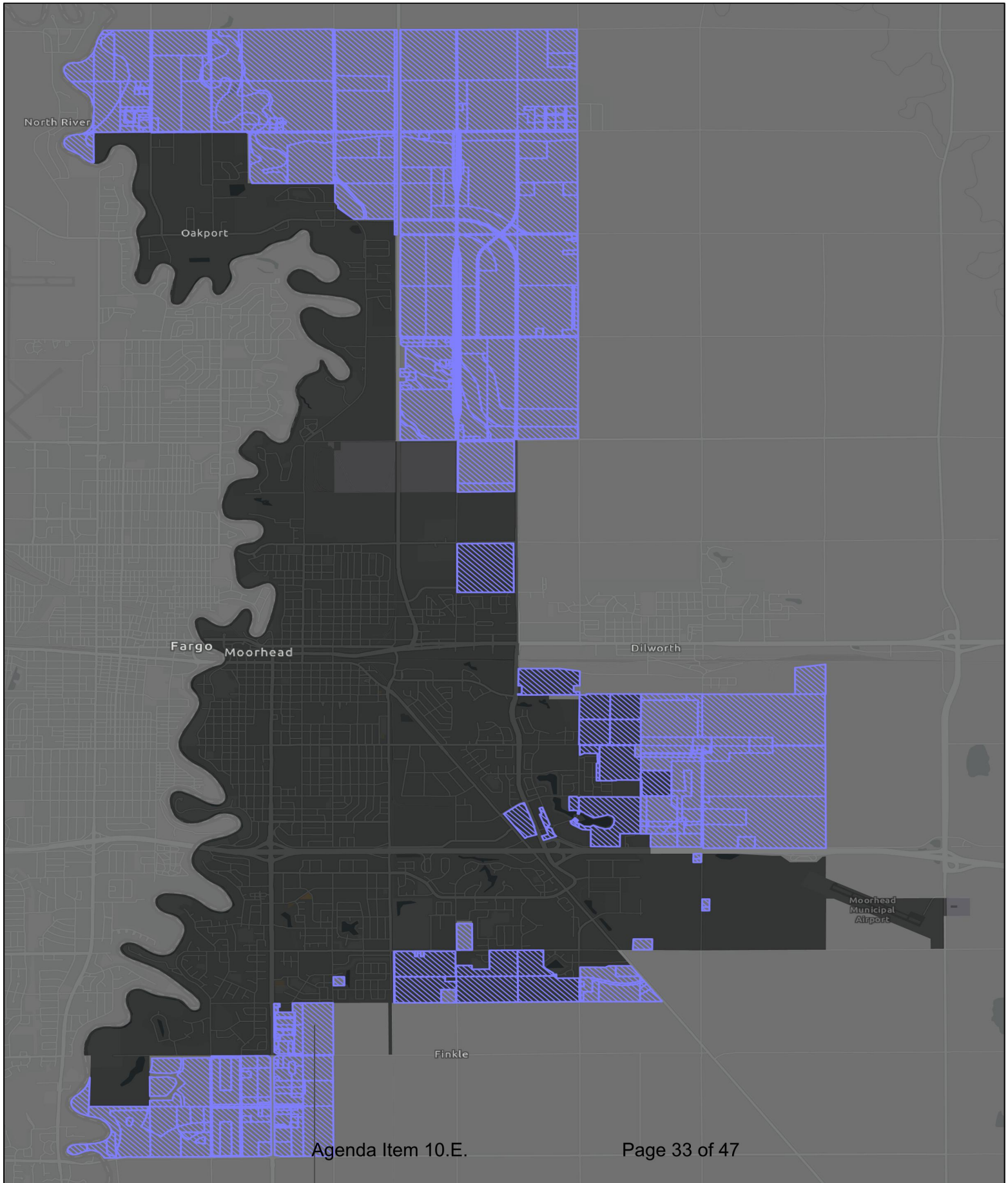
### Future Land Use

- Commercial
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential

- Mixed Use
- Parks/Open Space
- Public/Institutional
- ROW
- Railroad
- Transitional Areas

## FUTURE LAND USE

2023 UPDATES







## LEGEND

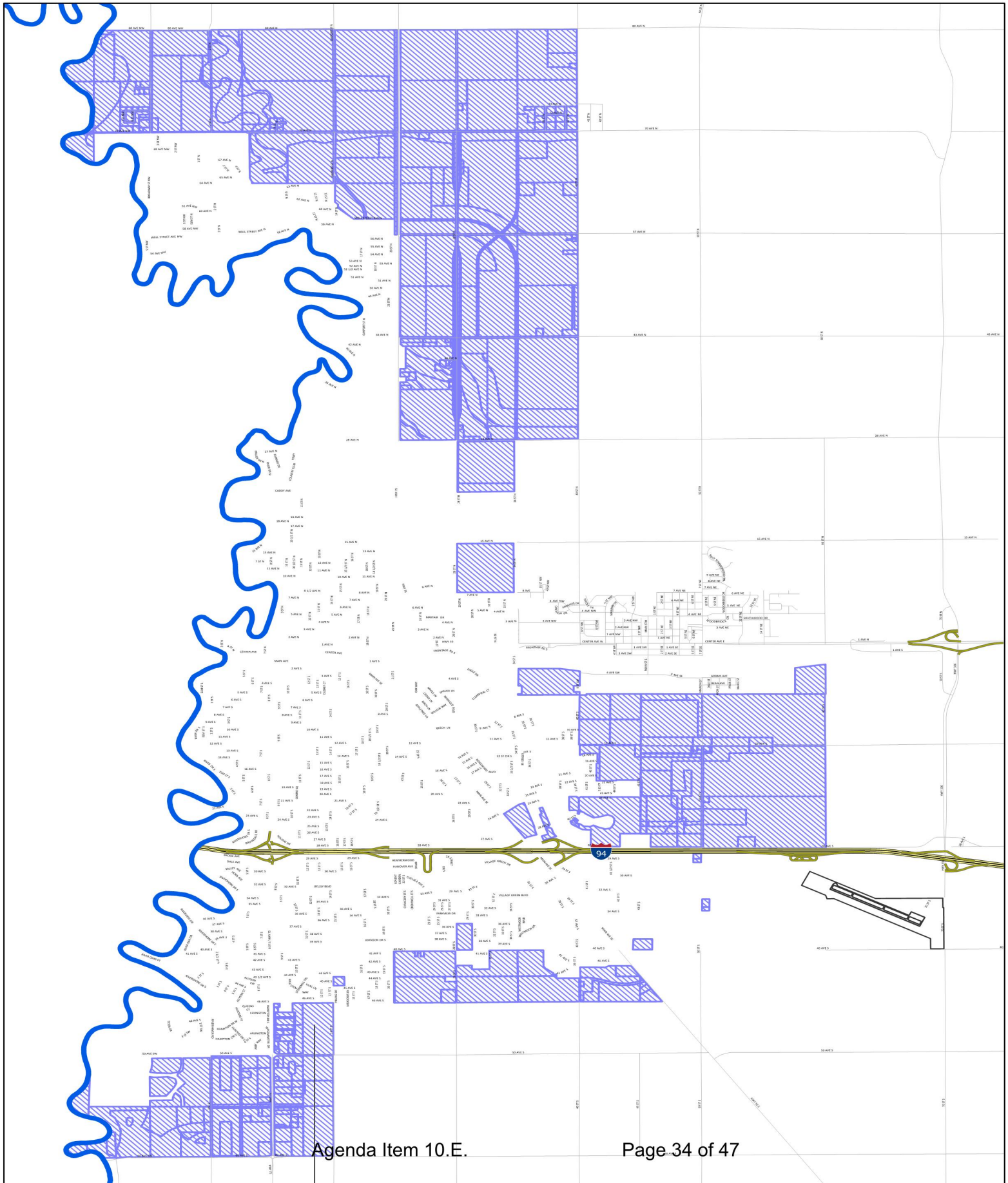
### Future Land Use

- Commercial
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential

- Mixed Use
- Parks/Open Space
- Public/Institutional
- ROW
- Railroad
- Transitional Areas

## FUTURE LAND USE

7/20/2023





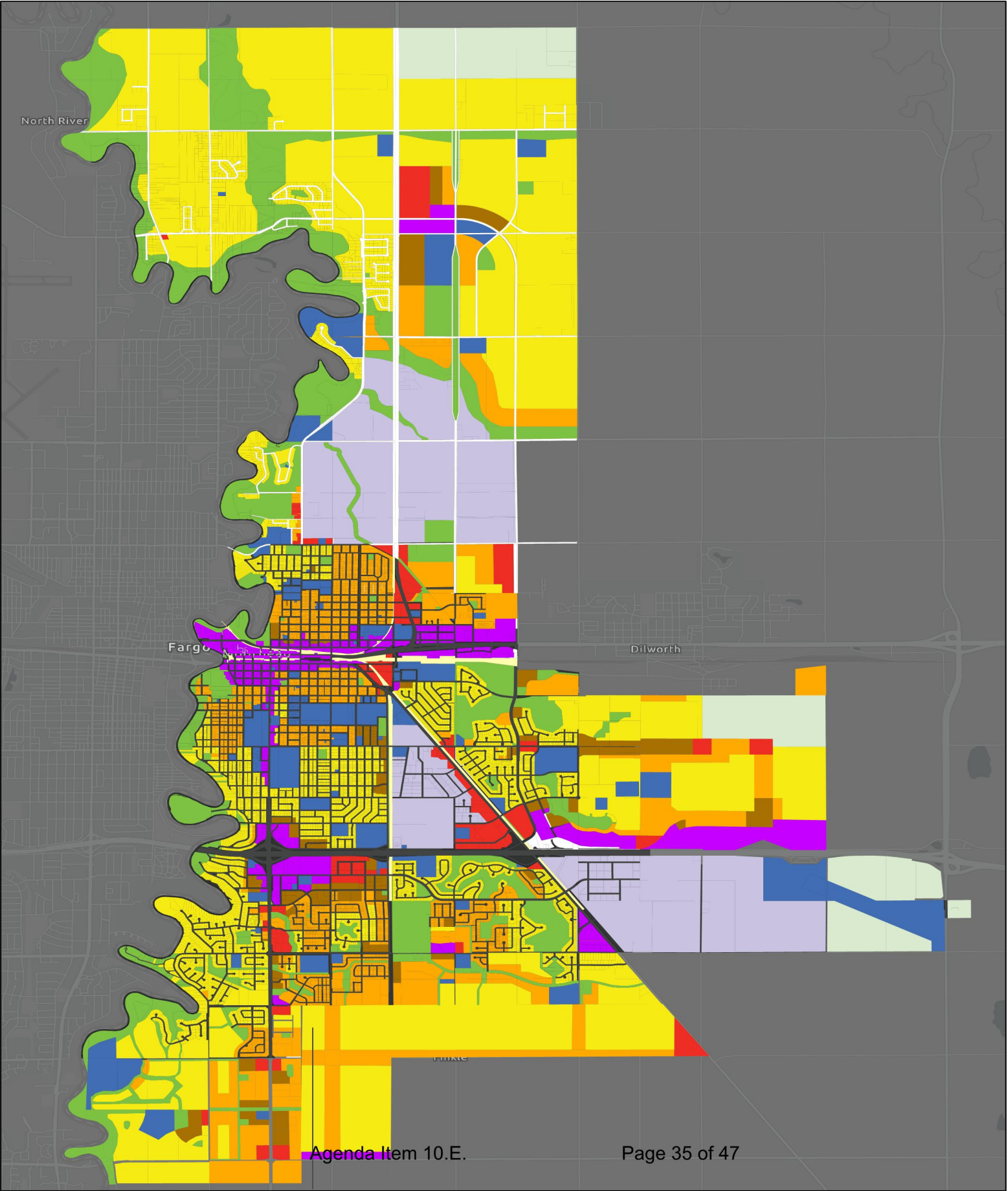


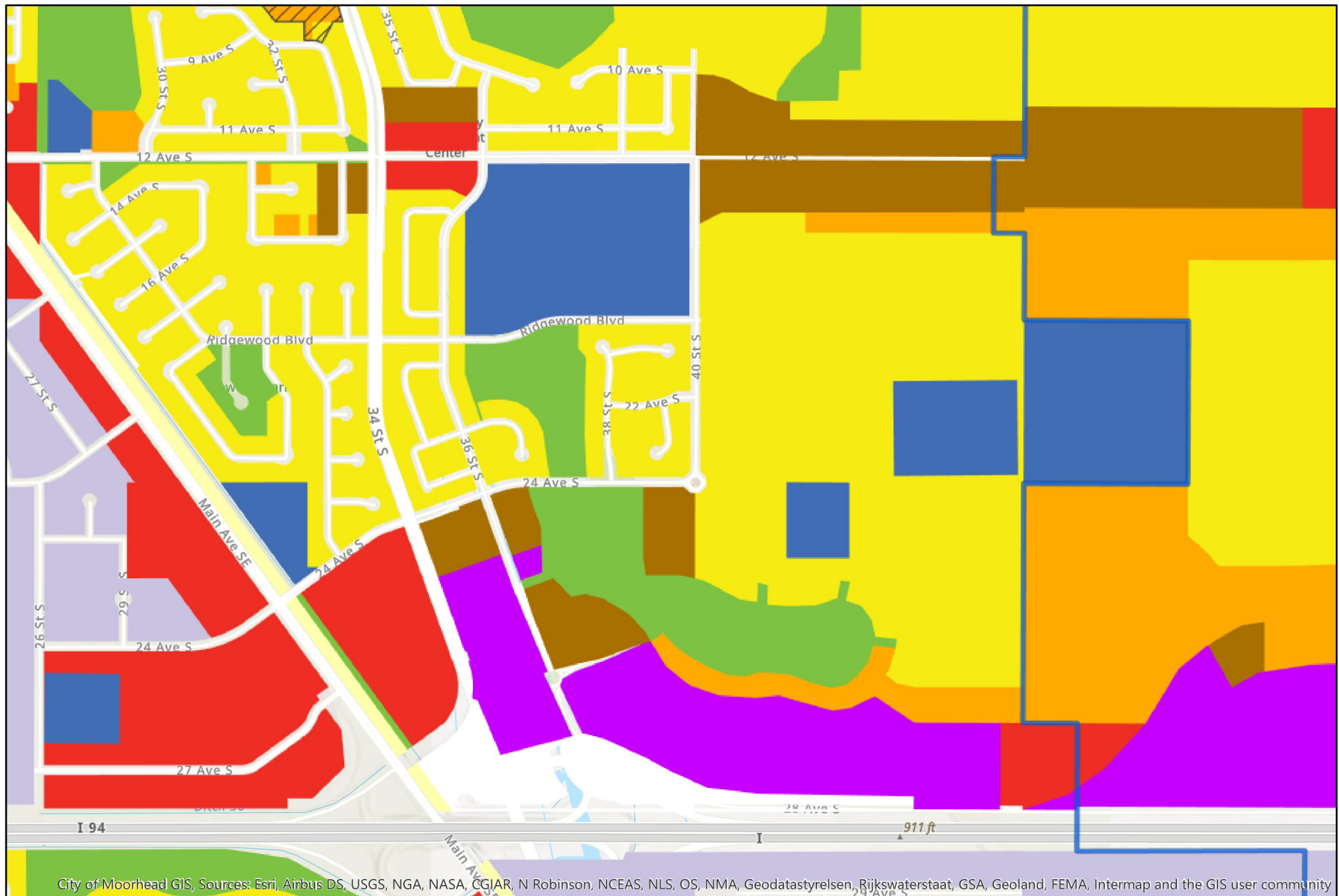
**LEGEND**

- |                            |                      |
|----------------------------|----------------------|
| Agricultural               | Parks/Open Space     |
| Community Commercial       | Industrial           |
| Mixed Use                  | Public/Institutional |
| High Density Residential   | ROW                  |
| Medium Density Residential | Railroad             |
| Low Density Residential    |                      |

**FUTURE LAND USE**

2022





This map is for reference purposes only. It is not a substitute for an accurate field survey. Moorhead, MN is not responsible for any inaccuracies herein contained. This map is in the public domain and may be copied without permission. Citation of the source is appreciated.

Agenda Item 10.E.

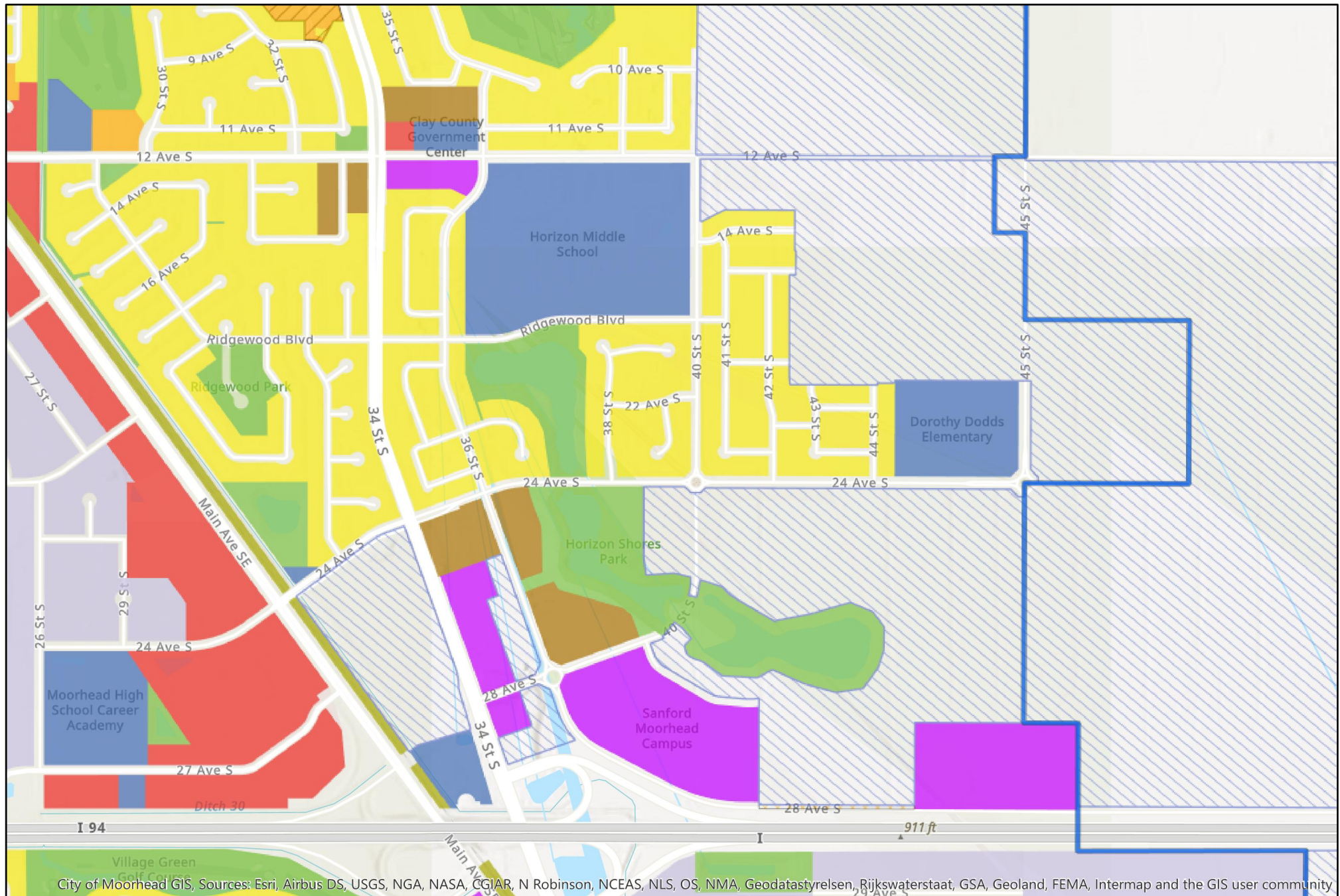
## 2022 Horizon Shores Area FLU Map

Page 36 of 47  
Date: 7/18/2023 Time: 6:05 PM

1:18,056  
0 0.1 0.2 0.4 mi







This map is for reference purposes only. It is not a substitute for an accurate field survey. Moorhead, MN is not responsible for any inaccuracies herein contained. This map is in the public domain and may be copied without permission. Citation of the source is appreciated.

Agenda Item 10.E.

## 2023 Horizon Shores Area FLU Map

Page 37 of 47  
Date: 7/18/2023 Time: 6:07 PM

1:18,056  
0 0.1 0.2 0.4 mi



## Future Land Use Categories

The land use categories provide the primary guidance for development and redevelopment throughout the city—ultimately guiding the regulatory standards that will implement the goals of this plan. Residential and commercial land uses have been condensed following previous planning initiatives, with more specific guidance provided by design principles and place types that follow. Any areas for future growth, particularly the identified Mixed-Use districts, need to continue to be analyzed for sanitary sewer capacity. Any new development will also need to comply with zoning, stormwater management, and any other applicable regulations. Future land use descriptions are included below and their location is shown in Figure 2.

Formatted: Underline

**Low Density Residential:** Low density residential is comprised of single-family homes with a density of 1 to 5 units per acre. Rural residential characterized by large lots; twin homes, and duplexes may also fit into this category.

**Medium Density Residential:** Medium density residential is comprised of attached housing with a density of 5 to 9 units per acre. Examples include duplexes, triplexes, quadraplexes, attached townhomes, and manufactured homes. Many of the infill housing opportunities encouraged throughout the city are included in this land use category.

**High Density Residential:** High density residential describes housing that consists of up to 16 units per acre. This usually occurs with apartment buildings of two or more stories. Most housing of this nature is in or near downtown Moorhead or the college and university.

**Community Commercial:** Community Commercial includes a wide range of businesses that sell food, merchandise, entertainment, or professional services—including retail stores, restaurants, hotels, and professional offices.

**Mixed-Use:** Mixed-use includes areas that are comprised of more than one use and often include commercial and/or office uses on the ground floor and office and/or residential uses in upper floors. Place types in the Land Use and Community Design chapter provide greater guidance on site design, building form, and use in Mixed-Use areas.

**Parks/Open Space:** Parks describe municipal and county owned facilities such as playgrounds, ball fields and recreational trails. It also includes land which does not serve a recreational purpose but provides undisturbed natural areas for the community. Private recreational facilities, like the Moorhead Country Club, are also included.

**Public/Institutional:** Public/Institutional refers to land owned by municipalities or counties. Facilities include libraries, fire stations, community pools, ice arenas and public power facilities. Institutional refers to land owned by institutions such as schools, religious institutions, hospitals and nursing homes.

**Industrial:** Industrial business describes facilities which manufacture or process food, goods or equipment. It also includes warehouses, repacking facilities and self-storage buildings. These businesses typically have little space devoted to displays and often do not sell directly to the general public. Industrial areas may include limited community commercial uses.

**Agricultural:** Agricultural refers to land being cultivated for crops.

Formatted: Highlight



## RESOLUTION

### Resolution to Approve Future Land Use Map Updates in the Onward Moorhead Comprehensive Plan

WHEREAS, the City of Moorhead desires to continue to identify multiple goals and strategic initiatives that are beneficial to the achievement of the community's vision for its future and the City Comprehensive Plan is an important part of communicating that vision; and

WHEREAS, the Moorhead City Council approved the 2022 Onward Moorhead Comprehensive Plan on March 28, 2022; and

WHEREAS, after extensive review, corrections to the Plan and Future Land Use Map were deemed necessary with the majority of changes as follows:

1. Flood control parcels were changed from Low Density Residential to Parks/Open Space.
2. Public stormwater ponds were designated as Parks/Open Space.
3. Community Commercial parcels were changed to Commercial.
4. Remnant parcels near the 20<sup>th</sup> /21<sup>st</sup> Street Underpass Project were guided to Mixed Use.
5. City, MPS, County and State government properties were changed to Public/Institutional.
6. Religious institutions were changed to Public/Institutional.
7. Growth areas outside city limits and parcels within city limits that had multiple land use designations were changed to Transitional Areas because our current GIS system cannot maintain more than one land use per parcel. Staff will refer to previously approved land use plans for the growth areas, which have not changed, and new smaller area maps will be created for the multi-land use-designated parcels within city limits.
8. The Agricultural land use category was removed from the map legend and page 26 of the Plan as we have no agricultural land within city limits (e.g., land used by American Crystal Sugar and Anheuser-Busch is designated as Industrial).
9. The Community Commercial category was changed to Commercial on the map legend and on page 26 of the Plan. This change corresponds to the deleted Regional Commercial and Neighborhood Commercial designations, which were removed making "Community" Commercial no longer relevant; and

WHEREAS, the City Council of the City of Moorhead has reviewed and approved said corrections and finds pursuant to Title 10-1-4 of the Moorhead City Code that the City Comprehensive Plan is updated and is recognized as the policy for regulating land use and development.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the updated Onward Moorhead: The City of Moorhead Comprehensive Plan is approved and adopted.

PASSED: July 24, 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 24, 2023

**SUBJECT:**

Resolution to Authorize Contract with MnDOT for 2024 Public Transportation Services

**RECOMMENDATION:**

The Mayor and City Council are asked to consider approval of Grant Applications to and resulting contracts with Minnesota Department of Transportation (MnDOT) for 2024 funding of public transportation services and special transportation services for people with disabilities and senior citizens

**BACKGROUND/KEY POINTS:**

State operating draft grant applications for 2024 are due on July 31, 2023. MnDOT has capped State-funded operating budgets at 3% over the previous year's approved budget. The State Legislature also reduced the local match to 5%, which is a savings of 15-20%. MnDOT has asked that grantees use the savings to pay for services that are unfunded by MnDOT due to the 3% budget cap. Any increases beyond that must be funded through other resources, with Federal grant funds appropriated utilized as needed. The City's transit operating budget for 2024 includes an increase of 9% for fixed route service and 10% for Paratransit, Metro Senior Ride and Mobility Management, exceeding the target. The majority of the increases are related to labor.

Due to driver shortages, MATBUS is currently operating under a temporary suspension of evening service hours from 10:15 p.m. to 11:15 p.m. on all routes and reduced frequency mid-day on Route 2 serving MSUM campus. A resumption of full service is projected in the 2024 budget. The five-year Transit Development Plan for 2021-2025 recommends service increases; however, due to continuing labor shortages and the current economic situation, new service increases are not proposed at this time.

The demand for Paratransit ADA service continues to surpass pre-pandemic levels and is up 5% over 2022. Metro Senior Ride demand responsive service continues to recover following the pandemic with 82% recovery. Projected ridership across all services is estimated to be over 384,000.

The overall operating budget change from 2023 to 2024 is \$408,060 (9%). The 2023 and 2024 budgets shown below are based on grant applications. Federal grant appropriations have not yet been estimated for 2024 due to the major change in funding calculations from a small urban to large urban system with implementation of 2020 U.S. Census data. Federal CARES Act funds will be utilized as needed to continue containing local share costs. The remaining local share consists of farebox revenue (including the college U-Pass fees), advertising, concession revenue, and interest earned.



## City Council Communication

July 24, 2023

Budget	Fixed Route	LinkFM	Total Fixed Route	Paratransit	Senior Ride	Mobility Management	Total Special Service	TOTAL
2023	\$3,674,686	\$5,743	\$3,680,429	\$497,026	\$163,233	\$43,300	\$703,559	\$4,383,987
2024	\$4,009,743	\$5,245	\$4,014,987	\$548,162	\$183,223	\$45,675	\$777,060	\$4,383,987
Difference	\$335,057	(\$498)	\$334,559	\$51,137	\$19,990	\$2,375	\$73,502	\$408,060
% Change	9.12%	-8.67%	9.09%	10.29%	12.25%	5.48%	10.45%	9.31%

The justification for budget changes outlined for the grant applications are as follows:

- *Contracts with TransDev (previously First Transit) for driver and management services are still under negotiation with a current proposal increase of 11%. The 2024 hourly cost for driver services increased by 11% (for cost of living adjustment-COLA, wage steps, a new pay differential for evening and weekends to target driver shortages and increased training wages due to the high turnover) and the management fees increased by 11% (the addition of one full-time classroom trainer and COLA for seven existing management team positions). Management costs are shared with the City of Fargo based on service hours.*
- *Paratransit operating costs are up 10% and include TransDev driver and management contracts. Paratransit service hours continue to increase to meet demand.*
- *Metro Senior Ride service provided through a Joint Powers Agreement with the Fargo Park Board overall budget increased by 12%. The largest changes are vehicle storage, labor costs for drivers and dispatchers and fuel. This reflects increased ridership and service to meet demand.*
- *Metro Transit Garage operating costs, which consists of fuel, vehicle maintenance labor, parts, repair and vendor outsourcing, and building maintenance decreased by 3%. Fuel prices have stabilized.*
- *Ground Transportation Center (the main transit center and hub), reflects an increase of 2% to cover labor for dispatch staff, increased snow clearing, and additional farebox smartcards.*
- *Moorhead Transit staff wages increased 3% for cost of living plus step increases. Costs include the potential retirement of the Transit Manager and crossover training for the new hire.*

### **FINANCIAL CONSIDERATIONS:**

The proposed 2024 Mass Transit Operating Budgets reflect the State grant expenses and revenues as listed below. The City Manager or City Council may adjust service levels during budget deliberations as needed for future sustainability as CARES and ARPA grants are consumed.



## City Council Communication

July 24, 2023

### MOORHEAD MASS TRANSIT 2024 FUNDING ANALYSIS - OPERATING COSTS

Revenue Source	Amount	% of Total
State of Minnesota	\$3,400,825	71%
Federal Transit (Including CARES Act)	\$996,853	21%
City of Moorhead (Property Tax)	\$0	0%
City of Moorhead (Reserve Fund)	\$0	0%
City of Dilworth	\$0	0%
Farebox & U-Pass	\$361,920	8%
Other Local	\$33,450	1%
TOTAL	\$4,793,048	100%

Expense	Amount	% of Total
MATBUS Fixed Routes	\$4,015,987	84%
Paratransit & Mobility Management / Metro Senior Ride	\$777,060	16%
TOTAL	\$4,793,048	100%

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

**Submitted By:**

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

**Attachments:** N/A



## RESOLUTION

### Resolution to Authorize Contract with MnDOT for 2024 Public Transportation Services

WHEREAS, the City of Moorhead wishes to apply for the 2024 Greater Minnesota Transit Operating Grant and enter into an Agreement with the State of Minnesota to provide public transit service;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the Mayor and City Manager be and they hereby are authorized and directed to enter into and execute a contract and any amendments thereto with the State of Minnesota, Department of Transportation, to provide a public transportation service in the City of Moorhead for calendar year 2024.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council of the City of Moorhead agrees to provide five percent (5%) of the total operating cost of the transit project from local funds.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council of the City of Moorhead agrees to provide one hundred percent (100%) of the local share necessary for expenses that exceed funds available from the State.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the Transit Manager or Finance Manager is hereby authorized to execute a request for reimbursement from the Minnesota Department of Transportation.

PASSED: July 24, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

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

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

## RESOLUTION

### **Resolution to Authorize Contract with MnDOT for 2024 Special Transportation Services for Persons with Disabilities and Senior Citizens**

WHEREAS, the City of Moorhead wishes to apply for the 2024 Greater Minnesota Transit Operating Grant and enter into an Agreement with the State of Minnesota to provide special transportation service for persons with disabilities and senior citizens;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead Minnesota, upon recommendation of the MAT Coordinating Board, that the Mayor and City Manager be and they hereby are authorized and directed to enter into and execute a contract and any amendments thereto with the State of Minnesota, Department of Transportation, to provide special transportation service for persons with disabilities and senior citizens in the City of Moorhead for calendar year 2024.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council of the City of Moorhead agrees to provide five percent (5%) of the total operating cost for special transportation services from local funds.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council of the City of Moorhead agrees to provide one hundred percent (100%) of the local share necessary for expenses that exceed funds available from the State.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the Transit Manager or the Finance Manager is hereby authorized to execute a request for reimbursement from the Minnesota Department of Transportation.

PASSED: July 24, 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 24, 2023

**SUBJECT:**

Resolution to Approve Contracts with Moorhead Higher Education Institutions for 2023-24  
MATBUS U-Pass Program

**RECOMMENDATION:**

The Mayor and City Council are asked to consider a resolution approving contracts with Concordia College, MSUM and MState to pay fees for unlimited use of the MATBUS system by their students (as well as faculty and staff at Concordia), for the academic year 2023-24.

**BACKGROUND/KEY POINTS:**

Since 2002, the City of Moorhead and all major Moorhead higher education institutions have worked together to encourage student usage of the public transit system through the “U-Pass” unlimited ride program. Ridership increased rapidly for the first many years of this very successful program, and in years 2015 – 2022, ridership has generally been steady or slightly declining (COVID-19 impacts withstanding). As of June 2023, college ridership is up 31% across the MATBUS system.

All participating institutions have indicated that they would like to continue the U-Pass Program another year. Continued participation in the U-Pass program by Moorhead institutions of higher learning provides a comprehensive transportation package to students, assisting with parking congestion and transportation financial issues.

The U-Pass program has been a successful partnership over time. It guarantees farebox revenue for the City’s transit system, while making transit usage simple and convenient for the participating colleges.

Marketing to Moorhead students has included direct flyer distribution, presence at orientation fairs, radio remotes on campus, social media, on-campus digital marketing, and educational videos.

**FINANCIAL CONSIDERATIONS:**

The U-Pass fees were negotiated in collaboration between the City and Institutions. Previous year’s enrollment data was used to prorate the fee for distribution between institutions. Using prior year real data works better than projections for the academic year budget process. The proposed fee was based on 6% inflation rate over the previous academic year rate.

The U-Pass agreement is for the period August 17, 2023 through August 16, 2024. U-Pass fees are due in two equal payments on November 1, 2023 and March 1, 2024.



## City Council Communication

---

July 24, 2023

	<u>Contract Amount</u>
Minnesota State Community and Technical College for students	\$22,688
Concordia College for students, faculty and staff	\$19,549
Minnesota State University Moorhead for students	\$42,643
TOTAL	\$84,880

The U-Pass fees are included in anticipated revenue in the proposed 2024 Mass Transit Budget.

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

**Submitted By:**

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Lori Van Beek, Transit Manager

**Attachments:** N/A



## RESOLUTION

### Resolution to Approve Contracts with Moorhead Higher Education Institutions for 2023-24 MATBUS U-Pass Program

WHEREAS, the City Council of the City of Moorhead, Minnesota State University Moorhead, Concordia College, and Minnesota State Community and Technical College desire to encourage and increase transit system participation by students so as to reduce vehicle congestion and parking in the college areas; and

WHEREAS, the aforementioned partners desire to continue participation in the “U-Pass” unlimited ride program whereby for an established fee paid to the City of Moorhead, “free” rides to currently enrolled students of the partner institutions will be provided on the Fargo-Moorhead MATBUS Fixed Route Bus System for the fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that they do hereby authorize the Mayor and City Manager to enter into and execute contracts on behalf of the City of Moorhead with Minnesota State Community and Technical College, Concordia College, and Minnesota State University Moorhead, for the amounts established below, to provide free access to bus rides to students, as well as faculty and staff at Concordia College; said service to commence August 17, 2023, and terminate on August 16, 2024, until and unless extended by mutual agreement of the parties.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that said U-Pass payments shall be made in two equal payments due November 1, 2023 and March 1, 2024.

	<u>Contract Amount</u>
Minnesota State Community and Technical College for students	\$22,688
Concordia College for students, faculty and staff	\$19,549
Minnesota State University Moorhead for students	<u>\$42,643</u>
TOTAL	\$84,880

PASSED: July 24, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

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

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