



**CITY COUNCIL
MEETING MINUTES
MARCH 13, 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 (5:40pm)

Council Member: Heather Nesemeier

Council Member: Laura Caroon

Council Member: Deb White

Council Member: Steve Lindaas

Council Member: Larry Seljevold

Council Member: Chuck Hendrickson

Absent: Mayor: Shelly Carlson

2. Pledge of Allegiance

3. Agenda Amendments

4. Recognitions - Presentations

A. Presentation: Donation to the Inclusive Playground from Moorhead Kiwanis

John Satrom and Peter Larson with the Moorhead Kawanis presented a \$2000 donation for the Inclusive Playground.

B. MoorHeart Recognition: Sadiyo Osman

Governmental Affairs Director Lisa Bode presented the MoorHeart award to Sadiyo Osman. Mrs. Bode shared with council the contributions Sadiyo has made to the community working with new Americans at the Afro American Development Association.

C. Proclamation - Bleeding Disorders Awareness Month

Mayor Pro Tem Chuck Hendrickson read the Bleeding Disorders Awareness Month proclamation and presented it to Carson Ouellette and family.

5. 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.*

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

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: Gilbertson

6. Approve Minutes

A. February 27, 2023 Meeting Minutes

Motion to Approve February 27, 2023 Meeting Minutes made by Steve Lindaas and seconded by Larry Seljevold

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0

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.

Moorhead resident addressed the council regarding the conditional use permit to Operate Nightclub Adjacent to a residential use at 1500 11th Street N.

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 – Community Development Block Grant 2023 Annual Action Plan

Motion to Open Public Hearing Public Hearing – Community Development Block Grant 2023 Annual Action Plan made by Heather Nesemeier and seconded by Steve Lindaas

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0

Community Development Program Administrator Tanya Kunza shared the draft action plan and noted that no action will be taken until the March 27 council meeting, as the draft action plan is currently in a 30-day public comment period ending March 25.

Motion to Close Public Hearing Public Hearing – Community Development Block Grant 2023 Annual Action Plan made by Heather Nesemeier and seconded by Deb White

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0

B. Public Hearing to Authorize Application to the Federal Transit Administration for 2023 Capital Assistance

Motion to Open Public Hearing Public Hearing to Authorize Application to the Federal Transit Administration for 2023 Capital Assistance made by Heather Nesemeier and seconded by Steve Lindaas

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0

Moorhead Transit Manager Lori VanBeek discussed the planned 2023 Capital Projects and their funding sources.

Motion to Close Public Hearing Public Hearing to Authorize Application to the Federal Transit Administration for 2023 Capital Assistance made by Deb White and seconded by Heather Nesemeier

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0

- C. Resolution to Authorize Filing of an Application to the Federal Transit Administration for 2023 Capital Assistance

Motion to Approve Resolution to Authorize Filing of an Application to the Federal Transit Administration for 2023 Capital Assistance made by Steve Lindaas and seconded by Heather Nesemeier

Motion Passed

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

Against: 0;

Abstain/Recuse: 0;

Absent: 0

10. Engineering Department

- A. *Resolution to Adopt Revised Special Assessment Policy
- B. *Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for Proposed 2nd Ave N Area Underground Utility & Street Improvements (Eng. No. 23-A2-04A and 14-02-03F)
- C. *Resolution to Authorize an Easement Acquisition for the 7th & 8th Street North Mill & Overlay Project (Eng. No. 22-A2-06)

11. Community Development Department

- A. *Resolution to Receive the 2022 Annual Planning Commission Report
- B. *Resolution to Approve Extension of Conditional Use Permits for Development in Flood Fringe and Excavation and/or Fill in the Floodway at One Fourth St S
- C. *Resolution to Approve Extension of Conditional Use Permit to Exceed Maximum Building Heights in MU-3: Commercial Mixed Use at 2501 11th St S

- D. *Resolution to Approve Conditional Use Permit for an Existing Dynamic Display Sign within 150 feet of an Area Zoned for Residential Use at 303 30th St S
- E. Resolution to Approve Conditional Use Permit to Operate Nightclub Adjacent to a Residential Use at 1500 11th Street N

City Planner Robin Huston discussed the recommended conditions developed by the Moorhead Planning Commission based on criteria within city code. These conditions would need to be met by Classic Touch Lounge to continue business. Discussion took place regarding the process if the conditions were not met in the timeframe outlined.

Applicant Kaluah Smith answered questions the council had regarding the business.

Motion to Amend the original motion with the addition of a detailed security plan submitted within 30 days to the City Planner to include details on how security will be addressed made by Ryan Nelson and seconded by Matthew Gilbertson

Motion Failed

For: 4; Nelson, Gilbertson, Caroon, Hendrickson

Against: 4; Nesemeier, White, Lindaas, Seljevoll

Abstain/Recuse: 0

Absent: 0

Motion to Approve Resolution to Approve Conditional Use Permit to Operate Nightclub Adjacent to a Residential Use at 1500 11th Street N with the addition of a community meeting within 30 days made by Matthew Gilbertson and seconded by Heather Nesemeier

Motion

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

Against: 0

Abstain/Recuse: 0

Absent: 0

Motion to Table Approval of the Conditional Use Permit to Operate Nightclub Adjacent to a Residential Use at 1500 11th Street N until the March 27 City Council meeting made by Laura Caroon and seconded by Larry Seljevoll

Motion Passed

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

Against: 2; Gilbertson, Nesemeier

Abstain/Recuse: 0

Absent: 0

12. Public Works

- A. *Second Reading of Ordinance 2023-02: An Ordinance to Amend Section 3-4-9.C Recyclable Material and Section 3-4-11.C Yard Waste of the Moorhead City Code
- B. *Resolution to Approve Title & Summary of Ordinance 2023-02
- C. *Resolution to Designate Recyclable Materials in "No Sort" Recycling
- D. *Resolution to Designate Acceptable Containers for Yard Waste Collection

- E. First Reading of Ordinance 2023-04: An Ordinance to Amend Section 6-2B Control of Invasive Species Tree Pests

Assistant City Manager Mike Rietz shared the ordinance that would allow changes to the wording of the existing dutch elm ordinance to addresses all invasive species as it relates to trees.

City Forester Trent Wise answered questions addressed by the council.

- F. Resolution to Approve Budget Adjustment #23-013 to cover costs of treatment and containing the spread of Emerald Ash Borer (EAB)

Motion to Approve Resolution to Approve Budget Adjustment #23-013 to cover costs of treatment and containing the spread of Emerald Ash Borer (EAB) made by Heather Nesemeier and seconded by Deb White

Motion Passed

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

Against: 0

Abstain/Recuse: 0

Absent: 0

13. Administration

- A. *Resolution to Approve the Consumption of Beer on the Premises of the Moorhead Youth Hockey Arena on April 7 & 8, 2023
- B. *Resolution to Approve Budget Adjustment #23-012 for the preparation of a City Debt Model
- C. *Resolution to Authorize Purchase of a 35-Foot Heavy Duty Diesel BRT-style Transit Bus from New Flyer Industries

14. Mayor and Council Reports

Council Member Nesemeier let all know the Clay County Collaborative is looking to hire a new coordinator, for additional information go to claycountycollaborative.org or their Facebook for more information. Ms. Nesemeier congratulated Council Member Deb White for the award she received at the International Women's Day Celebration.

Council Member Caroon shared her visit to the Minnesota Capital for the League of Minnesota Cities (LMC) "City Day on the Hill" where she, along with several other council members and the mayor learned about issues at the state level and shared what is happening in Moorhead.

Council Member Lindaas, who was also part of LMC "City Day on the Hill", was able to meet with Representative Heather Keeler and took that opportunity to share his appreciation to her for all the work she has accomplished. Mr. Lindaas also thanked residents that are working to clear fire hydrants and encouraged the public to adopt a hydrant so they remain accessible in the event that they are needed.

Council Member Deb White spoke of her opportunity to attend the International Women's Day Celebration which allowed her to meet with other leaders throughout the region. Ms. White also shared her attendance and proclamation reading at the National Association of Women in Construction event where she won the hammer-schlagen contest and brought the trophy back to Moorhead.

Council Member Nesemeier shared that she attended the first session of the Citizens Government Academy and reported that it was off to a good start with a presentation by the Police Department.

Mayor Pro Tem Chuck Hendrickson acknowledged Moorhead's Public Works Department for clearing the roads following several storms. Mr. Hendrickson talked about his and Assistant City Manager's Mike Rietz attendance at a panel discussion hosted by Professional Lunch regarding retention of students in the local workforce. Mr. Hendrickson shared his experience of attending the annual meeting and awards lunch for the FM Convention & Visitors Bureau.


- 15. City Manager Reports
- 16. Executive Session
- 17. New Business
- 18. Adjourn

Meeting adjourned 7:20pm

APPROVED BY:


Michelle (Shelly) A. Carlson
Mayor

ATTEST:


Christina Rust
City Clerk

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