



**CITY COUNCIL
MEETING AGENDA
NOVEMBER 13, 2023 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM**

City Council Meeting

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

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

*All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in accordance with the "Council Rules of Procedure". In such event, the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.*
5. Recognitions - Presentations
 - A. MoorHeart Recognition: Mary Arnholt
 - B. Donation to the Inclusive Playground from Moorhead Kiwanis
6. Approve Minutes
 - A. October 23, 2023 Meeting Minutes
7. Citizens Addressing the Council (Time Reserved: 15 Minutes)

During "Citizens Addressing the Council", the Mayor will invite residents to share issues, concerns and opportunities. Individuals must limit their comments to three minutes. The Mayor may limit the number of speakers on the same issue in the interest of time and topic. Individuals should not expect the Mayor or Council to respond to their comments tonight.
8. *Mayor and Council Appointments
 - A. *Resolution for 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. Engineering Department
 - A. *Resolution to Authorize a Flood Damage Reduction Grant Agreement
11. Fire Department

- A. *Resolution to Approve the Sale of Surplus Technical Rescue Equipment to the City of Madison, Minnesota – Madison Fire Department
- 12. Community Development Department
 - A. First Reading of Ordinance 2023-09: An Ordinance to Amend and Reenact Title 10, Chapter 18, Section 1, Use Regulations Relating to Micro-Dwelling Unit Sacred Community
- 13. Moorhead Public Service
 - A. *Resolution to Award Revised Bid to Irby Utilities for 2024 Electrical Materials
 - B. *Resolution to Award Bid for 2024 Annual Boring
- 14. Administration
 - A. *Resolution to Approve a Minnesota Lawful Gambling Premise Permit for Moorhead Youth Hockey Association
 - B. *Resolution to Approve Amendment to Joint Powers Agreement for Red River Regional Dispatch Center (RRRDC)
 - C. *Resolution to Approve Transfer of Liquor Licenses for Avengers, LLC DBA Vic's Bar & Grill
 - D. *Resolution to Authorize Submission of Transit Capital Grant Applications for 2024-2027 to the State of Minnesota and Provide Local Share Match for Selected Projects
- 15. Mayor and Council Reports
- 16. City Manager Reports
- 17. Executive Session
 - A. Closed executive session pursuant to Minn. Stat. § 13D.05, Subdivision 3b(3), for the purpose of discussing the sale of real property described as a portion of Parcel Number 58.424.0040 and 58.424.0050 owned by the City of Moorhead
- 18. New Business
- 19. Adjourn



City Council Communication

November 13, 2023

SUBJECT:

MoorHeart Recognition: Mary Arnholt

RECOMMENDATION:

The Mayor and City Council are asked to recognize and honor Mary Arnholt with the MoorHeart award.

BACKGROUND/KEY POINTS:

The MoorHeart award recognizes individuals and organizations that go above and beyond to demonstrate community within our City through 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 Mary Arnholt for her longtime dedication to clearing the fire hydrant near her home.

Mary has worked tirelessly in the winter months to ensure that the hydrant is accessible in case of an emergency. This is a task that is often overlooked, but for 20 years Mary has cleared the hydrant from snow to help protect her neighborhood. Mary's neighbors in the Woodglen Condominium Association wrote in the nomination:

"Mary has lived at this address for 40 years and for 20 of those years she has been taking care of the fire hydrant on the adjacent property next to her driveway. The fire hydrant was originally on the north side of Horn Ave and in the middle of the block. A street improvement moved the hydrant from the middle of Horn Ave's north side to its present location. No one was clearing the snow, dirt and debris around the hydrant, and Mary assumed the responsibility winter after winter. Her work with a snow blower that's almost bigger than she is ensures that our neighborhood will have year-round access to the hydrant and the water it provides."

Fortunately for Mary, her neighbors, and Moorhead's firefighters, other neighbors have accepted the responsibility to keep that hydrant accessible, so she is "passing the shovel."

Mary, the City of Moorhead thanks you for your service in ensuring the safety of those around you. Your work is an inspiration to others to get out there and ensure that their hydrants are accessible year-round. This is something we should all be thinking about as we enter the winter season. Thank you, Mary, and congratulations!

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

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



City Council Communication

November 13, 2023

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
OCTOBER 23, 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: 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: Council Member: Matthew Gilbertson

2. Pledge of Allegiance

3. Agenda Amendments

Request by Council member White to remove item 13B from the Consent Agenda. Assistant City Manager Mike Rietz noted a change in items 9E and 9F to the correct address of 1601 23 Street South, Moorhead.

4. Consent Agenda

Motion to Approve Consent Agenda made by Deb White and seconded by Chuck Hendrickson

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

5. Recognitions - Presentations

A. Coalition of Greater Minnesota Cities - Legislative Overview

Shane Zahrt with Flaherty & Hood shared an overview of local and statewide policy and fiscal issues important to the City of Moorhead ahead of Minnesota's 2024 legislative session.

6. Approve Minutes

A. October 10, 2023 Meeting Minutes

Motion to Approve October 10, 2023 Meeting Minutes made by Larry Seljevold and seconded by Ryan Nelson

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;
Abstain/Recuse: 0;
Absent: 1; Gilbertson

7. Citizens Addressing the Council (Time Reserved: 15 Minutes)
8. *Mayor and Council Appointments
9. Public Hearings (5:45 pm)
 - A. Public Hearing to Consider 2023 Border City Enterprise Zone Program

Motion to Open Public Hearing Public Hearing to Consider 2023 Border City Enterprise Zone Program

made by Deb White and seconded by Chuck Hendrickson

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

Downtown Moorhead Inc President/CEO Derrick LaPoint provided an update on the Border City Enterprise Zone program and called for a public hearing regarding approval of the final credit amount in 2023.

Motion to Close Public Hearing Public Hearing to Consider 2023 Border City Enterprise Zone Program

made by Heather Nesemeier and seconded by Sebastian McDougall

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

- B. Resolution to Approve 2023 Border City Enterprise Zone Program

Motion to Approve Resolution to Approve 2023 Border City Enterprise Zone Program made by Heather Nesemeier and seconded by Laura Caroon

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

- C. Public Hearing Regarding the Request of Casey Bartz on behalf of Lorentzsen & Andrist Properties LLC for a Property Tax Exemption for a Project located at 855 37 Ave S (58.031.0040)

Motion to Open Public Hearing Public Hearing Regarding the Request of Casey Bartz on behalf of Lorentzsen & Andrist Properties LLC for a Property Tax Exemption for a Project located at 855 37 Ave S (58.031.0040) made by Deb White and seconded by Heather Nesemeier

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevoll, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

Downtown Moorhead Inc President/CEO Derrick LaPoint shared the request for a property tax exemption for Lorentzsen & Andrisc Properties LLC to construct a new eye care clinic at 855 37th Ave S in Moorhead. Construction of the project is expected to begin November 2023 with an estimated completion of September 2024.

Motion to Close Public Hearing Public Hearing Regarding the Request of Casey Bartz on behalf of Lorentzsen & Andrisc Properties LLC for a Property Tax Exemption for a Project located at 855 37 Ave S (58.031.0040) made by Deb White and seconded by Laura Caroon

Motion Passed

For: 8; Nelson, Nesemeier, Caroon, White, Seljevoll, McDougall, Hendrickson, Carlson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

- D. Resolution to Approve a Property Tax Exemption for Lorentzsen & Andrisc Properties LLC to construct a new eyecare clinic located at 855 37 Ave S (58.031.0040)

Motion to Approve Resolution to Approve a Property Tax Exemption for Lorentzsen & Andrisc Properties LLC to construct a new eyecare clinic located at 855 37 Ave S (58.031.0040) made by Chuck Hendrickson and seconded by Heather Nesemeier

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevoll, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

- E. Public Hearing Regarding the Request of Douglas W. Gullekson on behalf of Hedgemasters LLC for a Property Tax Exemption for a Project located at 1601 23 St S (58.503.0011)

Downtown Moorhead Inc President/CEO Derrick LaPoint shared the request for a property tax exemption for Hedgemasters LLC for a project located at 1601 23rd St S in Moorhead. Construction of a new shop building will begin in October 2023 with an estimated completion of January 2024.

Motion to Open Public Hearing Public Hearing Regarding the Request of Douglas W. Gullekson on behalf of Hedgemasters LLC for a Property Tax Exemption for a Project located at 1601 23 St S (58.503.0011) made by Heather Nesemeier and seconded by Laura Caroon

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevoll, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

Motion to Close Public Hearing Public Hearing Regarding the Request of Douglas W. Gullekson on behalf of Hedgemasters LLC for a Property Tax Exemption for a Project located at 1601 23 St S (58.503.0011) made by Chuck Hendrickson and seconded by Sebastian McDougall

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

- F. Resolution to Approve a Property Tax Exemption for Hedgemasters LLC to expand and construct a new shop building located at 1601 23 St S (58.503.0011)

Motion to Approve Resolution to Approve a Property Tax Exemption for Hedgemasters LLC to expand and construct a new shop building located at 1601 23 St S (58.503.0011) made by Deb White and seconded by Heather Nesemeier

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

- G. Public Hearing to Consider Adoption of Special Assessments for Public Improvements for Various Construction Projects

Assistant City Engineer Tom Trowbridge presented the list of special assessments for proposed public improvement projects. A Moorhead resident inquired about the estimated completion date for one of the projects.

Motion to Open Public Hearing Public Hearing to Consider Adoption of Special Assessments for Public Improvements for Various Construction Projects made by Laura Caroon and seconded by Ryan Nelson

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

Motion to Close Public Hearing Public Hearing to Consider Adoption of Special Assessments for Public Improvements for Various Construction Projects made by Heather Nesemeier and seconded by Larry Seljevold

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

- H. Resolution to Consider Adoption of Special Assessments for Public Improvements for Various Construction Projects

Motion to Approve Resolution to Consider Adoption of Special Assessments for Public Improvements for Various Construction Projects made by Chuck Hendrickson and seconded by Laura Caroon

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Gilbertson

10. Community Development Department

- A. *Resolution to Approve Minor Subdivision - 2406 2nd Ave N - Parcel 58.307.0370

11. Police Department

- A. *Resolution to Authorize Continued Participation in the Clay County Toward's Zero Death (TZD) Enforcement for 2023-2024

12. Moorhead Public Service

- A. *Resolution to Award Bids for 2024 Electrical Materials
B. *Resolution to Award Bid for 2023/2024 Tree Trimming

13. Administration

- A. *Resolution to Approve a Memorandum of Understanding with Clay County for the Edward Byrne Memorial Justice Assistance Grant
B. *Authorize Adoption of 2024 City of Moorhead Legislative Priorities

Governmental Affairs Director Lisa Bode reviewed Moorhead's legislative priorities before the February start of Minnesota's 2024 legislative session. Council member White suggested an addition to include seeking opportunities for greater flexibility of Border Cities programs to benefit Moorhead businesses and households.

Motion to Approve Adoption of 2024 City of Moorhead Legislative Priorities with the addition of "seek opportunities for greater flexibility in use of these programs to benefit Moorhead businesses" made by Laura Caroon and seconded by Deb White

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0

Abstain/Recuse: 0

Absent: 1; Gilbertson

14. Mayor and Council Reports

Council member Heather Nesemeier mentioned community members can drop off pumpkins for recycling at selected sites throughout Clay County November 1 to November 14.

Council member Deb White stated the due date for Moorhead Human Rights Award nominations is November 13, 2023.

Council member Chuck Hendrickson spoke of attending the dedication of the Sanford Heimarck School of Health Professions at Concordia College. He also attended the inauguration of Concordia President Colin Irvine. Council member Hendrickson added he did not win the Gourmet Soup Kitchen contest held by Churches United for the Homeless. It was a fun evening and raised funds and awareness of people experiencing homelessness locally.

Mayor Shelly Carlson thanked Senator John Hoeven for the invitation to participate in the Lake Agassiz Water Authority meeting in Fargo recently. Mayor Carlson spoke of continued work to finalize design of the Red River Regional Dispatch Center building. Mayor Carlson also attended the inauguration service for President Irvine and was honored to speak at the MSUM President Tim Downs' inauguration. Mayor Carlson shared that meetings continue to finalize schematic design of the Community Center Library with a goal of starting construction spring/summer 2024.

15. City Manager Reports

16. Executive Session

- A. Closed executive session pursuant to Minn. Stat. § 13D.05, Subdivision 3b(3), for the purpose of discussing the sale of real property described as a portion of Parcel Number 58.420.0040 owned by the City of Moorhead
- B. Closed executive session pursuant to Minn. Stat. § 13D.05, subdivision 3 (b) for consultation with the City Attorney and litigation counsel regarding the development of offers for acquisition of flowage easements and lands necessary for the Fargo Moorhead Diversion Project prior to commencing action in court

Motion to Enter Closed executive session pursuant to Minn. Stat. § 13D.05, Subdivision 3b(3), for the purpose of discussing the sale of real property described as a portion of Parcel Number 58.420.0040 owned by the City of Moorhead and Closed executive session pursuant to Minn. Stat. § 13D.05, subdivision 3 (b) for consultation with the City Attorney and litigation counsel regarding the development of offers for acquisition of flowage easements and lands necessary for the Fargo Moorhead Diversion Project prior to commencing action in court at 6:58pm made by Heather Nesemeier and seconded by Sebastian McDougall

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0

Abstain/Recuse: 0

Absent: 1; Gilbertson

Entered Closed Session at 6:58pm related to discussing the sale of real property described as a portion of Parcel Number 58.420.0040 owned by the City of Moorhead and exited closed session at 7:16pm

Entered Closed Session at 7:16pm related to consultation with the City Attorney and litigation counsel regarding the development of offers for acquisition of flowage easements and lands necessary for the Fargo Moorhead Diversion Project prior to commencing action in court and exited at 8:02pm

- C. Resolution Authorizing Last Written Offers and Use of Eminent Domain for the Acquisition of Necessary Property Rights in Wilkin County for the Fargo-Moorhead Metro Area Flood Risk Reduction Project

Motion to Approve Resolution Authorizing Last Written Offers and Use of Eminent Domain for the Acquisition of Necessary Property Rights in Wilkin County for the Fargo-Moorhead Metro Area Flood Risk Reduction Project made by Chuck Hendrickson and seconded by Sebastian McDougall

Motion Passed

For: 7; Nelson, Nesemeier, Caroon, White, Seljevold, McDougall, Hendrickson

Against: 0

Abstain/Recuse: 0

Absent: 1; Gilbertson

17. New Business

18. Adjourn

Meeting adjourned at 8:05pm

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson
Mayor

Christina Rust
City Clerk

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

RESOLUTION

Resolution for 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 November 14, 2023 and ending January 31, 2024. (Ward 2)

Park Advisory Board

- Susan Faus, Moorhead resident, is appointed to a term commencing November 14, 2023 and ending January 31, 2024. (Ward 4)

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

PASSED: November 13, 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

November 13, 2023

SUBJECT:

Resolution to Authorize a Flood Damage Reduction Grant Agreement

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to authorize a Flood Damage Reduction Grant Agreement with the State of Minnesota.

BACKGROUND/KEY POINTS:

During the 2023 legislative session, the State legislature allocated \$11M of Flood Damage Reduction grant funding to the City to facilitate completion of three projects:

- North Moorhead Project, Phase 2 (final phase),
- Sanitary Lift Station #2 Relocation, and
- 1 Ave N Levee/Floodwall.

A map of the proposed project locations is attached. To receive this funding, a new grant agreement with the Department of Natural Resources is necessary. The attached resolution authorizes the Mayor and City Manager to execute a Flood Damage Reduction Grant Agreement and related documents as may be necessary.

FINANCIAL CONSIDERATIONS:

The total estimated cost for the projects identified above is \$11M. The project costs will be reimbursed with Flood Damage Reduction grant funds. The City Council previously allocated and committed the required local match for these grant funds (i.e. no new local match is required). To the extent that any costs are not eligible for grant reimbursement, Stormwater Utility funds committed to flood mitigation will be used for those costs.

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager
Bob Zimmerman, Engineering Director
Sylvia Lizotte, Office Specialist

Attachments: Map

North Moorhead Project - Phase 2

1st Ave N Project

Lift Station #2 Project




- Existing Protection
- 2023 Funded Protection
- Acquired Properties

Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

RESOLUTION

Resolution to Authorize Flood Damage Reduction Grant Agreement

BE IT RESOLVED that the City of Moorhead, Minnesota, hereinafter referred to as the “Applicant”, act as legal sponsor for the flood risk reduction project or phase described in the Flood Damage Reduction Grant Assistance Program Application submitted on or about November 15, 2023 and that the City Engineer is hereby authorized to apply to the Department of Natural Resources for funding of this project or phase on behalf of the Applicant.

BE IT FURTHER RESOLVED that the Applicant has the legal authority to apply for financial assistance, and the institutional, administrative, and managerial capability to ensure adequate acquisition, construction, maintenance and protection of the proposed project.

BE IT FURTHER RESOLVED that the Applicant has the financial capability to provide any required matching funds and that the source of Applicant’s matching funds shall be \$19,897,918 as outlined in financial records, previous grant reimbursement requests, and documents for General Obligation Improvement Bonds previously issued by the City for, and committed to, flood mitigation, and will not include other State funding sources.

BE IT FURTHER RESOLVED that the Applicant hereby pledges to complete the project or phase if it exceeds the total funding provided by the Department of Natural Resources and the required local match.

BE IT FURTHER RESOLVED that the Applicant has not incurred any reimbursable expenses prior to the effective date of the agreement.

BE IT FURTHER RESOLVED that the Applicant has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Applicant may enter into an agreement with the State of Minnesota for the above-referenced project, and that the Applicant certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Manager are hereby authorized to execute such agreements and related documents as are necessary to implement the project on behalf of the applicant.

PASSED: November 13, 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

November 13, 2023

SUBJECT:

Resolution to Approve the Sale of Surplus Technical Rescue Equipment to the City of Madison, Minnesota – Madison Fire Department

RECOMMENDATION:

The Mayor and City Council are asked to consider the sale of a piece of surplus technical rescue equipment (Pulley/Rescue Belay/Descent Control device used in rope rescue) to the City of Madison MN Fire Department for \$300.

BACKGROUND/KEY POINTS:

Minnesota Statute §471.64, subd 1 allows municipalities to sell equipment to other government entities without competitive bidding requirements. The Moorhead Fire Department recently replaced several pieces of technical rescue equipment. The new equipment has expanded the functionality of older and more limited equipment causing it to become surplus. The now surplus equipment is still functional and may be used by other entities. The Madison Minnesota Fire Department has expressed interest in purchasing one piece of surplus equipment for \$300. The price for the piece of equipment new is \$889. Revenue from the sale will be placed in the City's General Fund.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager

Jeff Wallin, Fire Chief

Emily Roen, Program Assistant

Attachments:

RESOLUTION

Resolution to Approve the Sale of Surplus Technical Rescue Equipment to the City of Madison, Minnesota – Madison Fire Department

WHEREAS, cities may sell surplus equipment to other government entities without competitive bidding requirements, and

WHEREAS, the Fire Department recently replaced and aging technical rescue equipment, and

WHEREAS, the City of Madison Minnesota Fire Department wishes to purchase a portion of this surplus technical rescue equipment, and

WHEREAS, both parties have agreed to a fair market price for the surplus equipment,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby agree to sell to the City of Madison, Minnesota Fire Department one (1) CMC brand MPD (Multi-Purpose Device, Pulley/Rescue Belay/Descent Control) for the sum of three-hundred dollars.

PASSED: November 13, 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

November 13, 2023

SUBJECT:

First Reading of Ordinance 2023-09: An Ordinance to Amend and Reenact Title 10, Chapter 18, Section 1, Use Regulations Relating to Micro-Dwelling Unit Sacred Community

RECOMMENDATION:

The Mayor and City Council are asked to consider first reading of Ordinance 2023-09: An Ordinance to Amend and Reenact Title 10, Chapter 18, Section 1, Use Regulations Relating to Micro-Dwelling Unit Sacred Community.

BACKGROUND/KEY POINTS:

On May 24, 2023, a new law was approved in Minnesota allowing faith communities to develop micro-dwelling units on their property to house persons that are chronically homeless, very low-income and designated volunteers. The law takes effect January 1, 2024. The City of Moorhead is updating its zoning ordinance accordingly.

Staff is recommending faith communities be required to request a Conditional Use Permit for the micro-dwelling use to ensure requirements and conditions outlined in Title 10, Chapter 4, Conditional Use Permits, of the Moorhead City Code are met.

The Planning Commission reviewed the proposed use table additions at its November 6, 2023 meeting and unanimously recommend approval of the proposed zoning changes with one public comment advocating for this type of community development.

The complete Planning Commission packet is available at:

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

[MN Statute 327.30](#) requirements state:

1. Each religious institution that has sited a sacred community must annually certify to the local unit of government that it has complied with the eligibility requirements for residents of a sacred community.
2. Provide residents of micro-dwelling units access to water and electric utilities:
 - a. Either by connecting to the utilities that are serving the principal building on the lot or by other comparable means.
 - b. Or by providing residents access to permanent common kitchen facilities and common facilities for toilet, bathing, and laundry with the number and type of fixtures required for an R-2 boarding house under Minnesota Rules, part 1305.2902.
 - c. Any units that are plumbed shall not be included in determining the minimum number of fixtures required for the common facilities.



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3. Be appropriately insured.
4. Have between one-third and 40 percent of the micro units occupied by designated volunteers.
5. Provide the municipality with a written plan approved by the religious institution's governing board that outlines:
 - a. Disposal of water and sewage from units, if not plumbed;
 - b. Septic tank drainage if plumbed units are not hooked up to the primary worship location's system;
 - c. Adequate parking, lighting, and access to units by emergency vehicles;
 - d. Protocols for security and addressing conduct within the settlement; and
 - e. Safety protocols for severe weather.
6. Unless the municipality has designated sacred communities meeting the requirements of this section as permitted uses, a sacred community meeting the requirements of this section shall be approved and regulated as a conditional use without the application of additional standards not included in this section. When approved, additional permitting is not required for individual units.
7. Be subject to the laws governing landlords and tenants under chapter 504B.
8. Micro-dwelling units must be built to the requirements of the American National Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical systems, and fire and life safety.
9. A micro-dwelling unit must also meet the following technical requirements:
 - a. Be no more than 400 gross square feet;
 - b. Be built on a permanent chassis and anchored to pin foundations with engineered fasteners;
 - c. Have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
 - d. Have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;
 - e. Have a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;
 - f. Have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;
 - g. Have minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels, with



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a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square foot;

- h. Have smoke and carbon monoxide detectors installed.
- i. All units, including their anchoring, must be inspected and certified for compliance with these requirements by a licensed Minnesota professional engineer or qualified third-party inspector for ANSI compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020
- j. Units that connect to utilities such as water, sewer, gas, or electric, must obtain any permits or inspections required by the municipality or utility company for that connection.
- k. Units must comply with municipal setback requirements established by ordinance for manufactured homes. If a municipality does not have such an ordinance, units must be set back on all sides by at least ten feet.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

Attachments: Ordinance 2023-09 – Text Amendment

ORDINANCE 2023-09

AN ORDINANCE TO AMEND AND REENACT TITLE 10, CHAPTER 18, SECTION 1, USE REGULATIONS RELATING TO MICRO-DWELLING UNIT SACRED COMMUNITY

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

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

NEW

Use Category (General)	Use Type (Detailed)	Residential Districts						
		RLD-0	RLD-1	RLD-2	RLD-3	RMD-1	RMD-2	RHD-1
	...							
Religious institutions/group assembly/membership organizations		CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)
<u>Religious institution micro-dwelling unit sacred community</u>		<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>
	...							

Use Category (General)	Use Type (Detailed)	Mixed Use Districts			Commercial Districts			Industrial Districts	
		MU- 1	MU- 2	MU- 3	NC	CC	RC	LI	HI
	...								
Religious institutions/group assembly/membership organizations		CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	CU (L)	
<u>Religious institution micro-dwelling unit sacred community</u>		<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	<u>CU (EE)</u>	
	...								

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

PASSED: November 13, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

First Reading: 11/13/2023
E-Post:
Second Reading:
Publication:



City Council Communication

November 13, 2023

SUBJECT:

Resolution to Award Revised Bid to Irby Utilities for 2024 Electrical Materials

RECOMMENDATION:

The Moorhead Public Service Commission respectfully requests the Mayor and City Council award the revised bid to Irby Utilities for Bid Item #1 for 2024 Electrical Materials, as awarded by the Moorhead Public Service Commission on November 7, 2023.

BACKGROUND/KEY POINTS:

On October 4, 2023, Moorhead Public Service staff publicly read bids for the 2024 Electrical Materials. Irby Utilities (Irby) provided an alternate bid for Bid Item #1, which was overlooked by staff and not read at the bid opening. Irby notified MPS staff of the error after the Moorhead Public Service Commission awarded the bids on October 17, 2023.

The revision does not change the outcome, as Irby was originally awarded Bid Item #1. However, it will reduce the price of the cable, for a cost savings of \$8,910.

MATERIAL DESCRIPTION	QTY.	ESTIMATED COST	LOW BIDDER RESULT
1/0 Primary 15 kV Primary (15 reels) (Previously Awarded)	40,500'	\$151,875.00	\$146,610.00
1/0 Primary 15 kV Primary (15 reels) (Revised)	11,000'	\$151,875.00	\$137,700.00
TOTAL		\$151,875.00	\$137,700.00

The cable prices are subject to metals escalation/de-escalation. As a result, the actual price that will be paid for the cable may vary based on pricing of the metals at the time of manufacture.

FINANCIAL CONSIDERATIONS:

Although there is no cost to the City of Moorhead (directly), the total cost savings to the Moorhead Public Service Commission for 2024 Electrical Materials is \$8,910.

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Travis Schmidt, General Manager
Taylor Holte, Project Engineer

Attachments: Revised Bid Tabulation Sheet



**Revised Bid Tabulation Sheet
for
2024 Electrical Materials**

October 4, 2023 at 2:30 pm

BIDDER	ACK. ADD. #1	CHECK OR B.B.	40,500'	11,000'	25,000'	50	10	2
			BID ITEM #1: 1/0 AWG, 15 kv Dist. Cable, 220 mil Insulation (15 reels) Price/Foot	BID ITEM #2: 500 MCM, 15kV primary feeder cable, 220 mil Insulation (5 reels) Price/Foot	BID ITEM #3: 250-3/0-250AWG, 600 Volt Underground Service Cable (25 reels) Price/Foot	BID ITEM #4: 50 kVA, Single- Phase Padmount Transformer, 12.47/7.2 Volt Primary, 240/120 Volt Secondary Price Each	BID ITEM #5: 75 kVA, Single- Phase Padmount Transformer, 12.47/7.2 Volt Primary, 240/120 Volt Secondary Price Each	BID ITEM #6: 100 kVA, Single- Phase Padmount Transformer, 12.47/7.2 Volt Primary, 240/120 Volt Secondary Price Each
Border States Industries, Inc	N/A	10%	\$ 162,473.85	\$ 85,758.31	\$ 65,624.75	\$ -	\$ -	\$ -
Border States Industries, Inc. Alternate			\$ 160,050.00	\$ -	\$ -	\$ -	\$ -	\$ -
Dakota Supply Group	N/A	10%	\$ 178,200.00	\$ 89,210.00	\$ 68,250.00	\$ -	\$ -	\$ -
Graybar	N/A	10%	\$ -	\$ -	\$ 61,579.00	\$ -	\$ -	\$ -
RESCO	N/A	10%	\$ 169,950.00	\$ -	\$ 64,500.00	\$ 359,923.00	\$ 90,276.90	\$ 17,960.00
Stuart C. Irby (Irby Utilities)	N/A	10%	\$ 146,610.00	\$ 85,800.00	\$ 61,750.00	\$ 735,000.00	\$ 148,900.00	\$ 35,300.00
Stuart C. Irby (Irby Utilities) (Alternate Bid)	N/A	10%	\$ 137,700.00	\$ -	\$ -	\$ -	\$ -	\$ -



**Revised Bid Tabulation Sheet
for
2024 Electrical Materials
October 4, 2023 at 2:30 pm**

BIDDER	ACK. ADD. #1	CHECK OR B.B.	8	4	1
			BID ITEM #7: 75 kVA, Three-Phase Padmount Transformer, 12.47/7.2 Volt Primary, 208Y/120 Volt Secondary Price Each	BID ITEM #8: 150 kVA, Three- Phase Padmount Transformer, 12.47/7.2 Volt Primary, 208Y/120 Volt Secondary Price Each	BID ITEM #9: 500 kVA, Three- Phase Padmount Transformer, 12.47/7.2 Volt Primary, 480Y/277 Volt Secondary Price Each
Border States Industries, Inc	N/A	10%	\$ 215,700.24	\$ 124,083.76	\$ 47,731.39
Border States Industries, Inc. Alternate			\$ -	\$ -	\$ -
Dakota Supply Group	N/A	10%	\$ 223,755.28	\$ 129,209.40	\$ 53,245.88
Graybar	N/A	10%	\$ -	\$ -	\$ -
RESCO	N/A	10%	\$ 136,873.84	\$ 86,018.48	\$ -
Stuart C. Irby (Irby Utilities)	N/A	10%	\$ 237,280.00	\$ 194,000.00	\$ 69,600.00
Stuart C. Irby (Irby Utilities) (Alternate Bid)	N/A	10%	\$ -	\$ -	\$ -

RESOLUTION

Resolution to Award Revised Bid to Irby Utilities for 2024 Electrical Materials

WHEREAS, on October 4, 2023, bids were opened for 2024 Electrical Materials; and,

WHEREAS, Moorhead Public Service staff overlooked an alternate bid from Irby Utilities for Bid Item #1; and

WHEREAS, the revision does not change the outcome and will reduce the price of the cable for a cost savings of \$8,910; and

WHEREAS, Moorhead Public Service staff has re-evaluated the bid and submitted a revised Bid Tabulation Sheet with its recommendation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead to award the revised bid for 2024 Electrical Materials to Irby Utilities for the alternate bid on Bid Item #1, as shown on the attached revised Bid Tabulation Sheet and awarded by the Moorhead Public Service Commission on November 7, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council does hereby authorize and direct the Mayor and City Manager to execute the contract with Irby Utilities for the alternate bid on Bid Item #1 for the 2024 Electrical Materials.

PASSED: November 13, 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

November 13, 2023

SUBJECT:

Resolution to Award Bid for 2024 Annual Boring

RECOMMENDATION:

The Moorhead Public Service Commission respectfully requests the Mayor and City Council award the bid for the 2024 Annual Boring to MVM Contracting, Inc., in the amount of \$73,431.25, contingent upon award of the bid by the Moorhead Public Service Commission on/about November 21, 2023.

BACKGROUND/KEY POINTS:

Moorhead Public Service's (MPS') objective with the annual boring contract is to improve the efficiency of MPS staff and to obtain better pricing from contractors for projects that arise throughout the construction season. These projects are usually for small amounts of cable work in new additions, small extension and upgrade projects, minor revisions to MPS' existing electrical system for new businesses, or upgrades to the fiber system.

Bids were opened on November 1, 2023, for 2024 Annual Boring. MPS received three qualified bids, all bidders passed the Contractor Safety Pre-Qualification Checklist, and all bid securities were submitted properly and on time.

At this time, MPS does not have specific projects selected; however, contractors were asked to provide unit pricing for different types of installations that are common for MPS. Using a schedule developed by MPS staff, the unit prices are used to evaluate and compare the proposals to each bid.

The lowest, qualified bidder is MVM Contracting, Inc. (MVM), in the amount of \$73,431.25 (see attached Bid Tabulation Sheet). MVM will be paid based on the unit pricing per foot provided to MPS for each project, not the actual total amount of the bid. The unit pricing for the various annual boring items are in line with staff's expectations for the 2024 construction season.

Costs for 2024 Annual Boring are included in MPS' capital and operations budgets for the Electric Division.

FINANCIAL CONSIDERATIONS:

Although there is no cost to the City of Moorhead (directly), the total cost to the Moorhead Public Service Commission for the 2024 Annual Boring is \$73,431.25.

Voting Requirements: Majority of Quorum



City Council Communication

November 13, 2023

Submitted By:

Dan Mahli, City Manager

Travis L. Schmidt, General Manager

Taylor Holte, Electric Project Engineer

Attachments: Bid Tabulation Sheet



Preliminary*
Bid Tabulation Sheet
for
2024 Annual Boring

November 1, 2023, at 2:00 p.m.

Bidder	Bid Bond	<u>Bid Item #1: Annual Boring</u> <u>(from Bid Item #1 Schedule A)</u>
MVM Contracting	10%	\$73,431.25
New Era Underground, LLC	10%	\$97,005.00
Parsons Electric	10%	\$103,622.50

*Contingent upon award by the Moorhead Public Service Commission on/about November 21, 2023, and the Moorhead City Council on/about November 13, 2023.

RESOLUTION

Resolution to Award Bid 2024 Annual Boring

WHEREAS, on November 1, 2023, bids were opened for 2024 Annual Boring; and,

WHEREAS, Moorhead Public Service (MPS) staff evaluated the bids and submitted a Bid Tabulation Sheet with their recommendation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead to award the bid for the 2024 Annual Boring to MVM Contracting, Inc., in the amount of \$73,431.25, contingent upon approval award of the bid by the Moorhead Public Service Commission on/about November 21, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council does hereby authorize and direct the Mayor and City Manager to execute the contract for the 2024 Annual Boring.

PASSED: November 13, 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

November 13, 2023

SUBJECT:

Resolution to Approve a Minnesota Lawful Gambling Premise Permit for Moorhead Youth Hockey Association

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve issuance of a Gambling Premises Permit to Moorhead Youth Hockey Association.

BACKGROUND/KEY POINTS:

The Moorhead Youth Hockey Association is requesting authorization to conduct lawful gambling activities at Vic's Bar and Grill located at 1608 Main Ave, Moorhead. This will allow Moorhead Youth Hockey Association to conduct raffles and other lawful gambling activities throughout the year without further permit approvals by the City of Moorhead. Before the Minnesota Gambling Control Board can issue the premises permit, the local unit of government where the premise is located must give prior approval of the application. The Moorhead Youth Hockey Association assumes full responsibility for the fair and lawful operation of gambling activities to be conducted.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Kelle Jenkins, Deputy City Clerk

Attachments:

RESOLUTION

Resolution to Approve a Minnesota Lawful Gambling Premise Permit for Moorhead Youth Hockey Association

BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby approve the issuance of a Minnesota Lawful Gambling Premises Permit to the applicant listed below:

Applicant:

Moorhead Youth Hockey Association

Site:

Vic's Bar and Grill
1608 Main Avenue
Moorhead, MN 56560

Gambling Manager:

Anne Norris

PASSED: November 13, 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

November 13, 2023

SUBJECT:

Resolution to Approve Amendment to Joint Powers Agreement for Red River Regional Dispatch Center (RRRDC)

RECOMMENDATION:

The Mayor and City Council are asked to approve an Amendment to the Joint Powers Agreement for the Red River Regional Dispatch Center (RRRDC).

BACKGROUND/KEY POINTS:

There is one revision that was made to the RRRDC Joint Powers Agreement (JPA) which adds a subsection. The change is as stated:

A. Section 5.09 is hereby amended to add subsection (j), to read as follows:

"...(j) a decision by the RRRDC Authority Board either to purchase or to not purchase certain land from the City of Fargo that is subject to a certain Ground Lease between the City of Fargo, as owner and lessor, to the RRRDC, as the lessee."

In all other respects, the Joint Powers Agreement, effective January 1, 2023, shall be and remain in full force and effect.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager

Mike Rietz, Assistant City Manager

Attachments:

RESOLUTION

Resolution to Approve Amendment to Joint Powers Agreement for Red River Regional Dispatch Center (RRRDC)

WHEREAS, the City of Moorhead entered into a Joint Powers Agreement for the Red River Regional Dispatch Center; and

WHEREAS, the amendment is as follows:

A. Section 5.09 is hereby amended to add subsection (j), to read as follows:
"...(j) a decision by the RRRDC Authority Board either to purchase or to not purchase certain land from the City of Fargo that is subject to a certain Ground Lease between the City of Fargo, as owner and lessor, to the RRRDC, as the lessee."

WHEREAS, in all other respects, the Joint Powers Agreement is effective January 1, 2023, shall be and remain in full force and effect;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the Amendment to the Joint Powers Agreement shall be effective as of the date and year first above written.

PASSED: November 13, 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

November 13, 2023

SUBJECT:

Resolution to Approve Transfer of Liquor Licenses for Avengers, LLC DBA Vic's Bar & Grill

RECOMMENDATION:

The Mayor and Council are asked to approve the transfer of Vic's Bar & Grill's on-sale and off-sale license.

BACKGROUND/KEY POINTS:

In preparation for the construction on the existing Moorhead Center Mall Redevelopment project, Vic's Bar and Grill is moving to the location currently occupied by Paige's Tavern, LLC DBA J.C. Chumley's at 1608 Main Ave SE. Per City Code Title 2 Chapter 3-11 no license may be transferred to another person or to another place without the approval of the Council. The City Clerk's office requests an approval to transfer the license for the location after the final agreement between the two parties.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager

Christina Rust, City Clerk

Attachments:

RESOLUTION

Resolution to Approve Transfer of Liquor Licenses for Avengers, LLC DBA Vic's Bar & Grill

WHEREAS, Avengers, LLC DBA Vic's Bar & Grill is relocating their business to 1608 Main Ave SE and in the process of acquiring the current business of Paige's Tavern, LLC DBA J.C. Chumley's; and

WHEREAS, the current liquor license for J.C. Chumley's will be terminated at the closing of the acquisition; and

WHEREAS, City Code Title 2 Chapter 3-11 states that no license may be transferred to another person or to another place without the approval of the Council; and

WHEREAS, the city clerk's office is requesting the approval to transfer the license from Vic's Bar & Grill to the new location at 1608 Main Ave. SE

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the liquor license issued to Avengers, LLC DBA Vic's Bar & Grill is approved for transfer effective upon the surrender of the license for Paige's Tavern, LLC DBA J.C. Chumley's.

PASSED: November 13, 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

November 13, 2023

SUBJECT:

Resolution to Authorize Submission of Transit Capital Grant Applications for 2024-2027 to the State of Minnesota and Provide Local Share Match for Selected Projects

RECOMMENDATION:

The Mayor and City Council are asked to consider approval of Grant Applications for 2024-2027, resulting contracts and provision of local match with the State of Minnesota for State selected vehicles, large capital and technology projects.

BACKGROUND/KEY POINTS:

The State of Minnesota has notified transit agencies of the State selection of 2024 capital projects for grant funding and the opportunity to submit preliminary 2024-2027 Public Transit Grant Applications for capital financial assistance for public transit services throughout the State. This grant funding opportunity includes both State of Minnesota and Federal Transit Administration (FTA) financial assistance administered by the Minnesota Department of Transportation (MnDOT) Office of Transit and Active Transportation through various programs. The local match to the grant could range from 10% to 20% dependent upon MnDOT's selection of projects and funds available.

The projects included in the grant applications for 2024-2027 are included within the City's 5-year Capital Improvement Plan (CIP) and the State of Minnesota Transportation Improvement Plan. For 2024, the State has selected replacement of one senior ride van at a total cost of \$69,000 with local match of \$6,900 (10%) from the State of Minnesota and \$6,900 (10%) from Moorhead.

As a new Large Urban Area (UZA) beginning October 1, 2023, future capital funding from the State of Minnesota may be limited to local match from State funds and exclude pass-through of Federal capital funds. The Fargo-Moorhead UZA will receive direct funding from Federal Transit sources.

FINANCIAL CONSIDERATIONS:

The 2024 selected capital project for a replacement senior ride van is in the proposed 2024 Mass Transit Budget at \$69,000. Capital projects not selected by the State for 2024 will be submitted for Federal Section 5307 grant funding following a public hearing and Council approval. Preliminary projects submitted for grant consideration for 2024-2028 are contained in the CIP. To eliminate major fluctuations, the CIP includes \$150,000 annually for transit capital needs and will be sufficient to cover the planned expenditures.

Voting Requirements: 3/4 of Council (6)



City Council Communication

November 13, 2023

Submitted By:

Dan Mahli, City Manager

Lisa Bode, Governmental Affairs Director

Lori Van Beek, Transit Manager

Attachments: Transit 2024-2028 Capital Improvement Plan - Mass Transit

City of Moorhead, Minnesota

Capital Improvement Plan

2024 thru 2028

PROJECTS & FUNDING SOURCES BY DEPARTMENT

Department	Project #	Priority	2024	2025	2026	2027	2028	Total
Mass Transit								
Shelter - Replace Annually	MT 00-01	n/a	34,490		72,000	50,000	52,000	208,490
Replace PEM at MTG Technology (100% Mhd)	MT 24-01	n/a	29,000					29,000
On-demand Vehicle Expansion	MT 24-02	n/a	173,000					173,000
Senior Unit #5241 Replaces Unit #5191	MT 24-03	n/a	69,000				55,000	124,000
Senior Unit #5251 Replaces Unit #5192	MT 25-01	n/a		69,000				69,000
Senior Unit #5252 Replaces Unit #5193	MT 25-02	n/a		69,000				69,000
TDP Consultant (5 year)	MT 25-03	n/a		15,333				15,333
Facility Improvements (1/3 Mhd Cost) (2025-2026)	MT 25-04	n/a		33,000		2,200		35,200
Fixed Route Expansion bus	MT 26-01	n/a			714,000			714,000
Technology - replace cameras, radios, etc.	MT 26-02	n/a			70,000			70,000
Para Replaces Unit #7191	MT 26-03	n/a			213,000			213,000
Replace Fixed Route Bus #2151	MT 27-01	n/a				736,000		736,000
Para Replaces Unit #7221 (Rename #7241)	MT 27-02	n/a				212,000		212,000
Para Replaces Unit #7222 (Rename #7242)	MT 27-03	n/a				212,000		212,000
Senior Unit #5261 Replaces Unit #5181	MT 27-04	n/a				53,000		53,000
Fixed Route Replaces Unit #2161	MT 28-01	n/a					759,000	759,000
Fixed Route Replaces Unit #2162	MT 28-02	n/a					759,000	759,000
Para Replaces Unit #7243	MT 28-03	n/a					219,000	219,000
Mass Transit Reserve	MT RESV	n/a	104,452	107,367	-28,100	-42,390	-131,950	9,379
Mass Transit Total			409,942	293,700	1,040,900	1,222,810	1,712,050	4,679,402
Capital Improvement Fund			150,000	150,000	150,000	150,000	150,000	750,000
Federal Grant			253,042	143,700	890,900	1,072,810	1,562,050	3,922,502
MnDOT			6,900					6,900
Mass Transit Total			409,942	293,700	1,040,900	1,222,810	1,712,050	4,679,402
Grand Total			409,942	293,700	1,040,900	1,222,810	1,712,050	4,679,402

RESOLUTION

Resolution to Authorize Submission of Transit Capital Grant Applications for 2024-2027 to the State of Minnesota and Provide Local Share Match for Selected Projects

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 enter into and execute contracts and any amendments thereto with the State of Minnesota, Department of Transportation, related to capital grant applications for 2024-2027 projects contained in the 2024-2028 Capital Improvement Plan for Mass Transit.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council of the City of Moorhead, Minnesota, agrees to provide up to twenty percent (20%) of the total capital costs from local funds.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the City Council 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.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead, Minnesota, that the Transit Manager or Finance Manager is authorized to submit grant applications to the State of Minnesota for proposed 2024-2027 capital grant projects contained in the Capital Improvement Plan for 2024-2028.

PASSED: November 13, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk