



**CITY COUNCIL
MEETING AGENDA
MAY 08, 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: Addison Loerzel
6. Approve Minutes
 - A. April 24, 2023 Meeting Minutes
7. Citizens Addressing the Council (Time Reserved: 15 Minutes)

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

During "Public Hearings", the Mayor will ask for public testimony after staff and/or applicants make their presentations. The following guidelines are in place to ensure an efficient, fair, and respectful hearing; limit your testimony to three minutes and to the matter under consideration; the Mayor may modify times, as deemed necessary; avoid repeating remarks or points of view made by previous speakers. The use of signs, clapping, cheering or booing or any other form of verbal or nonverbal communication is not allowed.
10. Engineering Department
 - A. *Resolution to Award Bid for 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F)
 - B. *Resolution to Authorize Easement Acquisition for Midtown Trail (Eng No. 21-13-01)
11. Fire Department

- A. *Resolution to Enter into a Contract Between the City of Moorhead and EAPC Architects Engineers for a Remodel of Fire Station 1 to Accommodate the 11th St N Underpass
- 12. Community Development Department
 - A. *Resolution to Approve Vacation of Easement Within Bright Sky Addition (3350 3rd Ave N)
 - B. *Resolution to Approve Preliminary and Final Plat relating to Eighth Avenue Addition
 - C. *Resolution to Approve Extension of Conditional Use Permit for Residential Parking Lot in RLD-0a at 1500 Wall St Ave N
- 13. Moorhead Public Service
 - A. *Resolution to Approve Renewable Energy Certificate Program with Western Area Power Administration
- 14. Administration
 - A. Resolution to Approve the Appointment of the Public Works Director
 - B. Resolution to Authorize Agreement with JLG Architects for Architectural/Engineering Services for the Moorhead Community Center/Public Library
- 15. Mayor and Council Reports
- 16. City Manager Reports
- 17. Executive Session
 - A. Executive session pursuant to Minn. Stat. § 13D.05, subd. 3 (b) for the purpose of providing the City Attorney negotiating parameters to develop an agreement with the Minnesota Department of Employment and Economic Development for economic development opportunities within the City of Moorhead (DEED)
- 18. New Business
- 19. Adjourn



City Council Communication

May 8, 2023

SUBJECT:

MoorHeart Recognition: Addison Loerzel

RECOMMENDATION:

The Mayor and City Council are asked to recognize and honor Addison Loerzel with the MoorHeart award.

BACKGROUND/KEY POINTS:

The MoorHeart award recognizes individuals and organizations that go above and beyond to demonstrate community within our City by their actions and service. A team of volunteers from City boards and commissions selects award recipients who are recognized at City Council meetings. For the May 2023 award, the MoorHeart selection committee chose Addison Loerzel for her philanthropic efforts.

Engaging and compassionate, Addison uses her time in so many altruistic ways that benefit residents of Moorhead and beyond. She participates in Addie's Royal Cupcake Stand, Churches United events, the Backpack Blessings service project, as well as volunteering at the Ronald McDonald House.

Rhiannon Walstrom wrote in the nomination: Addison is an outstanding young Moorhead citizen. Most people know her from "Addie's Royal Cupcake Stand" where she brings cupcakes, princesses, and our community together to help the Sunshine Foundation make dreams come true. It is an event that she has been hosting since 2013. She has raised over \$80,000 and helped make dreams come true for 11 MN/ND kids. It is truly a one-of-a-kind Moorhead event that so many people look forward to each summer. Addie works hard to plan Global Youth Service Day projects to get local youth involved in community service. Her project, Backpack Blessings, has encouraged hundreds of youth to pack backpacks full of necessity items for our neighbors experiencing homelessness. These are just a few of the examples of Addison being an exemplary citizen. Not only is she a role model for area youth but she is a role model for all of us! She does so many things that make our community a better place and is very deserving of this award.

Addie has become a fixture in our community with her compassion and drive. We thank her for sharing her story and her gifts. Congratulations, Addison!

The MoorHeart award is commemorated with a piece of art commissioned from Moorhead-based artist Karman Rheault 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

May 8, 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
APRIL 24, 2023 AT 5:30 PM
HJEMKOMST CENTER AUDITORIUM**

1. Call to Order and Roll Call

Roll call of the members was made as follows:

Present: Council Member: Ryan Nelson
Council Member: Matthew Gilbertson
Council Member: Heather Nesemeier
Council Member: Laura Caroon
Council Member: Deb White
Council Member: Steve Lindaas
Council Member: Chuck Hendrickson
Mayor: Shelly Carlson

Absent: Council Member: Larry Seljevold

2. Pledge of Allegiance

3. Agenda Amendments

4. Recognitions - Presentations

A. Presentation: Class of 2023 Citizens Government Academy

Assistant City Manager Mike Rietz shared an overview of the Citizens Government Academy. Mayor Carlson presented the graduates with certificates.

B. Presentation: Dr. William Craft Day Proclamation

Mayor Carlson and Council members presented the Proclamation for Dr. William Craft Day. Dr. Craft was presented a MoorHeart award for his continued service to the Moorhead Community.

C. Presentation: 2023 Flood Update

City Engineer Bob Zimmerman shared a 2023 Flood update.

D. Recognition: Certificate of Achievement for Excellence in Financial Reporting

City Manager Dan Mahli shared that the Finance team has been recognized by the Government Finance Officers Association with a Certificate of Achievement for Excellence in Financial Reporting. Finance Director Jenica Flanagan thanked the council and her finance team for their dedication to superior work.

5. Consent Agenda

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Motion to Approve made by Steve Lindaas and seconded by Deb White

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Seljevoll

6. Approve Minutes

A. April 10, 2023 Meeting Minutes

Motion to Approve April 10, 2023 Meeting Minutes made by Laura Caroon and seconded by Ryan Nelson

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Seljevoll

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

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8. *Mayor and Council Appointments

9. Public Hearings (5:45 pm)

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

A. Public Hearing to Consider Actions Related to 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F)

Motion to Open Public Hearing Public Hearing to Consider Actions Related to 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F) made by Chuck Hendrickson and seconded by Heather Nesemeier

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Seljevoll

Assistant City Engineer Tom Trowbridge presented the proposed actions related to 2nd Ave. N area underground utility and street improvements. Completion of these actions will help with the upcoming 11th St. underpass project.

Motion to Close Public Hearing Public Hearing to Consider Actions Related to 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F) made by Deb White and seconded by Heather Nesemeier

Motion Passed

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

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

- B. Resolution to Order Improvements & Declare Intent to Assess for 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F)

Motion to Approve Resolution to Order Improvements & Declare Intent to Assess for 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F) made by Heather Nesemeier and seconded by Steve Lindaas

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 1; Seljevoll

10. Engineering Department

- A. Resolution to Approve Budget Adjustment #23-020 and Execution of License Agreement for Asset Management Software

City Engineer Bob Zimmerman shared a proposed budget adjustment for the acquisition of a new asset management solution that includes centralized and consistent data management across and between assets and departments. The budget adjustment would allocate an additional \$100,000 of federal American Rescue Plan Act funds to enable this effort.

Motion to Approve Resolution to Approve Budget Adjustment #23-020 and Execution of License Agreement for Asset Management Software made by Steve Lindaas and seconded by Laura Caroon

Motion Passed

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

Against: 0

Abstain/Recuse: 0

Absent: 1; Seljevoll

- B. *Resolution to Authorize Easement Acquisitions and Award Bid for 11 St S Street and Utility Improvements (Eng No. 22-A2-02)
- C. *Resolution to Award Bid for 11 St S Street and Utility Improvements (Eng No. 22-A2-02)
- D. *Resolution to Consider Actions Related to Completed Public Improvement Projects Funded with Special Assessments
- E. *Resolution to Call for an Assessment Hearing for Completed Public Improvement Projects
- F. *Resolution to Authorize Grant Submission for Carbon Reduction Program for Street Light Replacement
- G. *Resolution to Award the Bid for the 2023 Sanitary Sewer Lining Improvements (Eng. No. 23-06-02).

11. Parks and Recreation Department

- A. *Resolution to Accept Grant Funds from Age-Friendly Minnesota (AFMN) Community Grants for Pickleball Courts
- 12. Community Development Department
 - A. *Second Reading of Ordinance 2023-06: An Ordinance to Amend Title 1, Chapter 7, Planning Commission as it relates to Membership
 - B. *Resolution to Approve Title & Summary of Ordinance 2023-06: An Ordinance to Amend Title 1, Chapter 7, Planning Commission as it relates to Membership
- 13. Police Department
 - A. *Resolution to Approve Submittal of Pathway to Policing Grant
 - B. *Resolution to Authorize Towing Contract with Ed's Towing Service Co.
- 14. Administration
 - A. *Resolution to Approve a Minnesota Lawful Gambling Premise Permit for Moorhead Youth Hockey Association
 - B. *Resolution to Approve New Liquor License to Onyx Bar & Grill Limited Liability Company DBA Onyx Bar & Grill
- 15. Mayor and Council Reports

Council Member Steve Lindaas shared his appreciation to the residents that live along 11th Street who agreed to easements that allowed for the expansion of the shared use bike path. Mr. Lindaas also mentioned the work the city put in for the pickle ball courts.

Council Member Deb White spoke of her attendance at the Human Rights Commission meeting and recounted the information provided by the speaker they had from Welcome America.

Council Member Laura Caroon shared that the committee for the new Library/Community center has been working behind the scenes and work continues on the project that was approved by voters November 2022.

Mayor Shelly Carlson discussed the panel that she and Governmental Affairs Director Lisa Bode participated on for the Concordia Career Readiness Board. Mayor Carlson shared with council the Chamber's Business Roundtable that and other city staff took part in, the mayor also spoke of the Red River Regional Dispatch Center board meeting that was held to discuss a new location for the dispatch center. The mayor communicated her opportunity to attend the State of Main at the Capitol in St. Paul, Council Member Hendrickson had attended the State of Main Regional meeting and the mayor thanked him for the information he provided to the State Auditor's Office. Mayor Carlson recounted her testimony at the Senate Transportation hearing to discuss funding for the 11th Street underpass. The mayor talked about her opportunity to give the welcome speech at the Mississippi Valley Division of the US Army Corp of Engineer's Regional Meeting held in Moorhead. The mayor thanked Nathan Aakre and his assessing team at the City for all their work in preparation for the Board of Appeals and Equalization meeting. Mayor Carlson spoke of her chance to present the Earth Day Proclamation at the Clay County Resource and Recover Center and her visit with Senator Klobuchar where the mayor was able to take the senator along the Red River levee.

16. City Manager Reports

17. Executive Session

- A. Executive Session pursuant to Minn. Stat. § 13D.05, Subdivision 3 (b) and (c)(3) to receive an update regarding potential litigation for land acquisition in Minnesota for the Fargo Moorhead Diversion Project and provide guidance to external counsel and the lands team regarding the development of offers and counteroffers for land acquisition in Minnesota for the Fargo Moorhead Diversion Project.

Motion to Enter Closed Executive Session pursuant to Minn. Stat. § 13D.05, Subdivision 3 (b) and (c)(3) to receive an update regarding potential litigation for land acquisition in Minnesota for the Fargo Moorhead Diversion Project and provide guidance to external counsel and the lands team regarding the development of offers and counteroffers for land acquisition in Minnesota for the Fargo Moorhead Diversion Project at 6:27pm.

Exited at 7:24pm. made by Deb White and seconded by Heather Nesemeier

Motion Passed

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

Against: 0

Abstain/Recuse: 0

Absent: 1; Seljevoll

18. New Business

19. Adjourn

Meeting adjourned at 7:28pm

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson
Mayor

Christina Rust
City Clerk

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



City Council Communication

May 8, 2023

SUBJECT:

Resolution to Award Bid for 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F)

RECOMMENDATION:

The Mayor and City Council are asked to award the bid to Hough, Inc. of Detroit Lakes, MN in the amount of \$2,822,308.70 for the 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F).

BACKGROUND/KEY POINTS:

The proposed project includes street and/or underground utility work along 2nd Ave N from 8th to 12th St, 10th St N from 1st to 2nd Ave N, and 12th St N from 1st to 2nd Ave N (map attached). The street improvements on 2nd Ave N and 12th St N are included in the City's 2023-2027 Capital Improvement Plan and are scheduled for construction of improvements in 2023. The project also includes sanitary sewer and water utility relocation that must be completed in advance of the proposed 11th St Underpass project, which is being designed by WSB and is anticipated to begin construction in 2024. To best coordinate with the ongoing design of the 11th St Underpass project, WSB was hired to complete the design of the 2nd Ave N/12th St N improvements.

Bids for the project were received on May 3, 2023 and are summarized in the Financial Considerations section of this communication. Staff recommends awarding the bid to the apparent lowest responsible bidder. Below is an outline of the proposed project schedule.

PROJECT SCHEDULE	
Activity	Date
Order Preliminary Engineer's Report	December 12, 2022
Receive Engineer's Report, Order Plans & Specs, and Call for a Public Hearing	February 27, 2023
Approve Plans & Specs and Authorize Ad for Bids	March 13, 2023
Hold Public Hearing, Declare Intent to Assess & Order Improvements	April 24, 2023
Receive Bids	May 3, 2023
Award Bid	May 8, 2023
Anticipated Construction Schedule	May – Nov, 2023
Hold Assessment Hearing	Fall, 2023

FINANCIAL CONSIDERATIONS:

Three bids for the project were received on May 3, 2023. The bids are detailed in the attached bid tabulation and summarized below:

Bidder	Bid
Hough, Inc.	\$2,822,308.70
R & R Excavating, Inc.	\$3,086,225.19
Key Contracting	\$3,143,621.10
Engineer's Estimate	\$2,871,510.00



City Council Communication

May 8, 2023

Based on a review of the bids, it is the recommendation of staff that the bid should be awarded to Hough, Inc. of Detroit Lakes, MN as the lowest responsive, responsible bidder.

Based on the low bid, the estimated total project cost is \$3,200,000. The portion of the cost associated with the MnDOT 11th Street Grade Separation Project (utility relocation), estimated to be \$2,040,000, will be reimbursed by MnDOT. An estimated \$231,800 of the costs are proposed to be assessed for the street improvements in accordance with the City's Special Assessment Policy. The balance, estimated to be \$928,200, will be paid as a City share with debt service on the City share paid through the general property tax levy.

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager
Tom Trowbridge, Assistant City Engineer
Bob Zimmerman, Engineering Director
Ruth Sierra, Office Specialist

Attachments: Location Map, Bid Tabulation

2nd Ave N, 10th St N & 12th St N Street & Utility Improvements (Eng. Nos. 23-A2-04A & 14-A2-03F)

RIVERFRONT
PARK RD

9 ST N

10 ST N

12 ST N

2 AVE N



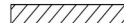

8 ST N

1 AVE N

1 AVE N

11 ST N

LEGEND

-  WATER MAIN REPLACEMENT
-  SANITARY SEWER REPLACEMENT
-  STREET REHABILITATION
-  STREET RECONSTRUCTION

120

Feet

9 ST S

10 ST S

CENTER AVE

11 ST S

Bid Tabulation

2023 Local Street and Utility Improvement Project (#8436674)

Owner: City of Moorhead & Moorhead Public Service

WSB Project No. 020350-000

Bid Opening 05/03/2023 10:00 AM CST



DENOTES CORRECTED FIGURE

Line Item	Item Code	Item Description	UofM	Engineer Estimate		Hough, Inc. of Detroit Lakes		R & R Excavating, Inc.		Key Contracting, Inc.		
				Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	2021.501	MOBILIZATION	LUMP SUM	1.00	\$200,000.00	\$200,000.00	\$139,000.00	\$139,000.00	\$175,527.81	\$175,527.81	\$35,000.00	\$35,000.00
2	2101.502	CLEARING	EACH	1.00	\$1,000.00	\$1,000.00	\$1,300.00	\$1,300.00	\$150.00	\$150.00	\$5,000.00	\$5,000.00
3	2101.502	GRUBBING	EACH	1.00	\$1,000.00	\$1,000.00	\$600.00	\$600.00	\$200.00	\$200.00	\$5,000.00	\$5,000.00
4	2104.502	REMOVE MANHOLE OR CATCH BASIN	EACH	20.00	\$700.00	\$14,000.00	\$500.00	\$10,000.00	\$963.05	\$19,261.00	\$1,500.00	\$30,000.00
5	2104.502	REMOVE MANHOLE	EACH	4.00	\$2,000.00	\$8,000.00	\$1,200.00	\$4,800.00	\$963.05	\$3,852.20	\$2,500.00	\$10,000.00
6	2104.502	REMOVE GATE VALVE & BOX	EACH	11.00	\$350.00	\$3,850.00	\$275.00	\$3,025.00	\$175.10	\$1,926.10	\$700.00	\$7,700.00
7	2104.502	REMOVE CURB STOP & BOX	EACH	1.00	\$500.00	\$500.00	\$500.00	\$500.00	\$87.89	\$87.89	\$600.00	\$600.00
8	2104.502	REMOVE HYDRANT	EACH	3.00	\$1,000.00	\$3,000.00	\$500.00	\$1,500.00	\$263.98	\$791.94	\$1,200.00	\$3,600.00
9	2104.502	REMOVE SIGN	EACH	27.00	\$40.00	\$1,080.00	\$15.00	\$405.00	\$15.00	\$405.00	\$23.50	\$634.50
10	2104.502	REMOVE SIGN TYPE SPECIAL	EACH	4.00	\$45.00	\$180.00	\$15.00	\$60.00	\$15.00	\$60.00	\$23.50	\$94.00
11	2104.502	REMOVE SIGN PANEL	EACH	4.00	\$50.00	\$200.00	\$15.00	\$60.00	\$15.00	\$60.00	\$23.50	\$94.00
12	2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LIN FT	401.00	\$7.00	\$2,807.00	\$6.00	\$2,406.00	\$18.00	\$7,218.00	\$8.50	\$3,408.50
13	2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	366.00	\$4.00	\$1,464.00	\$4.00	\$1,464.00	\$18.00	\$6,588.00	\$7.50	\$2,745.00
14	2104.503	REMOVE WATER MAIN	LIN FT	1757.00	\$10.00	\$17,570.00	\$11.00	\$19,327.00	\$1.51	\$2,653.07	\$25.00	\$43,925.00
15	2104.503	REMOVE SEWER PIPE (STORM)	LIN FT	1257.00	\$20.00	\$25,140.00	\$12.00	\$15,084.00	\$30.65	\$38,527.05	\$25.00	\$31,425.00
16	2104.503	REMOVE SEWER PIPE (SANITARY)	LIN FT	1075.00	\$10.00	\$10,750.00	\$10.00	\$10,750.00	\$3.79	\$4,074.25	\$25.00	\$26,875.00
17	2104.503	REMOVE CURB & GUTTER	LIN FT	3298.00	\$7.00	\$23,086.00	\$5.00	\$16,490.00	\$10.50	\$34,629.00	\$12.00	\$39,576.00
18	2104.503	REMOVE SANITARY SERVICE PIPE	LIN FT	316.00	\$15.00	\$4,740.00	\$45.50	\$14,378.00	\$0.34	\$107.44	\$25.00	\$7,900.00
19	2104.503	REMOVE WATER SERVICE PIPE	LIN FT	465.00	\$15.00	\$6,975.00	\$31.00	\$14,415.00	\$0.19	\$88.35	\$25.00	\$11,625.00
20	2104.504	REMOVE PAVEMENT	SQ YD	512.00	\$15.00	\$7,680.00	\$12.95	\$6,630.40	\$18.00	\$9,216.00	\$18.00	\$9,216.00
21	2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	828.00	\$17.00	\$14,076.00	\$10.25	\$8,487.00	\$18.20	\$15,069.60	\$18.00	\$14,904.00
22	2104.504	REMOVE CONCRETE PAVEMENT	SQ YD	24.00	\$40.00	\$960.00	\$7.00	\$168.00	\$33.00	\$792.00	\$18.00	\$432.00
23	2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	7171.00	\$5.00	\$35,855.00	\$6.00	\$43,026.00	\$8.00	\$57,368.00	\$14.00	\$100,394.00
24	2104.518	REMOVE CONCRETE WALK	SQ FT	3535.00	\$2.00	\$7,070.00	\$2.00	\$7,070.00	\$2.10	\$7,423.50	\$5.50	\$19,442.50
25	2104.603	ABANDON WATER MAIN	LIN FT	282.00	\$20.00	\$5,640.00	\$20.00	\$5,640.00	\$11.57	\$3,262.74	\$25.00	\$7,050.00
26	2106.507	EXCAVATION ? COMMON (P)	CU YD	2667.00	\$25.00	\$66,675.00	\$22.75	\$60,674.25	\$22.80	\$60,807.60	\$23.00	\$61,341.00
27	2106.507	EXCAVATION ? SUBGRADE (P)	CU YD	320.00	\$40.00	\$12,800.00	\$22.75	\$7,280.00	\$22.10	\$7,072.00	\$23.00	\$7,360.00
28	2106.507	SELECT GRANULAR EMBANKMENT (CV) (P)	CU YD	320.00	\$75.00	\$24,000.00	\$37.75	\$12,080.00	\$44.50	\$14,240.00	\$38.00	\$12,160.00
29	2106.507	COMMON EMBANKMENT (CV) (P)	CU YD	228.00	\$50.00	\$11,400.00	\$17.00	\$3,876.00	\$1.65	\$376.20	\$16.00	\$3,648.00
30	2108.604	GEOTEXTILE FABRIC SPECIAL	SQ YD	9152.00	\$5.00	\$45,760.00	\$4.00	\$36,608.00	\$3.70	\$33,862.40	\$3.60	\$32,947.20
31	2112.519	SUBGRADE PREPARATION	ROAD STA	25.00	\$400.00	\$10,000.00	\$700.00	\$17,500.00	\$950.00	\$23,750.00	\$400.00	\$10,000.00
32	2123.61	STREET SWEEPER (WITH PICKUP BROOM)	HOURL	50.00	\$150.00	\$7,500.00	\$175.00	\$8,750.00	\$194.84	\$9,742.00	\$150.00	\$7,500.00
33	2123.61	MACHINE TIME	HOURL	60.00	\$150.00	\$9,000.00	\$1,000.00	\$60,000.00	\$1,425.73	\$85,543.80	\$120.00	\$7,200.00
34	2211.507	AGGREGATE BASE (CV) CLASS 5 - MODIFIED	CU YD	1783.00	\$60.00	\$106,980.00	\$50.00	\$89,150.00	\$60.10	\$107,158.30	\$62.50	\$111,437.50
35	2301.502	DOWEL BAR	EACH	777.00	\$10.00	\$7,770.00	\$9.00	\$6,993.00	\$9.00	\$6,993.00	\$5.50	\$4,273.50
36	2301.504	CONCRETE PAVEMENT 7.5"	SQ YD	405.00	\$120.00	\$48,600.00	\$125.00	\$50,625.00	\$125.00	\$50,625.00	\$144.00	\$58,320.00
37	2301.508	SUPPLEMENTAL PAVEMENT REINFORCEMENT	POUND	1363.00	\$5.00	\$6,815.00	\$2.35	\$3,203.05	\$2.35	\$3,203.05	\$4.00	\$5,452.00
38	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3;B)	TON	1114.00	\$90.00	\$100,260.00	\$75.50	\$84,107.00	\$75.50	\$84,107.00	\$87.50	\$97,475.00

Bid Tabulation

2023 Local Street and Utility Improvement Project (#8436674)

Owner: City of Moorhead & Moorhead Public Service

WSB Project No. 020350-000

Bid Opening 05/03/2023 10:00 AM CST



DENOTES CORRECTED FIGURE

Line Item	Item Code	Item Description	UofM	Engineer Estimate			Hough, Inc. of Detroit Lakes		R & R Excavating, Inc.		Key Contracting, Inc.	
				Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
39	2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (3;B)	TON	1785.00	\$90.00	\$160,650.00	\$75.50	\$134,767.50	\$75.50	\$134,767.50	\$87.50	\$156,187.50
40	2502.503	4" PERF TP PIPE DRAIN	LIN FT	4056.00	\$18.00	\$73,008.00	\$20.00	\$81,120.00	\$17.50	\$70,980.00	\$16.90	\$68,546.40
41	2503.503	12" RC PIPE SEWER DES 3006 CL V	LIN FT	484.00	\$90.00	\$43,560.00	\$92.00	\$44,528.00	\$153.82	\$74,448.88	\$105.00	\$50,820.00
42	2503.503	15" RC PIPE SEWER DES 3006 CL V	LIN FT	794.00	\$96.00	\$76,224.00	\$104.00	\$82,576.00	\$164.73	\$130,795.62	\$130.00	\$103,220.00
43	2503.601	SANITARY SEWER SYSTEM	LUMP SUM	1.00	\$25,000.00	\$25,000.00	\$40,000.00	\$40,000.00	\$16,020.75	\$16,020.75	\$3,500.00	\$3,500.00
44	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	5.00	\$4,000.00	\$20,000.00	\$3,000.00	\$15,000.00	\$2,329.56	\$11,647.80	\$7,500.00	\$37,500.00
45	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	11.00	\$1,500.00	\$16,500.00	\$1,250.00	\$13,750.00	\$3,104.13	\$34,145.43	\$2,500.00	\$27,500.00
46	2503.602	CONNECT INTO EXISTING DRAINAGE STRUCTURE	EACH	1.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$3,840.20	\$3,840.20	\$3,000.00	\$3,000.00
47	2503.602	CONNECT TO EXISTING SANITARY SEWER SER	EACH	17.00	\$1,500.00	\$25,500.00	\$975.00	\$16,575.00	\$150.32	\$2,555.44	\$1,500.00	\$25,500.00
48	2503.602	4" CLEAN-OUT ASSEMBLY	EACH	20.00	\$1,200.00	\$24,000.00	\$650.00	\$13,000.00	\$228.58	\$4,571.60	\$2,000.00	\$40,000.00
49	2503.602	15"X4" PVC WYE	EACH	19.00	\$2,500.00	\$47,500.00	\$1,300.00	\$24,700.00	\$3,583.82	\$68,092.58	\$1,750.00	\$33,250.00
50	2503.602	15"X6" PVC WYE	EACH	1.00	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00	\$4,606.38	\$4,606.38	\$2,000.00	\$2,000.00
51	2503.603	PLUG FILL & ABANDON PIPE SEWER	LIN FT	60.00	\$20.00	\$1,200.00	\$70.00	\$4,200.00	\$19.76	\$1,185.60	\$100.00	\$6,000.00
52	2503.603	10" PVC PIPE SEWER	LIN FT	30.00	\$200.00	\$6,000.00	\$102.00	\$3,060.00	\$141.74	\$4,252.20	\$120.00	\$3,600.00
53	2503.603	15" PVC PIPE SEWER	LIN FT	1612.00	\$177.00	\$285,324.00	\$112.00	\$180,544.00	\$152.04	\$245,088.48	\$130.00	\$209,560.00
54	2503.603	4" PVC SANITARY SERVICE PIPE	LIN FT	359.00	\$60.00	\$21,540.00	\$50.00	\$17,950.00	\$14.05	\$5,043.95	\$80.00	\$28,720.00
55	2503.603	6" PVC SANITARY SERVICE PIPE	LIN FT	17.00	\$150.00	\$2,550.00	\$100.00	\$1,700.00	\$51.34	\$872.78	\$90.00	\$1,530.00
56	2503.604	4" INSULATION	SQ YD	100.00	\$60.00	\$6,000.00	\$150.00	\$15,000.00	\$34.06	\$3,406.00	\$60.00	\$6,000.00
57	2504.601	TEMPORARY WATER SERVICE	LUMP SUM	1.00	\$40,000.00	\$40,000.00	\$15,000.00	\$15,000.00	\$14,000.00	\$14,000.00	\$45,000.00	\$45,000.00
58	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	7.00	\$4,000.00	\$28,000.00	\$2,150.00	\$15,050.00	\$2,945.45	\$20,618.15	\$1,600.00	\$11,200.00
59	2504.602	CONNECT TO EXISTING WATER SERVICE	EACH	25.00	\$2,500.00	\$62,500.00	\$500.00	\$12,500.00	\$239.76	\$5,994.00	\$1,000.00	\$25,000.00
60	2504.602	HYDRANT	EACH	3.00	\$8,000.00	\$24,000.00	\$10,900.00	\$32,700.00	\$15,902.13	\$47,706.39	\$7,750.00	\$23,250.00
61	2504.602	1" CORPORATION STOP	EACH	27.00	\$1,000.00	\$27,000.00	\$800.00	\$21,600.00	\$3,020.96	\$81,565.92	\$950.00	\$25,650.00
62	2504.602	6" GATE VALVE & BOX	EACH	4.00	\$3,000.00	\$12,000.00	\$3,950.00	\$15,800.00	\$3,572.74	\$14,290.96	\$3,200.00	\$12,800.00
63	2504.602	8" GATE VALVE & BOX	EACH	3.00	\$4,000.00	\$12,000.00	\$5,350.00	\$16,050.00	\$5,931.77	\$17,795.31	\$4,000.00	\$12,000.00
64	2504.602	10" GATE VALVE & BOX	EACH	5.00	\$6,000.00	\$30,000.00	\$6,950.00	\$34,750.00	\$7,480.86	\$37,404.30	\$4,900.00	\$24,500.00
65	2504.602	12" GATE VALVE & BOX	EACH	2.00	\$8,000.00	\$16,000.00	\$8,750.00	\$17,500.00	\$10,900.64	\$21,801.28	\$5,750.00	\$11,500.00
66	2504.602	1" CURB STOP & BOX	EACH	23.00	\$1,000.00	\$23,000.00	\$1,250.00	\$28,750.00	\$497.12	\$11,433.76	\$1,000.00	\$23,000.00
67	2504.603	1" TYPE K COPPER PIPE	LIN FT	469.00	\$50.00	\$23,450.00	\$82.00	\$38,458.00	\$14.69	\$6,889.61	\$8.00	\$3,752.00
68	2504.603	6" PVC WATERMAIN	LIN FT	69.00	\$60.00	\$4,140.00	\$65.00	\$4,485.00	\$65.01	\$4,485.69	\$72.00	\$4,968.00
69	2504.603	8" PVC WATERMAIN	LIN FT	433.00	\$85.00	\$36,805.00	\$88.00	\$38,104.00	\$97.45	\$42,195.85	\$90.00	\$38,970.00
70	2504.603	10" PVC WATERMAIN	LIN FT	989.00	\$105.00	\$103,845.00	\$111.00	\$109,779.00	\$113.59	\$112,340.51	\$110.00	\$108,790.00
71	2504.603	12" PVC WATERMAIN	LIN FT	391.00	\$140.00	\$54,740.00	\$155.00	\$60,605.00	\$137.22	\$53,653.02	\$120.00	\$46,920.00
72	2504.604	4" INSULATION	SQ YD	88.00	\$50.00	\$4,400.00	\$150.00	\$13,200.00	\$34.06	\$2,997.28	\$60.00	\$5,280.00
73	2504.608	DUCTILE IRON FITTINGS	POUND	1612.00	\$15.00	\$24,180.00	\$35.00	\$56,420.00	\$18.45	\$29,741.40	\$14.50	\$23,374.00
74	2506.502	CASTING ASSEMBLY	EACH	34.00	\$1,000.00	\$34,000.00	\$1,000.00	\$34,000.00	\$922.58	\$31,367.72	\$1,500.00	\$51,000.00
75	2506.502	INSTALL CASTING	EACH	34.00	\$250.00	\$8,500.00	\$250.00	\$8,500.00	\$1,086.73	\$36,948.82	\$700.00	\$23,800.00
76	2506.502	ADJUST FRAME & RING CASTING	EACH	4.00	\$1,000.00	\$4,000.00	\$500.00	\$2,000.00	\$1,455.21	\$5,820.84	\$1,050.00	\$4,200.00
77	2506.503	CONST DRAINAGE STRUCTURE DESIGN G	LIN FT	41.60	\$700.00	\$29,120.00	\$1,005.00	\$41,808.00	\$1,293.70	\$53,817.92	\$2,900.00	\$120,640.00

Bid Tabulation

2023 Local Street and Utility Improvement Project (#8436674)

Owner: City of Moorhead & Moorhead Public Service

WSB Project No. 020350-000

Bid Opening 05/03/2023 10:00 AM CST



DENOTES CORRECTED FIGURE

Line Item	Item Code	Item Description	UofM	Engineer Estimate			Hough, Inc. of Detroit Lakes		R & R Excavating, Inc.		Key Contracting, Inc.	
				Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
78	2506.503	CONST DRAINAGE STRUCTURE DESIGN SD-48	LIN FT	21.10	\$950.00	\$20,045.00	\$1,200.00	\$25,320.00	\$1,702.32	\$35,918.95	\$2,875.00	\$60,662.50
79	2506.503	CONST DRAINAGE STRUCTURE DES 48-4020	LIN FT	48.60	\$750.00	\$36,450.00	\$900.00	\$43,740.00	\$1,178.81	\$57,290.17	\$4,250.00	\$206,550.00
80	2506.503	CONST DRAINAGE STRUCTURE DES 60-4020	LIN FT	6.40	\$1,200.00	\$7,680.00	\$1,180.00	\$7,552.00	\$1,705.82	\$10,917.25	\$8,800.00	\$56,320.00
81	2506.602	CONST SANITARY STRUCTURE DESIGN SPEC 1	EACH	1.00	\$36,000.00	\$36,000.00	\$155,000.00	\$155,000.00	\$96,077.81	\$96,077.81	\$24,500.00	\$24,500.00
82	2506.602	CONST SANITARY STRUCTURE DESIGN SPEC 2	EACH	1.00	\$19,000.00	\$19,000.00	\$47,000.00	\$47,000.00	\$49,431.08	\$49,431.08	\$18,250.00	\$18,250.00
83	2506.602	CONST SANITARY STRUCTURE DESIGN SPEC 3	EACH	1.00	\$18,000.00	\$18,000.00	\$42,000.00	\$42,000.00	\$48,025.69	\$48,025.69	\$29,950.00	\$29,950.00
84	2506.602	CONST SANITARY STRUCTURE DESIGN SPEC 4	EACH	1.00	\$18,000.00	\$18,000.00	\$40,000.00	\$40,000.00	\$44,966.21	\$44,966.21	\$13,250.00	\$13,250.00
85	2506.602	CASTING ASSEMBLY SPECIAL	EACH	3.00	\$1,250.00	\$3,750.00	\$1,000.00	\$3,000.00	\$1,753.83	\$5,261.49	\$1,700.00	\$5,100.00
86	2506.602	ADJUST FRAME & RING CASTING (SPECIAL)	EACH	1.00	\$1,000.00	\$1,000.00	\$250.00	\$250.00	\$1,455.18	\$1,455.18	\$1,000.00	\$1,000.00
87	2506.603	CONSTRUCT SANITARY STRUCTURE DES SPEC	LIN FT	50.00	\$1,000.00	\$50,000.00	\$850.00	\$42,500.00	\$646.33	\$32,316.50	\$120.00	\$6,000.00
88	2521.518	4" CONCRETE WALK	SQ FT	2165.00	\$10.00	\$21,650.00	\$9.35	\$20,242.75	\$11.50	\$24,897.50	\$22.00	\$47,630.00
89	2521.518	6" CONCRETE WALK	SQ FT	1353.00	\$18.00	\$24,354.00	\$11.00	\$14,883.00	\$13.15	\$17,791.95	\$26.00	\$35,178.00
90	2521.602	DRILL & GROUT REINF BAR (EPOXY COATED)	EACH	155.00	\$20.00	\$3,100.00	\$9.00	\$1,395.00	\$9.00	\$1,395.00	\$90.00	\$13,950.00
91	2521.618	CONCRETE CURB RAMP WALK	SQ FT	1169.00	\$18.00	\$21,042.00	\$11.00	\$12,859.00	\$13.25	\$15,489.25	\$22.00	\$25,718.00
92	2531.503	CONCRETE CURB & GUTTER DESIGN B424	LIN FT	91.00	\$30.00	\$2,730.00	\$46.50	\$4,231.50	\$46.50	\$4,231.50	\$35.00	\$3,185.00
93	2531.503	CONCRETE CURB & GUTTER DESIGN B624	LIN FT	3275.00	\$35.00	\$114,625.00	\$29.30	\$95,957.50	\$29.30	\$95,957.50	\$35.00	\$114,625.00
94	2531.504	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	522.00	\$100.00	\$52,200.00	\$94.00	\$49,068.00	\$121.00	\$63,162.00	\$100.00	\$52,200.00
95	2531.504	7" CONCRETE DRIVEWAY PAVEMENT	SQ YD	400.00	\$110.00	\$44,000.00	\$98.50	\$39,400.00	\$119.50	\$47,800.00	\$120.00	\$48,000.00
96	2531.618	TRUNCATED DOMES	SQ FT	212.00	\$60.00	\$12,720.00	\$56.00	\$11,872.00	\$56.00	\$11,872.00	\$75.00	\$15,900.00
97	2563.601	TRAFFIC CONTROL	LUMP SUM	1.00	\$15,000.00	\$15,000.00	\$25,000.00	\$25,000.00	\$16,790.00	\$16,790.00	\$18,750.00	\$18,750.00
98	2564.618	SIGN	SQ FT	135.00	\$45.00	\$6,075.00	\$71.65	\$9,672.75	\$71.65	\$9,672.75	\$85.00	\$11,475.00
99	2564.618	SIGN PANEL	SQ FT	2.00	\$40.00	\$80.00	\$70.00	\$140.00	\$70.00	\$140.00	\$80.00	\$160.00
100	2573.501	STABILIZED CONSTRUCTION EXIT	LUMP SUM	1.00	\$5,000.00	\$5,000.00	\$10.00	\$10.00	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00
101	2573.502	STORM DRAIN INLET PROTECTION	EACH	30.00	\$175.00	\$5,250.00	\$150.00	\$4,500.00	\$185.00	\$5,550.00	\$225.00	\$6,750.00
102	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	LIN FT	1000.00	\$5.00	\$5,000.00	\$4.95	\$4,950.00	\$6.00	\$6,000.00	\$5.00	\$5,000.00
103	2574.507	COMMON TOPSOIL BORROW	CU YD	137.00	\$50.00	\$6,850.00	\$60.00	\$8,220.00	\$46.10	\$6,315.70	\$22.50	\$3,082.50
104	2574.508	FERTILIZER TYPE 3	POUND	350.00	\$5.00	\$1,750.00	\$2.00	\$700.00	\$1.55	\$542.50	\$1.75	\$612.50
105	2575.505	SEEDING	ACRE	1.00	\$5,000.00	\$5,000.00	\$14,750.00	\$14,750.00	\$8,500.00	\$8,500.00	\$7,400.00	\$7,400.00
106	2575.505	RAPID STABILIZATION METHOD 2	ACRE	1.00	\$4,000.00	\$4,000.00	\$2,450.00	\$2,450.00	\$4,500.00	\$4,500.00	\$1,150.00	\$1,150.00
107	2575.508	SEED MIXTURE 25-151	POUND	120.00	\$10.00	\$1,200.00	\$10.00	\$1,200.00	\$9.20	\$1,104.00	\$12.50	\$1,500.00
108	2575.508	HYDRAULIC MULCH MATRIX	POUND	3000.00	\$1.50	\$4,500.00	\$2.50	\$7,500.00	\$1.15	\$3,450.00	\$2.75	\$8,250.00
109	2575.523	WATER	M GALLON	100.00	\$50.00	\$5,000.00	\$58.00	\$5,800.00	\$52.10	\$5,210.00	\$55.00	\$5,500.00
110	2582.503	24" SOLID LINE MULTI COMP GR IN (WR)	LIN FT	32.00	\$20.00	\$640.00	\$17.00	\$544.00	\$17.00	\$544.00	\$27.50	\$880.00
111	2582.518	PAVT MSSG MULTI COMP GR IN (WR)	SQ FT	60.00	\$20.00	\$1,200.00	\$15.00	\$900.00	\$15.00	\$900.00	\$28.50	\$1,710.00
112	2582.518	CROSSWALK MULTI COMP GR IN (WR)	SQ FT	180.00	\$15.00	\$2,700.00	\$18.00	\$3,240.00	\$18.00	\$3,240.00	\$17.50	\$3,150.00
Base Bid Total:						\$2,871,510.00		\$2,822,308.70		\$3,086,225.19		\$3,143,621.10

I hereby certify that this is an exact reproduction of bids received.

Agenda Item 10.A.

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PAGE 3

Bid Tabulation

2023 Local Street and Utility Improvement Project (#8436674)
Owner: City of Moorhead & Moorhead Public Service
WSB Project No. 020350-000
Bid Opening 05/03/2023 10:00 AM CST



 DENOTES CORRECTED FIGURE

Line Item	Item Code	Item Description	UofM	Quantity	Engineer Estimate		Hough, Inc. of Detroit Lakes		R & R Excavating, Inc.		Key Contracting, Inc.	
					Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension

Certified By: Michael Nelson-Ostrowski

License No. 56160

Date: May 3, 2023

RESOLUTION

Resolution to Award Bid for 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F)

WHEREAS, bids were received, opened and tabulated according to law, and the following bids were received:

Bidder	Bid
Hough, Inc.	\$2,822,308.70
R & R Excavating, Inc.	\$3,086,225.19
Key Contracting	\$3,143,621.10
Engineer's Estimate	\$2,871,510.00

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

1. It is found, determined and declared that the lowest responsive, responsible bid with respect to the proposed improvement was received from Hough, Inc. of Detroit Lakes, MN in the amount of \$2,822,308.70. Said bid is in all respects in accordance with the plans and specifications heretofore approved by the City Council. Thus, said bid is hereby in all things approved and accepted.
2. The project will be financed through the PIR fund with a portion of the cost reimbursed by MnDOT for utility relocation and a portion of the cost assessed to the benefiting properties for the street improvements in accordance with the City's Special Assessment Policy. MnDOT will reimburse the City for approximately \$2,040,000 for the 11th St Underpass utility relocation work that was included in the street construction project. The balance will be paid as a City share with debt service on the City share paid through the general property tax levy.
3. The Mayor and City Manager are hereby authorized and directed to enter into a Contract with Hough, Inc. of Detroit Lakes, MN, for 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F), according to the plans and specifications therefore approved by the City Council and on file in the office of the City Engineer.
4. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bid, except the deposits of the successful bidder and the next lowest bid shall be retained until a contract has been signed.
5. The City Manager is hereby authorized to approve minor extra work orders and change orders as necessary to satisfactorily complete the work up to a cumulative total not-to-exceed 5% (\$141,115.43) of the total contract amount.

PASSED: May 8, 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

May 8, 2023

SUBJECT:

Resolution to Authorize Easement Acquisition for Midtown Trail (Eng No. 21-13-01)

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to authorize the acquisition of easements for the Midtown Trail (Eng No. 21-13-01).

BACKGROUND/KEY POINTS:

The City will construct a shared-use trail segment along the Red River Corridor called the Midtown Trail. The trail consists of approximately one mile of new shared-use pedestrian trail plus two segments of on-road bikeway linking Woodlawn Park to Gooseberry Park. The project was designed by the Engineering Department, bids were received on March 8, 2023, and the Council awarded the bid on March 27, 2023.

The proposed project includes widening an existing sidewalk to make it a shared-use path for bikes and pedestrians. In order to minimize impacts to existing trees, several easements were proposed. One property owner agreed to provide the easement, which will eliminate the need to remove a maple tree in the boulevard. The table below includes information for the property owner who has agreed to provide the easement (final easement cost to be negotiated):

Property Owner	Type	Address	Estimated Cost Range
Sween Stephen & Darline A	Permanent Easement	1919 4 th St S	\$1,000.00-\$2,000.00
TOTAL			\$1,000.00-\$2,000.00

** Costs will be paid from local funds committed to the project.

The cost for the easement is based on an appraisal, improvements acquired (e.g. trees), and damages (if appropriate).

FINANCIAL CONSIDERATIONS:

The easement acquisition will be paid for as a project cost within the current budget. The total cost of the project, including contingencies and fees, is approximately \$870,000. The funding includes approximately \$660,000 in Legacy Grant Funds and approximately \$210,000 in River Corridor CI Funds.

Voting Requirements: 3/4 of Council (6)



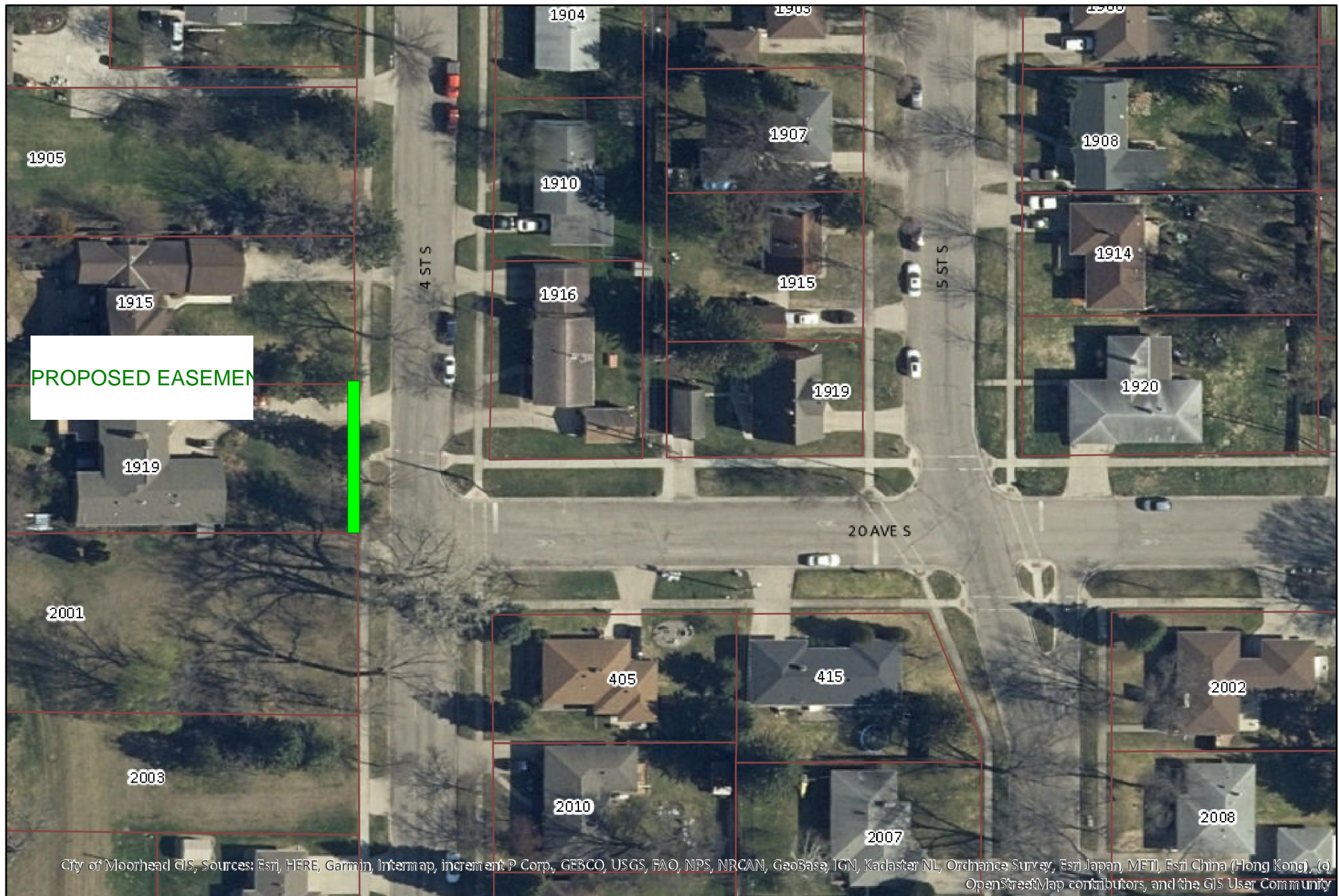
City Council Communication

May 8, 2023

Submitted By:

Dan Mahli, City Manager
Tom Trowbridge, Assistant City Engineer
Bob Zimmerman, Engineering Director
Ruth Sierra, Office Specialist

Attachments: Location Map



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

Agenda Item 10.B.

City of Moorhead GIS Map

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Date: 5/2/2023 Time: 3:47 PM

Midtown Trail



1:1,128
0 0.01 0.01 0.02 mi

RESOLUTION

Resolution to Authorize Easement Acquisitions for Midtown Trail (Eng No. 21-13-01)

WHEREAS, an easement acquisition is proposed for construction for the Midtown Trail (Eng. No. 21-13-01); and

WHEREAS, City staff anticipates acquisition of the easement for \$2.50 - \$5.00 per square foot for an estimated total amount shown in the table below; and

Property Owner	Type	Address	Est. Cost Range
Sween Stephen & Darline A	Permanent Easement	1919 4 th St S	\$1,000.00-\$2,000.00
TOTAL			\$1,000.00-\$2,000.00

WHEREAS, the proposed acquisition will be financed with River Corridor Funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the proposed acquisition is approved and that the Mayor and City Manager are hereby authorized and directed for and on behalf of the City to execute a purchase agreement and other documents as may be appropriate.

PASSED: May 8, 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

May 8, 2023

SUBJECT:

Resolution to Enter into a Contract Between the City of Moorhead and EAPC Architects Engineers for a Remodel of Fire Station 1 to Accommodate the 11th St N Underpass

RECOMMENDATION:

The Mayor and City Council are asked to consider the resolution to enter into a contract between the City of Moorhead and EAPC Architects Engineers (EAPC) to remodel Fire Station 1 to accommodate the removal of access to 1st Ave N due to new grade changes associated with the 11th St. Underpass.

BACKGROUND/KEY POINTS:

The pending 11th St Underpass will require 1st Ave N to be lowered from its present elevation in front of Fire Station 1 to a lower elevation and grade from the station to the roadway than can be navigated by vehicular traffic. This will require large apparatus to exit out of the north side of the station. To maintain our current response capability, an additional apparatus bay garage door must be constructed to the north, a new space created for utilities and equipment that are currently located on the north wall, driving surfaces and street approaches must be improved to accommodate large vehicle traffic and a new driveway connecting the south bay doors to 11th Street North must be created for smaller vehicle access.

EAPC has been providing service to the City up to this point to provide preliminary concept designs and cost options to present to the City and Minnesota Department of Transportation (MNDOT) personnel managing the underpass project. On May 1st, MNDOT incorporated funding into the Fire Station 1 appraisal as a cost to cure the resulting loss of access to 1st Ave N.

The proposed contract with EAPC will provide design and engineering services to prepare for, bid, and construct the necessary remodeling, addition, and grounds improvement to continue provision of fire department services during and after construction of the underpass. This work must be completed in conjunction with 2023 improvements along 2nd Ave N and 12th Ave S and before construction on 1st Ave N begins in 2024, all related to the underpass project.

The contract has been reviewed and approved by the City Attorney.

FINANCIAL CONSIDERATIONS:

The cost of the service contract is \$138,772, paid in percentages as various benchmarks are achieved during the project. The cost of this contract will be solely funded by MNDOT's cost to cure appraisal for Fire Station 1.

Voting Requirements: 3/4 of Council (6)



City Council Communication

May 8, 2023

Submitted By:

Dan Mahli, City Manager

Jeff Wallin, Fire Chief

Attachments:

RESOLUTION

Resolution to Enter into a Contract Between the City of Moorhead and EAPC Architects Engineers for a Remodel of Fire Station 1 to Accommodate the 11th St N Underpass

WHEREAS, the upcoming 11th St N Underpass will eliminate the primary street access from Fire Station 1 to 1st Ave N; and

WHEREAS, EAPC Architects and Engineers has been working with the City of Moorhead to identify the solutions and costs to reconfigure facilities and access during the construction and operation of the 11th St underpass; and

WHEREAS, the Minnesota Department of Transportation has included funding to remedy this loss of access in their Fire Station 1 appraisal as a cost to cure; and

WHEREAS, a contract for the continued provision of engineering and architectural services is necessary to facilitate construction of the identified solutions;

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 said contract with EAPC Architects Engineers and abide by the terms and conditions set forth in said contract.

PASSED: May 8, 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

May 8, 2023

SUBJECT:

Resolution to Approve Vacation of Easement within Bright Sky Addition

RECOMMENDATION:

The Mayor and City Council are asked to consider a vacation of a 10-foot drainage & utility easement within Bright Sky Addition.

BACKGROUND / KEY POINTS:

The request is intended to facilitate development of a parking area for a 55+ multi-family housing development.

The Moorhead Planning Commission considered the request at their May 1, 2023 meeting and unanimously recommended approval of the vacation with no public comments. The complete Planning Commission packet is available at:

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

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

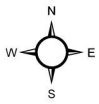
Submitted By:

Dan Mahli, City Manager

Robin Huston, City Planner/Zoning Administrator

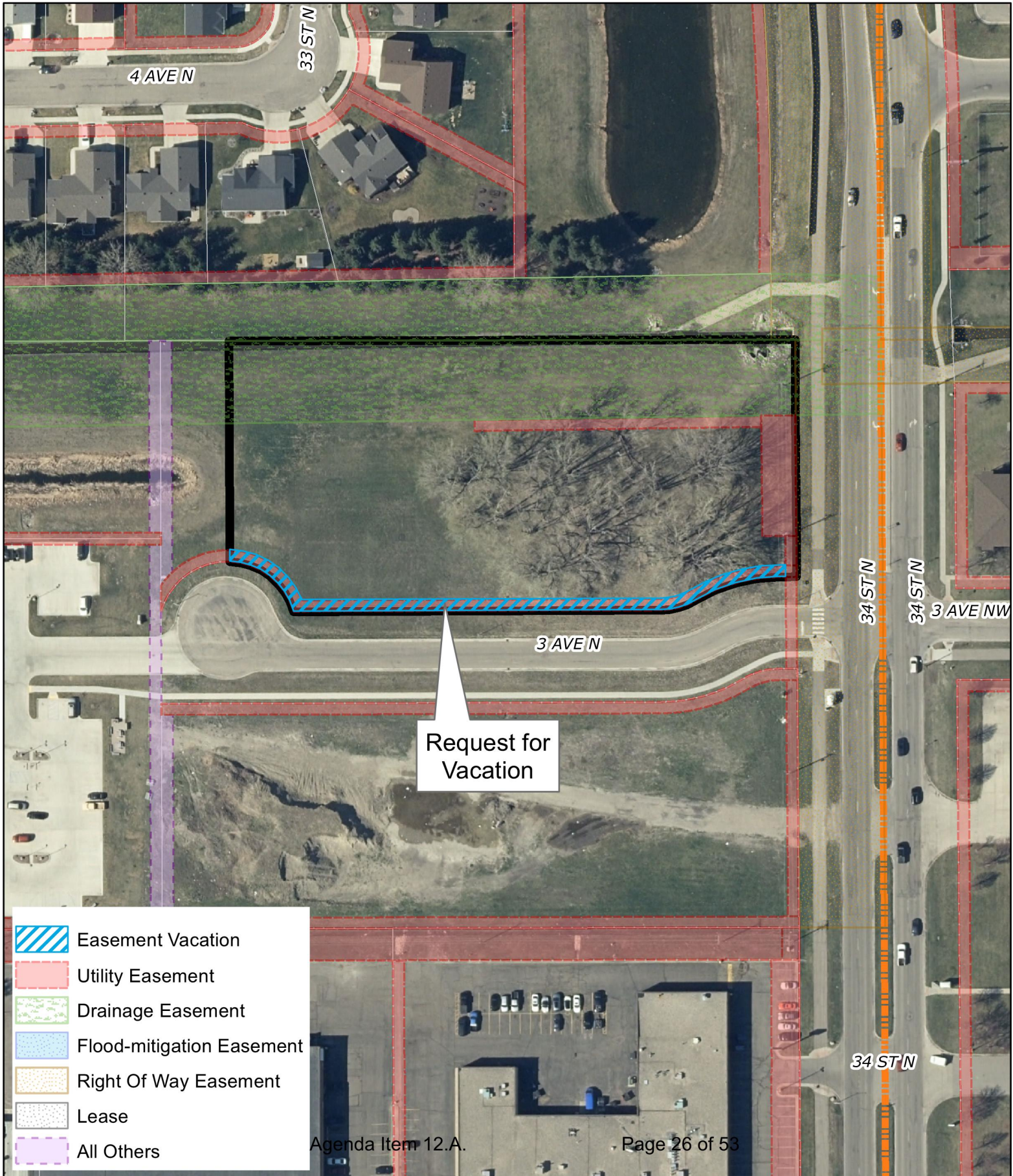
Forrest Steinhoff, Assistant City Planner

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



General Location Map - Vacation Area

3350 3rd Ave N
58.096.0010



RESOLUTION

Resolution to Approve Vacation of 10-foot Drainage and Utility Easement within Bright Sky Addition

WHEREAS, S. Koesterman, on behalf of Silver Linings Permanent Supportive Housing, has requested a vacation of easement within Bright Sky Addition, described as follows:

A 10.00-foot Drainage and Utility Easement running along the southerly lot line of Lot 1, Block 1, Bright Sky Addition, less the east 10.00 feet; and

WHEREAS, a public hearing to consider the vacation request was held on May 1, 2023 before the Moorhead Planning Commission following public notice as required by law and all interested and affected persons were given an opportunity to voice their concerns; and

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

WHEREAS, the easement vacation has been found consistent with the following considerations:

- A. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official City Comprehensive Plan and with the purpose of the zoning district in which the applicant intends to locate the proposed use.
 - The proposed vacation is consistent with Moorhead's 2022 Comprehensive Plan and Zoning Code.
- B. The proposed vacation request is compatible with the present and future uses of the area.
 - The proposed vacation will not be detrimental to traffic circulation, access, emergency services, or utilities facilities.
- C. The proposed action will benefit the public interest.
 - The proposed vacation will accommodate the development of 3350 3rd Avenue N.
- D. The proposed action has been considered in relation to City Charter, City Code and MN State Statutes and Rules and has been found consistent with said regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the City Council herein adopts the Findings of Fact approved by the Moorhead Planning Commission in the attached Exhibit A and approved the easement vacation within Bright Sky Addition, described as follows:

A 10.00-foot Drainage and Utility Easement running along the southerly lot line of Lot 1, Block 1, Bright Sky Addition, less the east 10.00 feet.

contingent upon the following conditions:

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

PASSED: May 8, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

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

REQUEST: Vacation of Easement within Bright Sky Addition

LOCATION: 3350 3rd Avenue N – 58.096.0010

APPLICANT/OWNER: S. Koesterman, on behalf of Silver Linings Permanent Supportive Housing

FILE NO: 23P003

WHEREAS, the Moorhead Planning Commission received a full and complete application for Vacation of Easement within Bright Sky Addition, described as:

A 10.00-foot Drainage and Utility Easement running along the southerly lot line of Lot 1, Block 1, Bright Sky Addition, less the east 10.00 feet.

WHEREAS, the vacation is to accommodate the development of multi-family housing; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the aforementioned request on May 1, 2023; and

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

Findings of Fact

- A full and complete application was filed by S. Koesterman, on behalf of Silver Linings Permanent Supportive Housing and received March 27, 2023 (herein referred to as "Application") seeking a Vacation of Easement within Bright Sky Addition, legally described as:
 - A 10.00-foot Drainage and Utility Easement running along the southerly lot line of Lot 1, Block 1, Bright Sky Addition, less the east 10.00 feet.
- The request is to accommodate the development of multi-family housing at 3350 3 Avenue N.
- A public hearing was held by the Planning Commission on May 1, 2023 on the application allowing all interested persons an opportunity to speak, full and complete record of which is detailed in the minutes of the Moorhead Planning Commission.
- The request has been found consistent with the following considerations:
 - A. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official City Comprehensive Plan and with the purpose of the zoning district in which the applicant intends to locate the proposed use.
 - The proposed vacation is consistent with Moorhead's 2022 Comprehensive Plan and Zoning Code.
 - B. The proposed vacation requests are compatible with the present and future uses of the area.
 - The proposed vacation will not be detrimental to traffic, circulation, access, emergency services, or utilities facilities.
 - C. The proposed action will benefit the public interest.
 - The proposed vacation will accommodate the development of multi-family housing.
 - D. The proposed action has been considered in relation to City Charter, City Code and MN State Statutes and Rules and has been found consistent with said regulations.

NOW, THEREFORE, BE IT RESOLVED by the Moorhead Planning Commission that based upon the above Findings of Fact, the request of S. Koesterman on behalf of Silver Linings Permanent Supportive Housing, for Vacation of Easement within Bright Sky Addition, legally described as:

A 10.00-foot Drainage and Utility Easement running along the southerly lot line of Lot 1, Block 1, Bright Sky Addition, less the east 10.00 feet.

is hereby approved contingent upon:

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

PASSED by the Moorhead Planning Commission this 1st day of May, 2023.



Brent Behm, Chair
Moorhead Planning Commission



Attest: Robin Huston,
City Planner/Zoning Administrator



City Council Communication

May 8, 2023

SUBJECT:

Resolution to Approve Preliminary and Final Plat relating to Eighth Avenue Addition

RECOMMENDATION:

The Mayor and City Council are asked to consider a Resolution for Preliminary and Final Plat for Eighth Avenue Addition.

BACKGROUND/KEY POINTS:

The request is intended to reconfigure three City-owned parcels into two new parcels. The plan is to sell Lot 1, Block 1 to the developer of 2300 8th Ave N, the vacant 14 acres to the north. If combined, an additional access point could be provided to 8th Ave N for future development.

The Planning Commission held a public hearing on May 1, 2023 and unanimously recommended approval of the preliminary and final plat with no public comment. The Planning Commission packet is available at: www.cityofmoorhead.com/government/boards-commissions/planning-commission

FINANCIAL CONSIDERATIONS: Costs associated with surveying project.

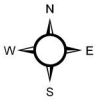
Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

Attachments: General Location Map
Preliminary and Final Plat Drawing
Resolution – Preliminary & Final Plat

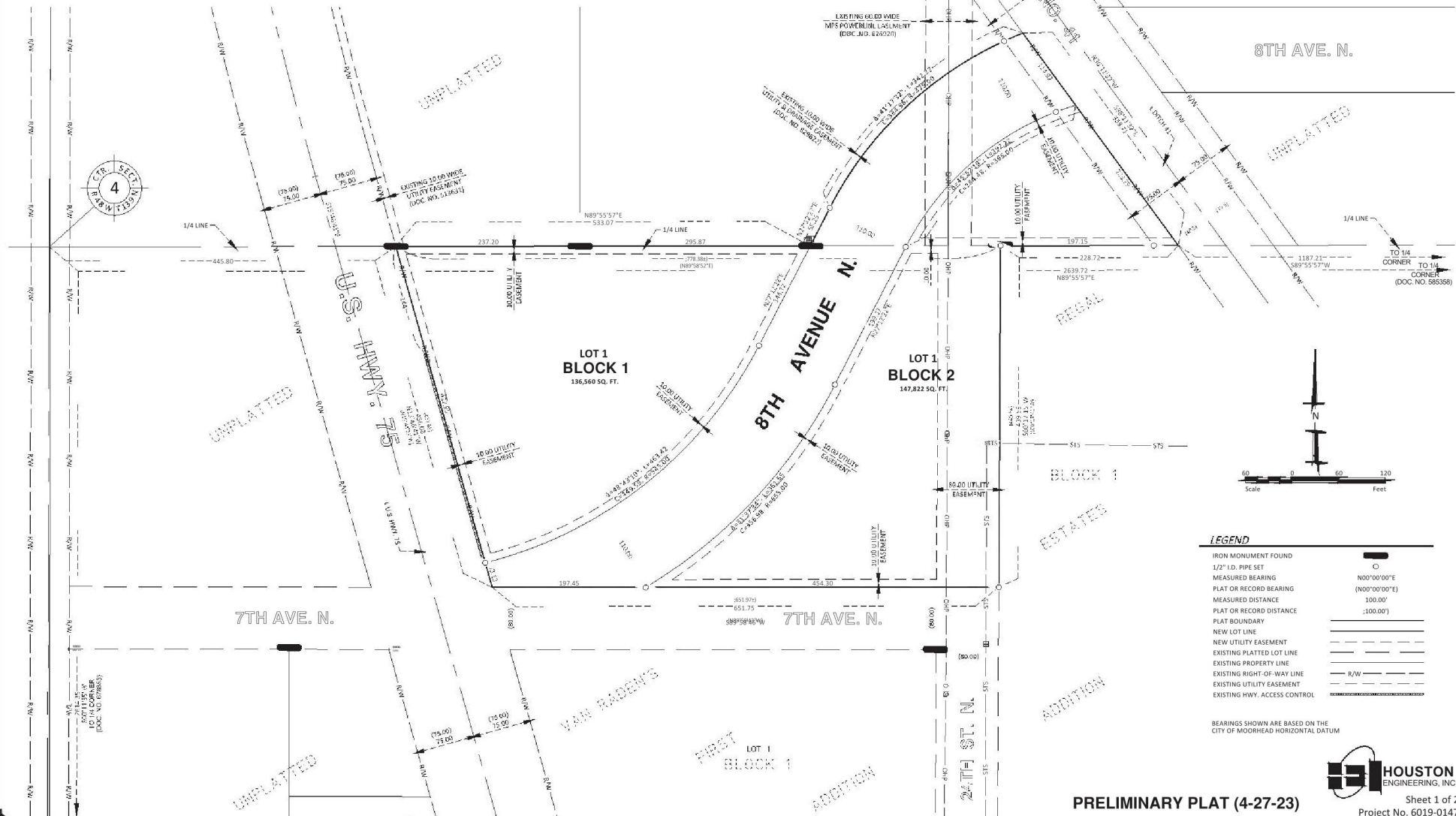


General Location Map Eighth Avenue Addition 58.900.0250, 58.900.0251, & 58.900.0205



EIGHTH AVENUE ADDITION

BEING A PLAT OF A PORTION OF THE S.E. 1/4 AND A PORTION OF
THE N.E. 1/4 OF SECTION 4, T. 139 N., R. 48 W., 5TH P. M.
TO THE CITY OF MOORHEAD,
CLAY COUNTY, MINNESOTA



EIGHTH AVENUE ADDITION

BEING A PLAT OF A PORTION OF THE S.E. 1/4 AND A PORTION OF
THE N.E. 1/4 OF SECTION 4, T. 139 N., R. 48 W., 5TH P. M.
TO THE CITY OF MOORHEAD,
CLAY COUNTY, MINNESOTA

Owner's Certificate, Dedication, And Acknowledgement:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Moorhead, a Minnesota municipal corporation, owner of the following described property situated in the City of Moorhead, County of Clay, State of Minnesota:

That part of the Southeast Quarter of Section 4, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, described as follows:

Beginning at the point of intersection of the North Right-of-Way line of 7th Avenue North and the East Right-of-Way line of Trunk Highway 75 in the City of Moorhead, Minnesota; thence North 15°44'21" West, along the Easterly Right-of-Way line of said Highway 75, for a distance of 457.68 feet to a point of intersection with the East-West line of said Section 4; thence North 89°58'52" East, along the said East-West line for a distance of 778.38 feet, more or less, to the Northwest corner of Block 1, Regal Estates Addition to the City of Moorhead, Minnesota; thence South 00°17'41" West, along the Westerly line of said Regal Estates Addition, for a distance of 440.84 feet to a point of intersection with the Northerly Right-of-Way line of 7th Avenue North; thence North 89°58'43" West, along the said Northerly Right-of-Way line of 7th Avenue North, for a distance of 651.97 feet, more or less, to the Point of Beginning.

AND

That part of the Northeast Quarter of Section 4, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, described as follows:

Commencing at the southwest corner of said Northeast Quarter of Section 4; thence North 89°55'57" East on an assumed bearing on the south line of said Northeast Quarter of Section 4, for a distance of 978.87 feet to the True Point of Beginning; thence North 27°12'22" East for a distance of 55.25 feet; thence northeasterly 342.33 feet on the arc of a circular curve, concave to the southeast, having a radius of 475.00 feet, a central angle of 41°17'33"; and the long chord of which bears North 47°51'09" West, for a distance of 334.97 feet to a point on the west right of way line of Clay County Ditch Number 41; thence South 36°11'32" East along said west right of way line for a distance of 338.71 feet to a point on the south line of said Northeast Quarter of Section 4; thence South 89°55'57" West on said south line, for a distance of 473.62 feet to the True Point of Beginning.

Said tract contains 8.929 acres, more or less.

Has caused the same to be surveyed and platted as **EIGHTH AVENUE ADDITION** to the City of Moorhead, Clay County, Minnesota, and does hereby dedicate to the public for public use the public ways and utility easements shown on this plat.

In witness whereof said City of Moorhead, a Minnesota municipal corporation, has caused these presents to be signed by its proper officers this _____ day of _____, 20_____.

Owner:
City of Moorhead

Michelle (Shelly) Carlson, Mayor

Christina Rust, Clerk

STATE OF MINNESOTA
COUNTY OF CLAY

This instrument was acknowledged before me on this _____ day of _____, 20_____ by Michelle (Shelly) Carlson, Mayor, City of Moorhead, and Christina Rust, Clerk, City of Moorhead, on behalf of the City of Moorhead, a Minnesota municipal corporation.

Signature of Notary Public

Surveyor's Certificate and Acknowledgement:

I, Curtis A. Skarphol, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20_____.

Curtis A. Skarphol, Licensed Land Surveyor
Minnesota License No. 42303

STATE OF NORTH DAKOTA
COUNTY OF CASS

This instrument was acknowledged before me on this _____ day of _____, 20_____, by Curtis A. Skarphol, a
Licensed Land Surveyor.

Signature of Notary Public

City Engineer's Approval:

Robert A. Zimmerman, City Engineer
City of Moorhead, Minnesota

City Attorney's Approval:

City Attorney approves as to form and content

John T. Shockley, City Attorney
City of Moorhead, Minnesota

City Planner/Planning Commission's Recommendation:

At a regular meeting of the planning commission of the City of Moorhead, Minnesota, on this _____ day of _____, 20_____, the plat of **EIGHTH AVENUE ADDITION** to the City of Moorhead, Minnesota, was duly recommended for approval to the city council.

Robin Huston, City Planner / Zoning Administrator
City of Moorhead, Minnesota

City Council's Certificate:

At a regular meeting of the city council of the City of Moorhead, Minnesota, on this _____ day of _____, 20_____, the plat of **EIGHTH AVENUE ADDITION** to the City of Moorhead, Minnesota, was duly approved.

Christina Rust, City Clerk
City of Moorhead, Minnesota

Clay County Auditor-Treasurer's Certificate:

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20_____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20_____.

Lori J. Johnson, County Auditor-Treasurer
Clay County, Minnesota

Clay County Recorder's Certificate:

County Recorder, County of Clay, State of Minnesota

I hereby certify that this plat of **EIGHTH AVENUE ADDITION** was filed in the office of the County Recorder for public record on this _____ day of _____, 20_____, at _____ o'clock _____m., as

Document No: _____

Kimberly S. Savageau, County Recorder
Clay County, Minnesota



PRELIMINARY PLAT (4-27-23)

Sheet 2 of 2
Project No. 6019-0147

RESOLUTION

Resolution to Approve Preliminary and Final Plat relating to Eighth Avenue Addition

WHEREAS, the City of Moorhead has requested preliminary and final plat approval for Eighth Avenue Addition, legally described as:

That part of the Southeast Quarter of Section 4, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, described as follows:

Beginning at the point of intersection of the North Right-of-Way line of 7th Avenue North and the East Right-of-Way line of Trunk Highway 75 in the City of Moorhead, Minnesota; thence North 15°44'21" West, along the Easterly Right-of-Way line of said Highway 75, for a distance of 457.68 feet to a point of intersection with the East-West line of said Section 4; thence North 89°58'52" East, along the said East-West line for a distance of 778.38 feet, more or less, to the Northwest corner of Block 1, Regal Estates Addition to the City of Moorhead, Minnesota; thence South 00°17'41" West, along the Westerly line of said Regal Estates Addition, for a distance of 440.84 feet to a point of intersection with the Northerly Right-of-Way line of 7th Avenue North; thence North 89°59'43" West, along the said Northerly Right-of-Way line of 7th Avenue North, for a distance of 651.97 feet, more or less, to the Point of Beginning.

AND

That part of the Northeast Quarter of Section 4, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, described as follows:

Commencing at the southwest corner of said Northeast Quarter of Section 4; thence North 89°55'57" East on an assumed bearing on the south line of said Northeast Quarter of Section 4, for a distance of 978.87 feet to the True Point of Beginning; thence North 27°12'22" East for a distance of 55.25 feet; thence northeasterly 342.33 feet on the arc of a circular curve, concave to the southeast, having a radius of 475.00 feet, a central angle of 41°17'33", and the long chord of which bears North 47°51'09" West, for a distance of 334.97 feet to a point on the west right of way line of Clay County Ditch Number 41; thence South 36°11'32" East along said west right of way line for a distance of 338.71 feet to a point on the south line of said Northeast Quarter of Section 4; thence South 89°55'57" West on said south line, for a distance of 473.62 feet to the True Point of Beginning. Said tract contains 8.929 acres, more or less; and

WHEREAS, the Moorhead Planning Commission held a public hearing regarding said request on May 1, 2023 and unanimously recommended approval of the preliminary and final plat subject to the conditions noted below; and

WHEREAS, the City Council of the City of Moorhead finds the final plat of Eighth Avenue Addition consistent with Title 11 of the Moorhead City Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the final plat of Eighth Avenue Addition is hereby approved contingent upon the following conditions:

- a. Utility and drainage easements shall be provided, as needed.
- b. Owner/Applicant shall receive all required federal, state and local permits.

PASSED: May 8, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

Michelle (Shelly) A. Carlson, Mayor

ATTEST:

Christina Rust, City Clerk



City Council Communication

May 8, 2023

SUBJECT:

Resolution to Approve Extension of Conditional Use Permit for a Residential Parking Lot in RLD-0a: Residential Low Density-0a at 1500 Wall St Ave N

RECOMMENDATION:

The Mayor and City Council are asked to consider a resolution to approve a one-year extension for a Conditional Use Permit for a residential parking lot at 1500 Wall St Ave N.

BACKGROUND/KEY POINTS:

The Conditional Use Permit (CUP) was approved for this location on June 13, 2022 to construct a half-acre parking area for tree farm-related equipment. City Code states that CUPs expire if the terms and conditions are not met within one year of issuance and allows applicants to request an extension.

At this time, the applicant is requesting a one-year extension until June 13, 2024 stating additional time is necessary to decide whether or not he will proceed with the project due to limitations of permit conditions.

The Moorhead Planning Commission considered the request at their May 1, 2023 meeting and unanimously recommended approval of the one-year extension. The complete Planning Commission packet is available at:

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

FINANCIAL CONSIDERATIONS:

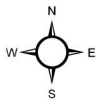
Not Applicable

Voting Requirements: Majority of Council

Submitted By:

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

Attachments: General Location Map
Resolution 2022-0613-F
Draft Resolution



General Location Map
1500 Wall Street Ave N
58.881.3001





DocId:8047736

Tx:4037536

831407

Certified, Filed and/or Recorded on:

08/18/2022 12:25:47 PM

RECORDING FEE

46.00

Kimberly S. Savageau, Recorder
Office Of County Recorder
Clay County, MN

RESOLUTION 2022-0613-F

Resolution to Approve Conditional Use Permit for a Residential Parking Lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N

WHEREAS, T. Fischer has requested a Conditional Use Permit for a residential parking lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N (Parcel 58.881.3001), legally described as:

Beg. 749.7' N of SW corner of SW1/4; N 965.54'; SE'LY 228.98'; NE 7'; S 181.53'; SE 898.68' & W 852.56' to beg. less road Section 16 Township 140 Range 048; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the request on June 6, 2022 and approved Findings of Fact (Exhibit A) and voted unanimously to recommend approval of the Conditional Use Permit contingent upon the conditions noted below; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Conditional Use Permit for a residential parking lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N (Parcel 58.881.3001) is hereby approved contingent upon the following conditions, which were developed based on the criteria within the Moorhead City Code for Conditional Uses and address general welfare, health, and safety of the area:

1. The maximum half-acre parking area to be surfaced with crushed concrete or equivalent.
2. Operational tree farm-related equipment stored on site only.
3. No structures permitted in parking area.
4. The Oakport Street N access to be approved by both Clay County and Buffalo Red River Watershed District.
5. The existing Fischer Tree Farm signage to remain but no additional signage permitted.
6. A buffer screen of 6-8-foot evergreen trees required to screen the parking area from west, north, Wall Street Avenue N and Oakport Street N excepting access point.

7. A drainage plan is to be approved by City Engineer.
8. All lighting shall be hooded and so directed so as not to be in violation of the provisions of section [10-19-19](#).
9. Floodplain Development Permit required. No fill can be placed in levee easement areas to maintain FEMA-certification except where Buffalo Red River Watershed District has given permission to cross easement from Oakport Street N.
10. Permit to expire with transfer/sale of business (Fischer Tree Farm).
11. Applicant to receive all federal, state and local permits.

PASSED: June 13, 2022 by the City Council of the City of Moorhead.

APPROVED BY:


MICHELLE (SHELLY) A. CARLSON, Mayor

ATTEST:

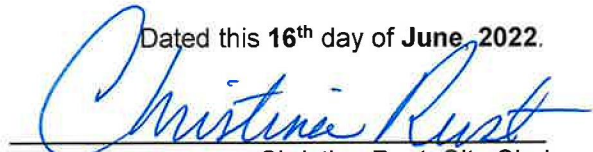

CHRISTINA RUST, City Clerk

CERTIFICATION

STATE OF MINNESOTA
COUNTY OF CLAY
CITY OF MOORHEAD

I do hereby certify that the above Resolution is a true and accurate copy of the Resolution adopted by the Council of the City of Moorhead at an authorized meeting held on the 13th day of **June, 2022**, as shown by the minutes of the meeting in my possession.

Dated this 16th day of **June, 2022**.


Christina Rust, City Clerk

Conditional Use Permit Moorhead Planning Commission Findings of Fact

REQUEST: Conditional Use Permit – Residential Parking Lot in RLD-0a: Residential Low Density-0a

LOCATION: 1500 Wall Street Ave N, Parcel 58.881.3001

APPLICANT/OWNER: T. Fischer

FILE NO: 22P014

WHEREAS, the Moorhead Planning Commission received a full and complete application for a Conditional Use Permit for a Residential Parking Lot in RLD-0a: Residential Low Density-0a; and

WHEREAS, the Moorhead Planning Commission held a public hearing on the aforementioned request on June 6, 2022; and

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

Findings of Fact

1. A full and complete application was filed by T. Fischer and received May 16, 2022 (herein referred to as "Application") seeking a Conditional Use Permit for a Residential Parking Lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N, Parcel 58.881.3001, legally described as:

Beg. 749.7' N of SW corner of SW1/4; N 965.54'; SE'LY 228.98'; NE 7'; S 181.53'; SE 898.68' & W 852.56' to beg. less road Section 16 Township 140 Range 048.
2. The Conditional Use Permit is requested to establish a residential parking lot at this location.
3. The property is zoned RLD-0a: Residential Low Density-0a, which allows for a residential parking lot with a conditional use permit.
4. A public hearing was held by the Planning Commission on June 6, 2022 on the Application allowing all interested persons an opportunity to speak, full and complete record of which is detailed in the minutes of the Moorhead Planning Commission.
5. The request is consistent with the general intent of the RLD-0a: Residential Low Density-0a zoning district.
6. The request has been found consistent with the following considerations regarding the possible adverse effects of the requested Conditional Use Permits (Section 10-4-3E):
 - A. The proposed action has been considered in relation to the specific policies and provisions of, and has been found to be consistent with, the official City Comprehensive Plan and with the purposes of the zoning district in which the applicant intends to locate the proposed use.
 - Residential parking lots are conditional uses in RLD-0a: Residential Low Density 0a and the property is guided towards Low Density Residential in the 2022 Comprehensive Land Use Plan. However, the tree farm is considered a legal non-conforming use because it existed prior to its 2015 annexation, current zoning and future land use designation.
 - B. The proposed use is or will be compatible with the present and future uses of the area;
 - The proposed use is compatible with the present and future uses of the area as the area has had a mix of agriculture and residential uses co-existing since at least 1990.

- C. The proposed use conforms with all performance standards contained herein (i.e. parking, loading, noise, etc.).
- During plan review, all performance standards will be reviewed to meet Moorhead City Codes and Minnesota Building Code.
- D. The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
- The proposed use will not tend to or actually have an adverse effect on the area in which it is proposed.
- E. Traffic generated by the proposed use is within the capabilities of streets serving the property.
- The proposed use will be accommodated by the existing capabilities of the streets serving the property.
- F. The proposed use can be accommodated by public services and facilities including parks, schools, streets and utilities, and will not overburden the City's service capacity.
- The proposed use can be accommodated by the existing public services and facilities that currently serve the property.

NOW, THEREFORE, BE IT RESOLVED by the Moorhead Planning Commission that based upon the above Findings of Fact, the request of T. Fischer for Conditional Use Permit for a Residential Parking Lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N, Parcel 58.881.3001, legally described as:

Beg. 749.7' N of SW corner of SW1/4; N 965.54'; SE'LY 228.98'; NE 7'; S 181.53'; SE 898.68' & W 852.56' to beg. less road Section 16 Township 140 Range 048.

is hereby approved contingent upon:

1. The maximum half-acre parking area to be surfaced with crushed concrete or equivalent.
2. Operational tree farm-related equipment stored on site only.
3. No structures permitted in parking area.
4. The Oakport Street N access to be approved by both Clay County and Buffalo Red River Watershed District.
5. The existing Fischer Tree Farm signage to remain but no additional signage permitted.
6. A buffer screen of 6-8-foot evergreen trees required to screen the parking area from west, north, Wall Street Avenue N and Oakport Street N excepting access point.
7. A drainage plan is to be approved by City Engineer.
8. All lighting shall be hooded and so directed so as not to be in violation of the provisions of section [10-19-19](#).
9. Floodplain Development Permit required. No fill can be placed in levee easement areas to maintain FEMA-certification except where Buffalo Red River Watershed District has given permission to cross easement from Oakport Street N.
10. Permit to expire with transfer/sale of business (Fischer Tree Farm).
11. Applicant to receive all federal, state and local permits.

PASSED by the Moorhead Planning Commission this 6th day of June, 2022.


Brent Behm, Chair
Moorhead Planning Commission


Attest: Robin Huston,
City Planner/Zoning Administrator

RESOLUTION

Resolution to Approve Extension of Conditional Use Permit for a Residential Parking Lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N (Parcel 58.881.3001)

WHEREAS, the Moorhead City Council approved a Conditional Use Permit for a Residential Parking Lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N on June 13, 2022 as Resolution 2022-0613-F; and

WHEREAS, Moorhead City Code Section 10-14-6 states that terms and conditions within an approved Conditional Use Permit shall be met within one year of issuance; and

WHEREAS, Moorhead City Code Section 10-14-6 also states that an applicant may request an extension for a Conditional Use Permit; and

WHEREAS, the terms and conditions outlined in Resolution 2022-0613-F have not been met and the applicant has submitted a Conditional Use Permit extension request; and

WHEREAS, the Planning Commission reviewed the Conditional Use Permit extension request at their May 1, 2023 meeting and unanimously recommended approval of said request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota that the Conditional Use Permit granted for construction of a residential parking lot in RLD-0a: Residential Low Density-0a at 1500 Wall Street Avenue N on June 13, 2022 shall be extended to June 13, 2024.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the Conditional Use Permit Extension shall be granted under the terms and conditions outlined within Resolution 2022-0613-F.

PASSED: May 8, 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

May 8, 2023

SUBJECT:

Resolution to Approve Renewable Energy Certificate Program with Western Area Power Administration

RECOMMENDATION:

The Moorhead Public Service Commission respectfully requests the Mayor and City Council approve the Renewable Energy Certificate Program with Western Area Power Administration and designate Missouri River Energy Services to manage Moorhead Public Service's Renewable Energy Certificates.

BACKGROUND/KEY POINTS:

Prior to 2022, Western Area Power Administration (WAPA) did not provide Hydroelectric Generation Renewable Energy Certificates (RECs) to preference power customers like Moorhead Public Service (MPS). Recently, MPS was notified that WAPA would begin providing RECs to its customers, and was working with Midwest Renewable Energy Tracking System (M-RETS) to disseminate these RECs, which is noted in the attached letter from WAPA.

Missouri River Energy Services (MRES) already manages MRES' RECs for MPS through M-RETS, which allows MPS to provide necessary RECs to an MPS customer that has a sustainability goal or requirement. To simplify the process, MRES is offering to manage both MRES and WAPA RECs at no cost to its members. MPS will need to elect MRES as the Designated Entity to manage the RECs.

MPS Attorney John Boulger and City Attorney John Shockley have reviewed and approved the attached agreement.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Quorum

Submitted By:

Dan Mahli, City Manager
Travis Schmidt, General Manager

Attachments: WAPA Letter



Department of Energy
Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, MT 59107-5800

PM-0002

Apr 12, 2023

B6206.BL

Mr. Travis L. Schmidt
General Manager
Moorhead Public Service
City of Moorhead
P.O. Box 779
Moorhead, MN 56561-0779

Dear Mr. Schmidt:

Attached, for your consideration, is one Adobe.pdf file of proposed Contract No. 23-UGPR-15 (Contract) between the City of Moorhead, Minnesota (Moorhead); Missouri Basin Municipal Power Agency d.b.a. Missouri River Energy Services (MRES); and Western Area Power Administration (WAPA). The Contract provides the terms and conditions MRES shall follow in providing Renewable Energy Certificate (REC) Management Services to Moorhead, consistent with the WAPA Upper Great Plains Region (UGPR) REC Program Principles and the applicable General Power Contract Provisions (GPCP) dated September 1, 2007.

The Parties agree that the Contract may be signed and executed digitally in accordance with WAPA's policy. A digital signature is the same as a handwritten signature and shall be considered valid and acceptable.

The Contract is in final form for your signature. If the Contract is satisfactory, please take the following actions to ensure proper execution and administration:

- Print one complete Contract and two signature pages (page 9) on plain white 8.5 x 11-inch paper, single-sided.
- Do not date the Contract.
- Have the appropriate official sign each signature page.
- Have the official's signature attested on each signature page.
- Apply the seal, if there is one, to each signature page.
- Include a copy of the city council meeting minutes or resolution approving the Contract.
- Any changes or alterations made to the Contract shall render it null and void.
- After Moorhead signs, attests, and seals the Contract as instructed above, please return all signed signature pages and the city council meeting minutes or resolution to the address above within 60 days of the date above or the Contract shall be null and void.

Once Moorhead has signed, WAPA will review the Contract upon return and, if satisfactory, forward to MRES for signature. After MRES signs, WAPA will execute and date the Contract with a digital signature. One executed Contract will then be returned to each Party for their use.

If you have any questions concerning the Contract, please contact Brianna Gray at (406) 255-2936, bgray@wapa.gov.

Sincerely,

Lori L. Frisk Digitally signed by Lori L. Frisk
Date: 2023.04.12 12:04:26
-05'00'

Lori L. Frisk
Vice President of Power Marketing
for Upper Great Plains Region

Attachments:

Designated Entity Contract and GPCP
WAPA UGPR REC Program Principles

(Letter sent electronically)

RESOLUTION

Resolution to Approve Renewable Energy Certificate Program with Western Area Power Administration (WAPA)

WHEREAS, Moorhead Public Service (MPS) is a member of Missouri River Energy Services (MRES) and is a beneficiary of MRES' services; and

WHEREAS, MPS was notified that WAPA would begin providing Renewable Energy Certificates (RECs) to its customers, and was working with Midwest Renewable Energy Tracking System (M-RETS) to disseminate these RECs; and

WHEREAS, Missouri River Energy Services (MRES) already manages MRES' RECs for MPS through M-RETS, which allows MPS to provide necessary RECs to an MPS customer that has a sustainability goal or requirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead to approve the contract with WAPA, MRES, MPS, and the City of Moorhead to designate MRES to manage the RECs for MPS.

NOW, THEREFORE, BE IT FURTHER 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 WAPA, MRES, MPS, and the City of Moorhead for MRES to manage the MPS' RECs.

PASSED: May 8, 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

May 8, 2023

SUBJECT:

Resolution to Approve the Appointment of the Public Works Director

RECOMMENDATION:

The Mayor and City Council are asked to consider approval of the appointment of Paul Fiechtner to Public Works Director.

BACKGROUND/KEY POINTS:

On April 14, 2023, former Public Works Director Steve Iverson provided notice that he would be resigning from his role as Director effective May 1, 2023 and move into a different role with the City of Moorhead. Subsequent to this announcement, the City reviewed the previous selection process that was done in 2021 to fill the then open Public Works Director position.

Pursuant to Chapter 6, Section 6.02, Subd. 3, of the Moorhead City Charter, the City Manager is to select department heads on the basis of merit and fitness, subject to approval by the City Council. The City Manager is recommending approval of the appointment of Paul Fiechtner to Public Works Director effective May 30, 2023. The City Manager makes this recommendation without hesitation and with considerable enthusiasm.

Paul Fiechtner was a previous employee with the City of Moorhead, working as the Facilities and Fleet Manager from September 2018 to April 2020. He is currently employed by the City of Fargo as the Public Works Service Manager. Prior to coming to Moorhead in 2018, Paul was employed for 10 years with BNSF as a Manager of Structures and 2 years with ND DOT as a Design Assistant. Paul received his Bachelor's degree in Civil Engineering from NDSU and holds a Professional Engineer licenses in the State of ND.

FINANCIAL CONSIDERATIONS:

Salary and benefits for the Public Works Director position is contained in the 2023 Operating and Capital Budget

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager
Amy Settergren, HR Director

Attachments:

RESOLUTION

Resolution to Approve the Appointment of the Public Works Director

WHEREAS, per City Charter, Chapter 6, Section 6.02, Subd. 3, the City Manager selects department heads, subject to approval of the City Council; and

WHEREAS, on April 14, 2023 the City received notice from the former Moorhead Public Works Director that he would resign from his role as Director effective May 1, 2023; and

WHEREAS the City reviewed the previous selection process completed in 2021 to fill the then open Public Works Director position; and

WHEREAS, as a result of the recruitment process, reference checks, final interview with the City Manager, and negotiations with preferred applicant, the City Manager would like to select Paul Fiechtner as Public Works Director effective May 30, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, Minnesota, that upon recommendation by the City Manager, we do hereby approve the appointment of Paul Fiechtner as Public Works Director effective May 30, 2023.

PASSED: May 8, 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

May 8, 2023

SUBJECT:

Resolution to Authorize Agreement with JLG Architects for Architectural/Engineering Services for the Moorhead Community Center/Public Library

RECOMMENDATION:

The Mayor and City Council are asked to consider a Resolution to Approve an Agreement with JLG Architects for Architectural/Engineering Services for the Moorhead Community Center/Public Library

BACKGROUND/KEY POINTS:

On November 8, 2022, Moorhead voters approved a 0.5% local option sales tax that will be used to fund a new Community Center/Public Library. A citizens task force appointed by Mayor Carlson developed some broad parameters for the project, including:

- A Community Center where people can gather and connect
- A Public Library to meet current/future information needs
- A place where ideas and dreams can take shape
- A central, downtown location

www.cityofmoorhead.com/about-the-city/regional-library-community-center#ad-image-6

A Community Center/Public Library Design Review Team was established to guide the design process. The Design Review Team includes:

- Anthony Manzella, Moorhead Facility and Fleet Manager
- Derrick LaPoint, Executive Director of Downtown Moorhead Inc.
- Holly Heitkamp, Moorhead Parks and Recreation Director
- James Hand, Moorhead Parks Advisory Board Chair
- Jenica Flanagan, City Finance Director
- John Shockley, City Attorney's Office
- Laura Caroon, City Council
- Lisa Bode, Moorhead Governmental Affairs Director
- Lisa Borgen, Moorhead Business Team Member
- Liz Lynch, Lake Agassiz Regional Library Executive Director
- Megan Krueger, Moorhead Library Director
- Shelly Carlson, Mayor

Design Review Team Liaisons:

- Brittany Cameron, Assistant City Planner
- Kristie Leshovsky, Community Development Director



City Council Communication

May 8, 2023

The Design Review Team prepared and the City Council on February 27, 2023 approved a Request for Qualifications (RFQ) and Request for Proposals (RFP) process for A/E services which included:

RFQ:

Overview of project; focus on understanding design firm background and experience with similar projects

Following review of the RFQ submittals, selected members of the Design Review Team will review and score the submittals. Top firms will be invited to submit a Request for Proposals.

There were eight RFQ submittals. Two firms were selected to proceed to the RFP phase – JLG+Miller Hull and YHR+HGA.

RFP:

Overview of experience with public engagement; understanding of project; preliminary sketch of a development concept; availability for anticipated design timeline

Following interviews of the two firms, the selected team members unanimously recommended proceeding with JLG+Miller Hull.

The proposed Scope of Work includes:

- **Programming and Pre-Design Phase:** meetings with Design Team; community engagement; stakeholder interviews
- **Schematic Design Construction Administration Services:** Architectural design; engineering services (civil, structural, mechanical, electrical); construction documents; procurement; construction services
- **Supplemental Services** (these will vary depending on final design features selected):
 - Furniture design and procurement
 - Collection planning and design (library)
 - Signage design (wayfinding, collection, digital, building, donor recognition, etc.)
 - HVAC system implementation and control strategies
 - IT/AV design (audio visual design, meeting space, sound systems)
 - Security design
 - Indoor play space design
 - Building Performance Certifications (if applicable)
 - Food service design (if applicable)

In conjunction with the architecture/engineering firm, the Design Review Team is also working on a process to hire a Construction Manager at Risk (CMAR; or a Construction Management



City Council Communication

May 8, 2023

firm that provides pre-construction and construction services for the project). It is anticipated that this process would be brought to City Council for consideration within the next few months and a contractor would then be hired to work in partnership with the design review team and design firm.

FINANCIAL CONSIDERATIONS:

Costs associated with the design services will be paid through the sales tax/associated bond. The authorized tax was projected to finance up to \$31,590,000 for the construction of a regional library/community center plus an amount needed for securing and paying debt service on bonds issued to finance the project. The construct costs of the project are anticipated to be around \$26,000,000.

The attached resolution provides the Mayor and City Manager to authorize design work up to a total cost of \$3,500,000. The three phases noted below and associated costs are estimates, but are anticipated to slightly vary depending on reimbursables with ranges (such as travel, printing, etc.) and final building amenities (ie: supplemental services).

- Programming and Pre-Design Phase (including public input): \$100,000
- Construction Design/Construction Adm: \$2,400,000
- Supplemental Services: \$1,000,000

The attached resolution allows up to a maximum of \$3,500,000 for the above noted services.

Voting Requirements: 3/4 of Council (6)

Submitted By:

Dan Mahli, City Manager
Kristie Leshovsky, Community Development Director

Attachments: Draft Resolution

RESOLUTION

Resolution to Authorize Agreement with JLG Architects for Architectural/Engineering Services for the Moorhead Community Center/Public Library

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

WHEREAS, the City of Moorhead desires to hire a design firm for architectural and engineering services to prepare design, planning and construction cost estimating for the Community Center/Public Library; and

WHEREAS, a Request for Qualifications and Request for Proposals process was authorized by the Moorhead City Council on February 27, 2023 to provide a transparent process resulting in the selection of a highly qualified design team for the new Community Center/Public Library; and

WHEREAS, out of eight RFQ proposals, two firms were invited to submit a RFP and interviews with the two firms were conducted on April 28, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the Mayor and City Manager are hereby authorized and directed to execute an agreement with JLG Architects for Architectural/Engineering Design Services for the Moorhead Community Center/Public Library.

FURTHERMORE, BE IT RESOLVED by the City Council of the City of Moorhead that the Mayor and City Manager may execute an Agreement and related amendments up to a maximum cost of \$3,500,000 for the above noted design services.

PASSED: May 8, 2023 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk