



**CITY COUNCIL
MEETING AGENDA
JANUARY 08, 2024 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM**

City Council Meeting

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

B. Employee Service Recognitions

6. Approve Minutes

A. December 11, 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 to Approve Appointment of Mayor Pro Tem and Mayoral Appointments to Committees, Boards, and Commissions

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

C. *Resolution for Appointments to Boards and Committees

9. Public Hearings (5:45 pm)

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

10. Parks and Recreation Department
 - A. *Resolution to Approve 2024 Agreements and 2024 Athletic Use Guide for Leasing of Facilities in Parks and Recreation
 - B. *Resolution to Approve Food and Beverage Service Vendor at Moorhead's Municipal Golf Courses
 - C. Resolution to Award Bids for the Renovations to the Neighborhood Recreation Center at Village Green Park due to Fire Damage
11. Community Development Department
 - A. *Resolution to Approve the Re-establishment of a Non-Conforming Zoning Use at 3103 Covent Garden Street
12. Public Works
 - A. *Resolution to Approve Agreement with MinnKota Recycling
13. Administration
 - A. *Resolution to Approve 2024 Tax Increment Interfund Loan
 - B. *Resolution to Designate the Official Newspaper and Website of the City of Moorhead
 - C. *Resolution to Designate Official Depositories, Signers and Authority to make Electronic Funds Transfers
 - D. *Resolution to Approve Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension regarding the State of Minnesota Criminal Justice Data Communications Network
 - E. *Resolution to Approve Submission of 2024 CDBG Annual Action Plan and Amendment
 - F. *Resolution to Approve Amendment to the 2022 and 2023 for Community Development Block Grant (CDBG) Annual Action Plan
14. Mayor and Council Reports
15. City Manager Reports
16. Executive Session
17. New Business
18. Adjourn



City Council Communication

January 8, 2024

SUBJECT:

MoorHeart Recognition: Markus Krueger

RECOMMENDATION:

The Mayor and City Council are asked to recognize and honor Markus Krueger 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. The MoorHeart selection committee asks the Mayor and City Council to recognize Markus Krueger for his efforts in bringing to light Moorhead's rich history through his work at the Historical and Cultural Society of Clay County.

Markus has gone above and beyond in his work to uncover stories of Moorhead's history and works to inform the community about the diverse cultural history that has always been present in Moorhead.

Rick Henderson wrote in the nomination: "Markus is a historian at the Clay County Historical Society. A few years ago, he discovered that Felix Battles, one of Moorhead's first Black citizens, was a veteran of the Civil War. Markus dug deep into Mr. Battles' past and discovered that he had been enslaved as a child, fought as a Union soldier in the Civil War, and ended up settling in Moorhead and working as a barber. In order to honor Mr. Battles' life, he designed a statue that could be placed in a public space and raised money to build and erect the statue at MSUM. Felix Battles' story inspired Markus to learn more about the Black history of Clay County. He organized a display at the Hjemkomst Center, providing information about other Black citizens of our area. The exhibit contained information about the first Black students at Moorhead High School and MSUM; other Black families who lived in Moorhead in the early years of the 20th century; and Black faculty members at MSUM, Concordia and NDSU. Markus' work is tremendously important in the way that it demonstrates how Black people have been an important part of Moorhead's history from its earliest days. The statue and the exhibit at the Hjemkomst invite all Moorhead residents to feel like they belong here as members of a dynamic, diverse, and welcoming community."

Markus uses his passion for history and education to further enrich our community. His work continues to teach residents about our history.

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

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



City Council Communication

January 8, 2024

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Not Applicable

Submitted By:

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Mark Dickerson, Communications Coordinator

Attachments:



**CITY COUNCIL
MEETING MINUTES
DECEMBER 11, 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: Sebastian McDougall

Council Member: Chuck Hendrickson

Mayor: Shelly Carlson

Absent:

2. Pledge of Allegiance

3. Agenda Amendments

4. Consent Agenda

Motion to Approve made by Sebastian McDougall and seconded by Laura Caroon

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

5. Recognitions - Presentations

A. Recognitions: Moorhead Human Rights Awards

Moorhead Human Rights Commission members Jen Troska and Rachel Stone presented Moorhead's 2023 Human Rights Awards to the following recipients:

- Zak Amin: Program Manager with the Kurdish American Development Association and teacher at Moorhead Area Public Schools
- Brandon Baity: Interim Executive Director of the Indigenous Association
- Marisa Bengston-Loerzel: Regional Community Coordinator, West Central Region for The Arc Minnesota
- Em Christie: Local artist and advocate

B. Presentation: Fargo Moorhead Convention and Visitors Bureau – Matson Field Grandstand

Mayor Carlson introduced Jeff Miller with the Matson Field Grandstand fundraising team. Mr. Miller updated the City Council on the fundraising campaign for the Matson Grandstand and introduced Fargo Moorhead Convention and Visitors Bureau (FMCVB) President & CEO Charley

Johnson, Chair of the Board of Directors Doug Peters, and Director of Sports Stephonie Broughton. The FMCVB team shared its commitment and excitement for the Matson Grandstand project and presented a check for \$500,000.

C. 6:00 p.m. – Truth-in-taxation Public Comment Opportunity after Presentation of Proposed 2024 Budget and Tax Levy

Finance Director Jenica Flanagan presented Moorhead's 2024 Budget, Tax Levy and Capital Improvement Plan.

6. Approve Minutes

A. November 27, 2023 Meeting Minutes

Motion to Approve November 27, 2023 Meeting Minutes made by Deb White and seconded by Matthew Gilbertson

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

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

8. *Mayor and Council Appointments

A. *Resolution for Appointments to Boards and Committees

9. Public Hearings (5:45 pm)

A. Public Hearing Regarding the Request Hometown Investments LLC, leasing to Leister Custom Machining LLC, for a Property Tax Exemption for a Project located at 4408 34 Ave S (58.424.0050) and 4510 34 Ave S (58.424.0040).

Downtown Moorhead Inc President & CEO Derrick LaPoint shared the request for a property tax exemption for Hometown Investments LLC located at 4408 & 4510 34 Ave S in Moorhead. Construction of the project is expected to begin March 2024.

Motion to Open Public Hearing Public Hearing Regarding the Request Hometown Investments LLC, leasing to Leister Custom Machining LLC, for a Property Tax Exemption for a Project located at 4408 34 Ave S (58.424.0050) and 4510 34 Ave S (58.424.0040). made by Matthew Gilbertson and seconded by Heather Nesemeier

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0;

Motion to Close Public Hearing Public Hearing Regarding the Request Hometown Investments LLC, leasing to Leister Custom Machining LLC, for a Property Tax Exemption for a Project located at 4408 34 Ave S (58.424.0050) and 4510 34 Ave S (58.424.0040). made by Ryan Nelson and seconded by Larry Seljevold

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson
Against: 0;
Abstain/Recuse: 0;
Absent: 0;

B. Resolution to Approve a Property Tax Exemption for Hometown Investments LLC to construct a commercial-industrial building located at 4408 34 Ave S (58.424.0050) and 4510 34 Ave S (58.424.0040)

Motion to Approve Resolution to Approve a Property Tax Exemption for Hometown Investments LLC to construct a commercial-industrial building located at 4408 34 Ave S (58.424.0050) and 4510 34 Ave S (58.424.0040) made by Heather Nesemeier and seconded by Deb White

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson
Against: 0;
Abstain/Recuse: 0;
Absent: 0;

C. Public Hearing on the Community Development Block Grant 2024 Annual Action Plan and Amendments to the 2022 and 2023 Annual Action Plans

Community Development Program Administrator Tanya Kuzna presented an overview of Moorehead's 2024 Community Development Block Grant Annual Action Plan and amendments to the 2022 and 2023 Action Plans.

Motion to Open Public Hearing Public Hearing on the Community Development Block Grant 2024 Annual Action Plan and Amendments to the 2022 and 2023 Annual Action Plans made by Heather Nesemeier and seconded by Sebastian McDougall

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson
Against: 0;
Abstain/Recuse: 0;
Absent: 0;

Motion to Close Public Hearing Public Hearing on the Community Development Block Grant 2024 Annual Action Plan and Amendments to the 2022 and 2023 Annual Action Plans made by Matthew Gilbertson and seconded by Heather Nesemeier

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson
Against: 0;
Abstain/Recuse: 0;
Absent: 0;

10. Economic Development

A. *Resolution to Approve the Sale of City-owned Land located at 4408 34 Ave S (58.424.0050) and 4510 34 Ave S (58.424.0040) to Hometown Investments LLC

B. *Resolution to Approve the Sale of City-owned Land located in the Ridgewood Addition (Lot F, Block 3) to Adjacent Property Owners

11. Engineering Department

- A. *Resolution to Order Reports for 2024 Transportation Capital Improvement Program Street Improvements
- B. *Resolution to Authorize the Engineering Director/City Engineer to Execute a Master Services Agreement for Engineering Consultation Services with Stonebrooke Engineering

12. Parks and Recreation Department

- A. *Resolution to Accept Grant Funds from the Fargo Moorhead West Fargo Convention and Visitors Bureau for Matson Field Grandstand Project and Enter into an Agreement for Naming Rights for the Press Box
- B. *Resolution to Accept Grant from Essentia Health for Lifejackets for Use at the Moorhead Municipal Pool
- C. *Resolution to Accept Grant for 2024 Celtic Festival

13. Community Development Department

- A. *Resolution to Approve Minor Subdivision – 2756 22nd Ave S - Parcel 58.508.0080

14. Moorhead Public Service

- A. *Resolution to Approve Contracts for Advanced Metering Infrastructure

15. Administration

- A. Resolution to Designate 2024 Election Polling Locations

City Clerk Christina Rust thanked polling sites and election judges in Moorhead for their committed support during elections. She added there are no changes to polling locations in the 2024 election year.

Motion to Approve Resolution to Designate 2024 Election Polling Locations made by Heather Nesemeier and seconded by Laura Caroon

Motion Passed
For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson
Against: 0
Abstain/Recuse: 0
Absent: 0;

- B. *Resolution to Affirm 2024 City Council Meeting Dates
- C. *Resolution to Authorize Execution of League of Minnesota Cities Insurance Trust (LMCIT) Liability Coverage Waiver Form (Statutory Tort Liability Limits)
- D. Resolution to Approve the City of Moorhead 2024 Tax Levy, Budget and Capital Improvement Plan

Motion to Approve Resolution to Approve the City of Moorhead 2024 Tax Levy, Budget and Capital Improvement Plan made by Laura Caroon and seconded by Ryan Nelson

Motion Passed

For: 7; Nelson, Gilbertson, Nesemeier, Caroon, Seljevold, McDougall, Hendrickson
Against: 1; White
Abstain/Recuse: 0
Absent: 0;

E. Resolution to Approve the Moorhead Economic Development Authority 2024 Tax Levy and Budget

Motion to Approve Resolution to Approve the Moorhead Economic Development Authority 2024 Tax Levy and Budget made by Laura Caroon and seconded by Deb White

Motion Passed

For: 8; Nelson, Gilbertson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson
Against: 0
Abstain/Recuse: 0
Absent: 0;

F. *Resolution to Approve Second Reading of Ordinance 2023-11: An Ordinance Adopting the 2024 Fee Schedule

G. *Resolution to Approve Title & Summary of Ordinance 2023-11

H. Resolution to Authorize Actions Related to Using Tax-Exempt Financing and Actions to Finance the Moorhead Community Center Public Library

Community Development Director Kristie Leshovsky presented information on the Community Center Library including budget, cost estimates and proposed funding sources to address financing. The City Council discussed the building, design and overall financing of the project.

Motion to Approve Resolution to Authorize Actions Related to Using Tax-Exempt Financing and Actions to Finance the Moorhead Community Center Public Library made by Laura Caroon and seconded by Deb White

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson
Against: 1; Gilbertson
Abstain/Recuse: 0
Absent: 0;

I. *Resolution to Approve Lien Agreement Amendment

J. *Resolution to Request Mayor and Moorhead City Council to Approve Bond Sale

K. *Resolution to Accept Grant Funds from the Edward Byrne Memorial Justice Assistance Grant

16. Mayor and Council Reports

Council member Deb White shared a recommendation from the Moorhead Human Rights Commission for City Council members to consider diversity when recommending residents to serve on local boards and commissions.

Council member Heather Nesemeier shared information on recycling holiday lights and drop-off sites in Clay County. Council member Nesemeier invited the public to apply to serve on local boards and committees at www.cityofmoorhead.com.

Council member Laura Caroon spoke about a Girl Scout troop visit to Moorhead's Wastewater Treatment facility and an excellent presentation and tour by Operations Manager Maria Amundson. Council member Caroon thanked everyone that attended and participated in the Holiday Lights Parade.

Council member Chuck Hendrickson spoke about attending the Midwest Energy Summit

Council member Matt Gilbertson shared an update on Moorhead Center Mall businesses and the start of demolition of the Herberger's building in coming weeks.

Mayor Shelly Carlson shared condolences with Officer Munich, his family and the Moorhead Police Department on the death of MPD K-9 Zeke. Mayor Carlson recognized December Hero of the Month MPD Detective Seth Saarinen for his work with the Red River Childrens Advocacy Center. Mayor Carlson spoke of her meeting with MN Department of Employment and Economic Development Commissioner Matt Varilek, City Manager Dan Mahli, and Derrick LaPoint. Mayor Carlson also spoke about a round table discussion at MState Moorhead with MN State Senators Kupec and Fateh. The Mayor thanked the Salvation Army for organizing the Making Homes for the Holiday's Mattress Donation. She also attended the Senior Holiday Hoopla at the Moorhead Senior Center. Mayor Carlson shared that Attorney General Keith Ellison, Senator Rob Kupec, Representative Heather Keeler, Attorney General staff, City Council members and City staff had a good meeting to discuss public safety in Moorhead, civil and criminal matters in the region and across the State of Minnesota.

17. City Manager Reports

City Manager Dan Mahli thanked public safety and street crews that assisted during the recent winter storm.

18. Executive Session

19. New Business

20. Adjourn

Meeting adjourned at 7:00pm

APPROVED BY:

Michelle (Shelly) A. Carlson
Mayor

ATTEST:

Christina Rust
City Clerk

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

RESOLUTION

Resolution to Approve Appointment of Mayor Pro Tem and Mayoral Appointments to Committees, Boards, and Commissions

WHEREAS, the City Council of the City of Moorhead, does hereby accept Mayor Carlson's appointment of Council Member Chuck Hendrickson to the position of Mayor Pro-Tem; and

WHEREAS, the City Council of the City of Moorhead, does hereby accept that the Mayor may appoint City Council committees. In addition, per City Charter, the Mayor may not serve on a Council committee unless such service is approved by a unanimous vote of all City Council members (Moorhead City Charter, Chapter 2. Section 2.07. The Mayor).

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Moorhead, does hereby appoint Mayor Carlson to various committees, boards, and commissions as noted below.

- Metro Flood Diversion Authority Board
- Metro Flood Diversion Authority Finance Committee
- Metro Flood Diversion Authority Planning Committee
- Moorhead Clay County Joint Powers Authority (MCCJPA)
- Red River Basin Commission
- Red River Regional Dispatch Center Authority Board (RRRDC)
- Board of Appeals & Equalization
- Legislative Workgroup

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk

RESOLUTION

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

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

Ryan Nelson – Ward 1

- Oakport Joint Powers
- Red River Regional Dispatch Center Authority Board (RRRDC)
- Northwest Regional Emergency Communications Board
- Fargo-Moorhead Metropolitan Council of Governments (MetroCOG)
- Metro Area Transit Coordinating Board
- Historical & Cultural Society of Clay County (HCSCC)

Matthew Gilbertson – Ward 1

- Oakport Joint Powers
- Greater Fargo Moorhead Economic Development Corp
- Public Service Commission
- Board of Appeals & Equalization
- Clay County Joint Powers Committee
- Community Facilities Task Force

Heather Nesemeier – Ward 2

- Public Housing Agency Board
- Cass Clay Food Commission
- Clay County Collaborative Board
- Clay County Extension
- Clay County Solid Waste Advisory Committee
- Moorhead Community Access Television

Laura Caroon – Ward 2

- Board of Appeals & Equalization
- Economic Development Authority
- Library Board
- Lake Agassiz Regional Library Board (LARL)
- Legislative Workgroup

Deb White – Ward 3

- Economic Development Authority
- Fargo-Moorhead Metropolitan Council of Governments (MetroCOG)
- Metro Area Transit Coordinating Board
- West Central Initiative Economic Development
- Clay County Joint Powers Committee
- Community Facilities Task Force
- Planning Commission (Alternate)
- Clay County Planning Commission (Alternate)

Larry Seljevold – Ward 3

- Park Advisory Board
- Moorhead Community Fund Advisory Committee
- Metro Flood Diversion Authority Board
- Metro Flood Diversion Authority Public Outreach Committee
- Moorhead Clay County Joint Powers Authority (MCCJPA)
- Northwest Regional Emergency Communications Board (Alternate)

Sebastian McDougall – Ward 4

- Airport Committee
- Clay County Planning Commission
- Planning Commission
- Fargo-Moorhead Metropolitan Council of Governments (MetroCOG) (Alternate)
- Human Rights Commission
- Park Board (Alternate)

Chuck Hendrickson – Ward 4

- Clay County Solid Waste Advisory Committee
- Art & Culture Commission
- Fargo-Moorhead Metropolitan Council of Governments (MetroCOG)
- Metro Flood Diversion Authority Board
- Metro Flood Diversion Authority Land Management
- Moorhead Clay County Joint Powers Authority (MCCJPA)
- Legislative Workgroup

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk

RESOLUTION

Resolution for Appointments to Boards and Committees

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

Airport Committee

- Jared Adams, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 2)
- Aaron Suomala Folkards, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 3)

Art & Culture Commission

- Jonathan Rutter, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (At-Large)
- Allison Koster, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (At-Large)
- Carrie Rogers, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2026. (Ward 1)
- Brandon Baity, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 3)

Board of Appeals & Equalization

- Nancy Bye, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (At-Large)
- Ryan DeJong, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Appraiser)
- Kim Schlotfeldt, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Realtor)

Human Rights Commission

- Siham Amedy, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 1)
- Jenifer Troska, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 2)

Library Board

- Sonja Bloomquist, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (At-Large)
- Neely Benton, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 1)
- Samantha Gust, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 3)

Park Advisory Board

- Erin Gillam, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 3)
- Susan Faus, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 4)

Planning Commission

- Nicole Mattson, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 1)
- Lindsie Schoenack, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 2)

Public Service Commission

- Mari Dailey, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 1)
- Paul Baker, Moorhead resident, is appointed to a term commencing February 1, 2024 and ending January 31, 2027. (Ward 4)

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

January 8, 2024

SUBJECT:

Resolution to Approve 2024 Agreements and the 2024 Athletic Use Guide for Leasing of Facilities in Parks and Recreation

RECOMMENDATION:

The Mayor and Council are asked to consider approving a resolution to allow the Parks and Recreation Department to use City Attorney Approved 2024 Facility Lease Agreements and the 2024 Athletic Use Guide to establish the terms and the use of City owned facilities.

BACKGROUND/KEY POINTS:

The local athletic association, whose mission it is to provide recreational programming to Moorhead citizens, leases fields and facilities from the City of Moorhead for this activity. The City Attorney is recommending that the Moorhead City Council annually approve boiler plate lease agreements for long- and short-term use, and the 2024 Athletic Facility Use Guide identifying the detailed terms of use. This will streamline the process and provide consistency for the various groups.

The 2024 Athletic Facility Use Guide includes terms and conditions for the use of facilities owned and operated by the City of Moorhead. It also includes the fees and charges for this use that were previously approved by the Parks Advisory Board and the Moorhead City Council during the budgeting process.

The athletic associations that the City routinely leases fields and facilities include:

- American Legion Baseball (Blues and Golds)
- Moorhead Baseball
- Tri-City United Youth Soccer
- Fusion Soccer Club
- Moorhead Crush Girls Softball
- FM Athletics Youth Football
- Moorhead Softball (Adult)
- Moorhead Lacrosse
- Moorhead Marlins Swimming Club

In addition, independent groups may request use for a shorter term.

Facilities that are covered by these leases include Centennial Athletic Complex, Matson Field, and Southside Regional Park.

The process for entering into these Agreements is that the documents be presented to the Moorhead City Council at one of the first meeting in January, on an annual basis for approval. When negotiating the agreements with the Lessees if there are significant changes,



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it is required that the Lease Agreement be brought back to City Council for approval. City Attorney will review each lease agreement prior to Mayor and City Manager signing.

FINANCIAL CONSIDERATIONS:

All fines, fees and charges in this document have been previously approved by the Moorhead City Council at their regular meeting in December, 2023.

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Holly Heitkamp, Parks and Recreation Director

Attachments:

RESOLUTION

Resolution to Approve 2024 Agreements and the 2024 Athletic Use Guide for Leasing of Facilities in Parks and Recreation

WHEREAS, the City of Moorhead owns and operates athletic fields and facilities to be used to provide recreation opportunities for the citizens of Moorhead; and

WHEREAS, local athletic associations / groups lease City of Moorhead owned facilities to provide these recreation opportunities and events; and

WHEREAS, the City Attorney has advised that to streamline the approval process for Facility Use Agreements with these associations/groups that the Moorhead City Council approve various Lease Agreements and the *2024 Athletic Facility Use Guide* which identifies the details of use for all parties, and

WHEREAS, on an annual basis “Boiler Plate” Lease Agreements and the *Athletic Facility Use Guide* be reviewed and updated by the City Attorney to include the most recent City Council approved fee schedule, and any changes that may be necessary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota the Lease Agreements and the *2024 Athletic Facility Use Guide* be approved for use by the Parks and Recreation Department to lease City owned Facilities.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

January 8, 2024

SUBJECT:

Resolution to Approve Food and Beverage Service Vendor at Moorhead's Municipal Golf Courses

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve an Agreement with Blantek, LLC, as the preferred vendor to provide food and beverage service at both Moorhead Municipal Golf Courses.

BACKGROUND/KEY POINTS:

Food and beverage service has been provided by a third-party vendor since the opening of both golf courses in Moorhead.

A Request for Proposals (RFP) seeking qualified vendors to provide food and beverage service to both The Meadows and Village Green public golf courses was advertised in The Forum and The Extra, the official newspaper for the City. It was also posted on the City Web Site and social media platforms.

The RFP asked potential vendors to submit a business plan, that addressed the requirements outlined but also left room for creativity yet realistic approach to provide service. The RFP had three local businesses submitted proposals for review. Staff members from various departments reviewed each business proposal and participated in interviews with each of the potential vendors. A point system based on the required criteria was used to select a preferred vendor.

Blantek, LLC, is recommended by this committee as the preferred vendor to provide food and beverage service at both Moorhead municipal golf courses. A draft agreement, provided by the City Attorney, was submitted to Justin Blanford and Joshua Vortek with Blantek, LLC, who have agreed to the terms and conditions and are excited to provide this service to Moorhead golfers.

The initial term of the Agreement will be January 8, 2024 - November 30, 2024. The Agreement will automatically renew for two (2) consecutive terms commencing December 1, 2024, terminating November 30, 2025; and December 1, 2025, terminating November 30, 2026, unless either party gives written notice on or before November 1 of the year prior.

The Agreement was approved by the City Attorney.

FINANCIAL CONSIDERATIONS:

Vendor agrees to compensate the City 10% of gross receipts on all food and beverages sold during the term of this Agreement.



City Council Communication

January 8, 2024

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Holly Heitkamp, Parks and Recreation Director

Victoria Baas, Office Specialist

Attachments:

RESOLUTION

Resolution to Approve Food and Beverage Service Vendor at Moorhead's Municipal Golf Courses.

WHEREAS, the City is the owner of The Meadows and Village Green golf courses, and is seeking a third-party vendor to provide food and beverage services for those two properties; and

WHEREAS, Blantek, LLC has submitted a proposal to the City to provide such services which the City has determined to be the best proposal; and

WHEREAS, the initial term of this agreement will be for one year with 2 extension years terminating on November 30, 2026 or unless sooner terminated as provided in agreement; and

WHEREAS, other terms and conditions between the City of Moorhead and Blantek, LLC, are included in a lease agreement written by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the City Council does hereby authorize and direct the Mayor and City Manager to enter into an agreement with Blantek, LLC to provide food and beverage service at both Moorhead Municipal Golf Courses.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

January 8, 2024

SUBJECT:

Award Bids for the Renovations to the Neighborhood Recreation Center at Village Green Park due to Fire Damage

RECOMMENDATION:

The Mayor and City Council are asked to award the bid to Great States Construction for the necessary renovations to the Village Green Neighborhood Recreation Center due to fire damage.

BACKGROUND/KEY POINTS:

On June 5, 2023, there was a fire at the Village Green Neighborhood Recreation Center (NRC) 2601 Village Green Blvd. It started in a garbage receptacle on the exterior of the building setting the roof on fire and causing extensive damage to the facility. The damage necessitated the shutdown of the summer park program, Tiny Treasures, and the wading pool during the summer of 2023 much to the disappointment of the neighborhood.

Throughout the summer and fall, adjusters through the city insurance provider League of Minnesota Trust toured the facility to determine the extent of the loss. On September 15, 2023, the city received notice that the adjusters were finished, and that the city should proceed to develop plans and specifications for bidding the renovation of the NRC. The insurance adjusters determined that the building is not considered a complete loss due to it being a brick structure, so it will be a renovation, not a rebuild. Details of the fire are still under investigation by the Moorhead Police Department.

The insurance company gave their approval and plans and specs were publicly advertised and went out for bid on November 28th with the bid date of December 19th, 2023. There was significant interest in the project with 6 responsive bidders ranging from a \$333,700 base bid to \$625,400. Great States Construction Fargo ND was the low bidder and is being recommended to be awarded the contract. The improvements in the base bid include putting the building back to its original condition.

4 alternates were also proposed in the bids.

- A-1 Is a simplified roof structure by eliminating the clearstory with window, reducing the overhang, and providing vented metal soffits in lieu of plywood for soffit ventilation. (\$4,000) credit
- A-2 The bathrooms are reconfigured to meet current accessibility code requirements. Since the 2020 MN Conservation Code would classify this project as a Level 1 alteration.
 - The base bid allows for the bathrooms to remain "as is" which does not require a handicapped accessible toilet. Accepting this alternate would allow for this building to host programs that are fully integrated and bring this building up to current code. Cost to accept this alternate is \$73,000
- A-3 The operable community room windows are replaced with fixed aluminum storefront that meet current energy code requirements. To supplement the need for cooling, air conditioning would be provided if this alternate was selected. \$15,000



City Council Communication

January 8, 2024

- A-4 The building will be upgraded to include electronic security items, door security and video surveillance. \$102,000

Staff are recommending that we approve Alternates A1 – A-3, for an additional cost to the City of approximately \$88,000 above what the insurance company will pay. Staff are not recommending that the security upgrades be made at this time.

Bids for the project that were received on December 19, 2023, and are summarized in the Financial Considerations section of this communication. Below is an outline of the proposed project schedule.

PROJECT SCHEDULE	
Activity	Date
Fire Occurred at Village Green Neighborhood Recreation Center	June , 2023
Receive Report from insurance, Order Plans & Specs	September 15, 2023
Approve Plans & Specs (Insurance) and Authorize Ad for Bids	November 28, 2023
Receive Bids	December 19, 2023
Council Approval	January 8, 2024
Anticipated Construction Schedule	January – May 15, 2024
Programming and Pool, Open to Public	June 3, 2024

FINANCIAL CONSIDERATIONS:

Six bids for the project were received on December 19, 2023. The bids are detailed in the attached bid tabulation and summarized below:

<u>Bidder</u>	<u>Bid</u>
Low Bidder (Great States Construction	\$333,700.00
Meinecke Johnson	\$383,400.00
Meridian Construction	\$433,900.00
AP Signature Homes	\$435,221.16
MinKo Construction	\$443,700.00
Gast Construction	\$625,400.00

Insurance Property Scheduled Value: \$262,557.00

Property Claim Limit (150% Scheduled Value) \$393,835.50 or lowest bid



City Council Communication

January 8, 2024

Based on the low bid, the total cost of the improvements, including architectural fees and alternates 1-3 is estimated to be approximately \$462,000. The project will be financed through the League of Minnesota Insurance Trust and reallocated Capital Improvement Funds from various projects. The exact amount from the Insurance Trust has yet to be finalized but is estimated to be in the neighborhood of \$374,000.

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Holly Heitkamp, Parks and Recreation Director

Victoria Baas, Office Specialist

Attachments: Public Notice Mailing and Bid Tabulation

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA

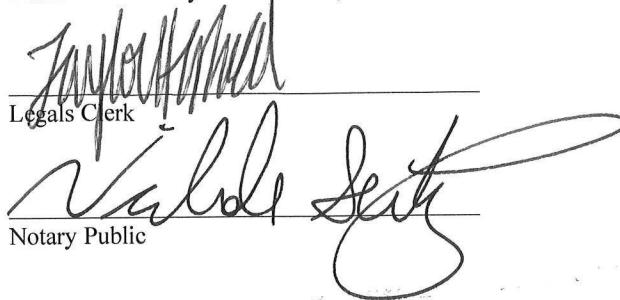
ss.

COUNTY OF CLAY

Taylor Herhold, being first duly sworn, on oath states as follows:

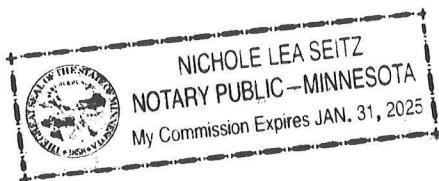
1. I am the publisher of the FORUM, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:
Wednesday, November 29, 2023, Wednesday,
December 6, 2023, Wednesday, December 13, 2023.
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$4.70 per column inch.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in CLAY County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

Dated this 13th day of December, 2023.



Legals Clerk

Notary Public



ADVERTISEMENT FOR BIDS**1.01 THE PROJECT**

Village Green NRC Reroof

City of Moorhead

Moorhead, Minnesota

1.02 THE OWNER (HEREINAFTER REFERRED TO AS OWNER)

City of Moorhead

500 Center Avenue

Moorhead, MN 56560

1.03 DATE: NOVEMBER 2023**1.04 TO: POTENTIAL BIDDERS**

A. Sealed SINGLE BASE BID will be received for ALL WORK for the above referenced project. The Owner will solicit proposals for the Quality Control/ Special Inspections Contractor after award of the Contracts.

B. All Bids will be received by the Owner until 2:00 P.M. Central Standard Time on December 19, 2023.

1. Bids shall be delivered before the time and date above to Anthony Manzella, Facilities and Fleet Manager, at the address listed above for the Owner, or they may be delivered to the 3rd floor conference room at that address, at which time the Bids will be publicly opened and read aloud. Telephone and Fax Bids will not be allowed.

2. The Architect assumes no responsibility for receiving and delivering Contractor Bids to the bid opening.

C. All bids shall be in accordance with Bidding Documents prepared by YHR Partners, Ltd., 420 Main Avenue, Moorhead, MN 56560.

D. The Bidding Documents may be examined at the following locations until Bid opening time:

1. The offices of the Owner and Architect.

2. The Builders Exchanges located in Bismarck (Bismarck Builders Exchange), Fargo, Grand Forks, and Minot, North Dakota.

3. The Minnesota Builders Exchange located in Minneapolis, Minnesota.

4. The Builders Exchanges located in Aberdeen and Sioux Falls (Plains), South Dakota.

E. Bid Documents may be obtained from the office of the Architect as outlined below. All deposits and/or payments for Bid Documents shall be made payable to "YHR Partners, Ltd.".

1. Any bidding Contractor, subcontractor, material supplier/ vendor, and/ or testing agency may obtain electronic Bid Documents (digital download of pdf files) at no cost by completing and submitting the REQUEST FOR ELECTRONIC DOCUMENTS form in Section 01 15 00.

2. Upon request, a full set of printed hard copy Bid Documents may be obtained by any bidding Contractor, subcontractor, material supplier/ vendor, and/ or testing agency at a non-refundable cost of \$100.

F. Bids shall be accompanied by certified check or bid bond in the amount equal to 10% of the highest amount of the Bids as guarantee that the Bidder will, within ten days after Notice of Award, enter into Contract with Owner in accordance with the terms of the Bids and these Bidding Documents.

G. Bid security shall be made payable to City of Moorhead.

H. Bid security will be retained and your Bid will be required to be submitted under a condition of irrevocability until Contract has been awarded and executed, but not longer than a period of 30 days after the Bid date.

I. The Owner reserves the right to reject any or all Bids and waive infirmities therein.

1.05 SIGNATURE

A. For the Owner:

City of Moorhead

Moorhead, MN

B. By:

Anthony Manzella,

Facilities and Fleet Manager

END OF SECTION

(Nov. 29; Dec. 6 & 13, 2023) 278825

Village Green NRC Reroof Bid Results
City of Moorhead

Alternates:

A-1 – Simplify roof structure by eliminating the clearstory with window, reducing the overhang, and providing vented metal soffits in lieu of plywood for soffit ventilation requirements. The vaulted ceiling at the community room is finished with veneer plywood as an alternative to T&G boards.

A-2 – The toilet rooms are reconfigured to meet current accessibility code requirements. Since the 2020 MN Conservation Code would classify this project as a Level 1 alteration,

this upgrade is not mandatory.

A-3 – The operable community room windows are replaced with fixed aluminum storefront that meet current energy code requirements. To supplement the need to cooling, air

A-4 – The building will be upgraded to include electronic security items, door security and video surveillance. A-4A would be utilized if A-2 were also excepted. A-4B would be

utilized if A-2 is rejected.

Insurance Funding

Property Scheduled Value - \$262,557

Property Claim Limit (150% Scheduled Value) - \$393,835.50

Debris Removal Limit above and beyond building and content limits (25% Scheduled Value) -

\$65,639.25

	\$65,639.25 Limit	\$393,835.50 Limit						
Contractor	D & D Removal	Bid	A-1	A-2	A-3	A-4A	A-4B	Time (Cal Days)
Great States	\$ 16,300.00	\$ 333,700.00	\$ (4,000.00)	\$ 73,000.00	\$ 15,000.00	\$ 102,000.00	\$ 97,000.00	120
Meinecke Johnson	\$ 51,300.00	\$ 383,400.00	\$ 19,400.00	\$ 75,100.00	\$ 16,900.00	\$ 108,600.00	\$ 103,600.00	168
Meridian Construction	\$ 40,000.00	\$ 433,900.00	\$ (10,000.00)	\$ 95,500.00	\$ 15,700.00	\$ 100,500.00	\$ 95,700.00	180
AP Signature Homes	\$ 1,500.00	\$ 435,221.16	\$ (9,456.06)	\$ 37,995.96	\$ (1,473.59)	\$ 101,659.12	\$ 96,437.40	180
MinKo Construction	\$ 5,000.00	\$ 443,700.00	\$ (19,864.00)	\$ 94,200.00	\$ 26,400.00	\$ 94,600.00	\$ 89,900.00	180
Gast Construction	\$ 35,600.00	\$ 625,400.00	\$ (33,000.00)	\$ 90,000.00	\$ 6,000.00	\$ 100,000.00	\$ 102,000.00	180

A/E Fees	\$ 28,000.00
Permit & Additional Costs	TBD
Total (Highlighted Blue)	\$ 372,700.00



\$ (1,000.00)

RESOLUTION

Resolution to Award Bids for the Renovations to the Neighborhood Recreation Center at Village Green Park due to Fire Damage

WHEREAS, the Neighborhood Recreation Center at Village Green Park, 2601 Village Green Blvd, received extensive damage due to a fire on June 5, 2023 and is need or repair; and

WHEREAS, the insurance provider for the City, the League of Minnesota Insurance Trust has reviewed the site and has approved the drawings and specifications necessary to make the repair; and

WHEREAS, plans and specifications were advertised for bidding on November 28, 2023 with bids being received on December 19, 2023, and

WHEREAS, six bids were received, and Great States Construction from Fargo ND was the lowest bidder; and

WHEREAS, four alternates were bid and the City desires to accept Alternate A1- a smaller roof design, A2-brings the restroom into current building code, and A3- provides inoperable windows and air conditioning which will save energy; and

WHEREAS, funding for the project will come from the insurance settlement with the League of Minnesota Insurance Trust and reallocated capital improvement projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, that an agreement will be entered into with Great States Construction for the renovations or the Village Green Neighborhood Recreation Center at 2601 Village Green Blvd including Alternates A1, A2 and A3.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

January 8, 2024

SUBJECT:

Resolution to Approve the Re-establishment of a Non-Conforming Zoning Use at 3103 Covent Garden St

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve the re-establishment of a non-conforming zoning use at 3103 Covent Garden St.

BACKGROUND/KEY POINTS:

The residential structure at 3103 Covent Garden St S was built as a two-family dwelling in 1978 and complied with two-family zoning standards at the time. In 1995, with a building permit, the owner removed a wall to create a walkway to connect the two units thereby making it a single-family dwelling.

In 2008, without a building permit, the owner reinstalled a separation wall to separate the two units, thereby making it a non-legal non-conforming use because the zoning code for two-family dwellings had changed since originally built. Today's RLD-2: Residential Low Density-2 zoning code requires a 12,000 square foot lot to house two dwelling units. This lot is 11,093 square feet but meets other two-family requirements and the neighborhood has a mix of one and two-family structures.

Today, the owner would like to sell the property as a two-family dwelling. In order to do so, per Title 10-18-4-D-11, a majority of the City Council can approve a resolution to approve the re-establishment of the non-conforming two-family dwelling.

Because the residential structure is located in a residential district that already permits two-family dwellings, the proposed use will meet the intent of the RLD-2 zoning district, and the need for housing units was recently outlined in the *Fargo-Moorhead Regional Housing Needs Analysis and Strategies* report, a Resolution to Approve the request is recommended with the conditions that a building permit is obtained for the separation wall, the unit is inspected to assure that it meets two-family dwelling requirements, and it is registered as rental property (if applicable).





City Council Communication

January 8, 2024

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

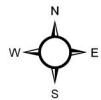
Submitted By:

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

Attachments:

General Location Map
Request Letter from Property Owner
Draft Resolution



**General Location Map
3103 Covent Garden St S
58.811.0820**



From: JAMIE Lessard
Sent: Monday, December 18, 2023 6:26 PM
To: Robin Huston **Cc:** Greg Henderson
Subject: 3103 Covent Garden St

Hello Robin,

On behalf of Greg Henderson.

We humbly request that you please approve the re-establishment of the previously non-conforming duplex at 3103 Covent Garden St. S, which is legally described as:

Lot 23, in Block 3, of Village Green Addition to the City of Moorhead, Clay County, Minnesota

The duplex at 3103 Covent Garden St. S was originally built in 1978. When it was constructed, it was built as a duplex and the zoning at the time approved of it for that use. In 1995 the owner removed a wall to create a walkway to connect the two units but the house structurally remained the same.

In 2008 the original wall was framed again to separate the two units. While it is not in complete conformity with the City's requirements for multi family zoning, we believe that any non conformity is slight and harmless. The lot is 11,093 square feet and not 12,000 square feet. The house was originally built as a duplex and was in conformity with the City of Moorhead. If it was acceptable at that time it could not be reasonably considered egregious now. There is not an issue with parking as the property has four parking spaces allowing each unit can have two. It has two doors at the front, one for each proposed unit, in the exact style of a duplex.

Allowing this duplex to be re-established would cause no harm and only be a positive for the City of Moorhead. There is a housing shortage in the city for which this would assist. The value of the property, and by proxy the properties surrounding it, would increase.

Further the parcels to the immediate north and south of this property have similarly sized duplexes, with similarly sized garages, on similarly sized parcels. To not approve of the re-establishment of this property would increase the likelihood that those would be considered non-conforming as well.

For all these reasons please approve of the re-establishment of the previously non-conforming duplex.

Thank you

Jamie Lessard

RESOLUTION

Resolution to Approve the Re-establishment of a Non-Conforming Zoning Use at 3103 Covent Garden St

WHEREAS, G. Henderson has requested approval to re-establish a non-conforming use at 3103 Covent Garden Street S to sell the property as a legal two-family dwelling; and

WHEREAS, the residential structure was built as a two-family dwelling in 1978 and complied to two-family zoning at the time; and

WHEREAS, in 1995, with a building permit, the owner removed a wall to create a walkway to connect the two units thereby making it a single-family dwelling; and

WHEREAS, in 2008, without a building permit, the owners re-installed a separation wall for the two units, thereby making it a non-legal non-conforming zoning use under the 2008 RLD-2: Residential Low Density-2 zoning code that requires a 12,000 square foot lot to house a two-family dwelling; and

WHEREAS, Moorhead City Code 10-18-4-D-11 allows for any legal non-conforming use which has been discontinued for 12 months or more to be resumed if approved by resolution of a majority of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota hereby approves the request of G. Henderson to re-establish a two-family dwelling at 3103 Covent Garden Street South, subject to the following conditions:

1. Building Permit approved for separation wall and dwelling units inspected to verify they meet two-family dwelling requirements.
2. City of Moorhead Rental Registration/Approval required, if rented.
3. Owner shall receive all other required federal, state and local permits.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

January 8, 2024

SUBJECT:

Resolution to Approve Agreement with MinnKota Recycling

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve the Mayor and City Manager to sign the modification to the agreement with MinnKota Recycling to process and market recyclable materials collected by the City of Moorhead Public Works Department. The modification will be for January 1, 2024 to December 31, 2024.

BACKGROUND/KEY POINTS:

MinnKota Recycling has provided recycling processing services since 1991.

The original agreement with MinnKota Recycling to process both comingled residential curbside recycling and source separated recycling from our drop sites was effective January 1, 2023 to December 31, 2023 with two (2) option extensions for one (1) year periods.

Major points are listed below:

1. The processing fee for residential comingled material delivered to MinnKota by the City of Moorhead will be \$150.00 per ton.
2. The collection of the City of Moorhead's source separated recyclable materials at its drop sites will be \$50.00 per stop.
3. The processing fee for source separated recyclables collected by MinnKota from the drop sites will be \$60.00 per ton with the exception of glass. The processing fee for glass will be \$150.00 per ton.
4. The market share will be 60% on all source separated recyclables with a value greater than \$60.00 per ton for that month.
5. The \$50.00 per ton offset recycling fee was removed from the agreement.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager

Paul Fiechtner, Public Works Director

Nichole Parr, Administrative Assistant

Attachments:

RESOLUTION

Resolution to Approve the Modification to the Agreement with MinnKota Recycling to Process and Market Recyclable Materials Collected by the City of Moorhead Public Works Department

WHEREAS, the City has established an agreement with MinnKota Recycling to process and market materials collected as part of the City's residential recycling program; and

WHEREAS, the current agreement is due to expire December 31, 2023; and

WHEREAS, the parties desire to continue that agreement as amended from January 1, 2024 to December 31, 2024

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, the amendment to agreement with MinnKota Recycling for the collection, processing and marketing of recyclable materials is approved effective January 1, 2024 to December 31, 2024.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

January 8, 2024

SUBJECT:

Resolution to Approve 2024 Tax Increment Interfund Loan

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution renewing the annual Tax Increment Interfund Loan for the year 2024.

BACKGROUND/KEY POINTS:

The City of Moorhead and the Moorhead Economic Development Authority (EDA) utilize tax increment finance to facilitate projects which have resulted in the redevelopment of blighted property and/or the construction of low- and moderate-income housing throughout the community. The City/EDA may incur limited consultant costs, such as building/site condition assessments, bond counsel and fiscal advisor review, to determine if the facts of the proposed development meet the statutory thresholds necessary to propose for policy review the establishment of a tax increment district. After these investigative elements, the City/EDA may elect to proceed with the establishment of a tax increment district. Such actions cause additional costs to be incurred for the preparation of a tax increment plan, fiscal forecast, and other documents necessary for the establishment of the district.

State tax increment law allows cities and EDAs to be reimbursed, from future tax increments, certain eligible costs (pre/post-district establishment) such as those noted above. Tax Increment Law, as amended in 2001, authorizes interfund advances or loans to be repaid from tax increments, but requires that such interfund loans be first authorized by a resolution of the governing body. The law provides that such approval resolution be general or specific to a tax increment district. Moorhead has established such interfund loans, blanket and/or specific, each year since the law was amended in 2001.

The proposed 2024 Tax Increment Interfund Loan resolution sets forth the source of the interfund loan and its maximum (without amendment) amount, rate, and term (see draft resolution). Please note that this amount is not to be construed as pre-approval for various spending actions. It is rather an amount that allows City-approved expenditures (TIF eligible) at or below this level to be reimbursed in the future. Authority for specific spending is contained within approved department budgets or in the case of certain activities, such as land acquisition or contracts, may require specific advance approval of the City Council.

FINANCIAL CONSIDERATIONS:

The proposed interfund loan resolution does not allocate nor commit the City to any expenditure. The authority given by resolution approved the establishment of an interfund loan expires at the end of each calendar year.



City Council Communication

January 8, 2024

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Jenica Flanagan, Finance Director

Amy Thorpe, Economic Development Program Administrator

Attachments: Draft Resolution

RESOLUTION

Resolution to Approve 2024 Tax Increment Interfund Loan

WHEREAS, the City of Moorhead, Minnesota (the "City") and the Moorhead Economic Development Authority (the "EDA") may incur expenditures preliminary to the formation of a tax increment district as well as following the establishment of a tax increment district but in advance of the receipt of tax increments; and

WHEREAS, the City and EDA, in accordance with state law, have utilized tax increments when first received to reimburse such expenditures; and

WHEREAS, the tax increment law now provides a specific procedure for authorizing and repaying advances that finance tax increment expenditures both before and after the establishment of a tax increment district; and

WHEREAS, the City from time to time has adopted resolutions for interfund loans with respect to specific tax increment districts or proposed tax increment districts, but it is administratively less complex and more comprehensive to provide a general rule as authorized by state law by means of this resolution:

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

1. Policy. It is the policy of this City that tax increments be utilized to pay administrative and other preliminary or early costs of tax increment districts or proposed tax increment districts. Absent a determination to the contrary by the City Council at the time of payment of administrative or other preliminary or early costs of tax increment districts or proposed tax increment districts, such payment shall be made as an interfund loan pursuant to this blanket resolution, and the accounting records of the City and EDA shall recognize and reflect each such expenditure as an interfund loan.

2. Maximum Amount. The maximum amount of interfund loans made pursuant to this blanket resolution shall initially be \$250,000. The City's finance director shall keep the City Council apprised of the total amount of interfund loans made pursuant to this resolution, and as the maximum amount, or prior amended maximum amount, is neared shall recommend to this City Council an amendment to this blanket resolution that will increase the maximum amount of interfund loans authorized hereby.

3. Interfund Loans. Interfund loans (the "Loans") shall be made from the City's General Fund or other funds of the City to the tax increment account of the appropriate tax increment district for the purpose of paying public costs of redevelopment. The Loans shall be repaid from tax increments or from the proceeds of tax increment bonds; provided that later proceedings may provide a priority of payment for the Loans if they are repaid directly from tax increments.

4. Terms. The Loans shall bear interest at the rate of 8.50% (or the maximum rate permitted by Minnesota Statutes, Section 469.178, Subdivision 7, if at the time of an advance such maximum rate is less than 8.50%), payable when the principal is repaid. The Loans shall have a maximum term which correlates to the date of the last receipt of tax increment from the respective TIF District; provided that later proceedings when other uses of tax increments are known may provide more specific payment or prepayment timing for the principal of the Loans and the interest thereon.

5. No Notes. The Loans shall not be evidenced by any note or writing other than this resolution and the City's accounting records.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk

RESOLUTION

Resolution to Designate the Official Newspaper and Website of the City

WHEREAS, by the City Council of the City of Moorhead, that pursuant to Section 13.01 of the Moorhead City Charter, the City Council does hereby designate The Extra as the legal newspaper for the City of Moorhead commencing February 1, 2024 through January 31, 2025.

WHEREAS, by the City Council of the City of Moorhead, that pursuant to Minnesota Statutes 331A.12, designated www.moorheadmn.gov as the City's Official Website, and authorized its use as the official means of publication for the solicitation of bids for transportation projects as necessary to satisfy the requirements of the Uniform Municipal Contracting Law, Minnesota Statutes 471.345.

WHEREAS, by the City Council has also authorized the Official Website for use as an additional means of publication of Requests for Qualifications and Requests for Proposals for transportation projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the Mayor and City Manager are hereby authorized to execute the agreement for advertising with The Extra.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk

RESOLUTION

Resolution to Designate Official Depositories, Signers and Authority to make Electronic Funds Transfers

WHEREAS, the City Council must annually designate the official depositories of the City; and

WHEREAS, the City Council must also delegate authority annually for the signers on bank and investment accounts held by the City; and

WHEREAS, the City Council must also delegate authority for performing electronic funds transfers on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead hereby directs that all City investments will be in accordance with Minnesota Statues and the provisions of the City's Investment Policy and that the following be designated as depositories, official signers, and delegation to make electronic funds transfers, for City funds for calendar year 2024:

OFFICIAL DEPOSITORIES	
Bremer Bank	Bremer Trust, N.A.
Wells Fargo Securities, LLC	U.S. Bank
Northwestern Bank of Moorhead	American Federal Bank
Valley Premier Bank	Bell Bank
First International Bank & Trust	Gate City Bank
Affinity Plus Federal Credit Union	Magnifi Financial Credit Union
Minnesota Municipal Money Market Fund	Choice Bank
(4-M)/RBC Capital Markets, LLC	PFM Asset Management, LLC

OFFICIAL SIGNERS	
Dan Mahli	City Manager
Jenica Flanagan	Finance Director
Ann Henne	Finance/Payroll Manager

AUTHORITY TO MAKE ELECTRONIC FUNDS TRANSFERS	
Jenica Flanagan	Finance Director
Ann Henne	Finance/Payroll Manager

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk

RESOLUTION

Resolution to Approve State of Minnesota Joint Powers Agreements with the City of Moorhead on Behalf of its City Attorney and Police Department

WHEREAS, the City of Moorhead on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the City to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Moorhead on behalf of its Prosecuting Attorney and Police Department, are hereby approved.
2. That the Chief of Police, Shannon Monroe, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
3. That the City Prosecutor, Cheryl Duyse, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
4. That Shelly Carlson, the Mayor for the City of Moorhead, and Dan Mahli, the City Manager, are authorized to sign the State of Minnesota Joint Powers Agreements.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

January 8, 2024

SUBJECT:

Resolution to Approve Submission of 2024 CDBG Annual Action Plan and Amendment

RECOMMENDATION:

The Mayor and City Council are asked to approve the following Community Development Block Grant (CDBG) actions:

- Submit the 2024 Action Plan for programming and expenditure of anticipated CDBG funds from the U.S. Department of Housing and Urban Development; and
- Amend the 2022 and 2023 Annual Action Plans to allocate additional program income and reprogram resources from activities that did not move forward into new activities.

BACKGROUND/KEY POINTS:

The 2024 Action Plan is in prepared compliance with the federal regulations and consistent with the approved 5-year Consolidated Plan (2020-2024). The following actions required by the City's CDBG Citizen Participation Plan were conducted for the 2024 CDBG Annual Action Plan:

- Public Meeting September 15, 2023
- Public Comment Period/Hearing Advertisement November 23, 2023
- Public Comment Period November 23 – December 23, 2023
- Public Hearing December 11, 2023

The 2024 Annual Action Plan has been made available on the City website. No public comment was received at the public hearing or during the comment period.

Specific Prior Year Amendment Proposals:

- Cancel a 2022 activity of acquisition with the Cass Clay Community Land Trust (CCCLT) and replace it with clearance and blight activity for the CCCLT to remove a deteriorated structure at 1018 3rd Ave N.
- Add a 2023 Property Acquisition Activity. Utilizing unobligated grant funds that remain in previous grant years for the acquisition of vacant property located at 1014 and 1016 19 Street South to be used for a CDBG-eligible purpose (childcare, affordable housing, park expansion, and/or other eligible use).

FINANCIAL CONSIDERATIONS:

The Federal Fiscal Year 2024 budget has not yet been approved by Congress. The City of Moorhead has estimated its 2024 allocation on the 2023 grant amount. If grant allocation exceeds the projected award, the additional funds will be allocated to the home rehabilitation program and if allocation is below projections, public service funds will be recalculated and necessarily decreased.

\$313,000 - 2024 Estimated CDBG allocation

\$150,000 - Program Income (estimate)

\$463,000 – Total Funds available



City Council Communication

January 8, 2024

Proposed Amendments:

Activity	Description	Budget
Clearance of Blight	Removal and clearance of a blighted structure located at 1018 3rd Ave N. Funds will be provided for activities that meet National Objective: Slum & Blight Spot Basis [24 CFR Part 570.208 (b)(2)] to prepare site for affordable housing. Cass Clay Community Land Trust	\$50,500
Property Acquisition (2023 Amendment)	Utilize unobligated grant funds that remain in previous grant years for the acquisition of two city lots located at 1014 and 1016 19 Street South. The purpose of acquisition will be to build a childcare facility to benefit low-and moderate income persons with the nature and location of the facility serving low to moderate income persons and/or affordable housing, recreation space and/or a combination of these uses. Eligibility Acquisiton-24.CFR 570.201(a); National Objectives:24 CFR 570.208(a).	\$126,908

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Tanya Kunza, Community Development Program Administrator

Attachments:

RESOLUTION

Resolution to Approve Submission of 2024 CDBG Annual Action Plan

WHEREAS, the City of Moorhead receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, in compliance with federal regulations and consistent with its Five-Year Consolidated Plan for Housing and Community Development (2020-2024), the City of Moorhead has prepared its 2024 Annual Action Plan as a guide for investment of CDBG and other housing community development resources that may be available to address the needs of low to moderate income persons in Moorhead; and

WHEREAS, the City of Moorhead has conducted a citizen participation process including publication of a draft 2024 Annual Action Plan, community public meeting, public hearing and 30-day comment period; and

WHEREAS, since the draft 2024 Action Plan was published for public comment on November 23, 2023, the following modification was proposed and discussed at the public hearing on December 11, 2023: \$25,000 allocated to Habitat for Humanity for costs associated with land acquisition for affordable housing construction, and an associated reduction to Single Family Home Rehabilitation funding by \$25,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Mayor and City Manager are herein authorized and directed to submit the 2024 Annual Action Plan to HUD and enter into and execute contracts and other documents necessary to effectuate activities identified in the 2024 Annual Action Plan.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk

RESOLUTION

Resolution to Approve Amendment to the 2022 and the 2023 Community Development Block Grant (CDBG) Annual Action Plan

WHEREAS, the City of Moorhead receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, in compliance with federal regulations, the City of Moorhead amends its 2022 Annual Action Plan to cancel an acquisition activity proposed by the Cass Clay Community Land Trust (CCCLT) and replace it with a clearance and blight removal activity located at 1018 3 Ave North also to be conducted in partnership with the CCCLT; and

WHEREAS, in compliance with the federal regulations, the City of Moorhead amends its 2023 Annual Action Plan to include acquisition of vacant property at 1014 and 1016 19 Street South, which is intended for future use as a childcare facility, affordable housing, recreation space, and/or a combination of these uses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Mayor and City Manager are herein authorized and directed to approve the amended 2022 and 2023 Annual Action Plan – Community Development Block Grant and submit same to the U. S. Department of Housing and Urban Development.

PASSED: January 8, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk