

**City of Moorhead
Oakport Joint Powers Board
Meeting Minutes
February 24, 2010 at 7:30 AM
Basement East Conference Room, Moorhead City Hall**

Pursuant to due call and notice thereof, a regular meeting of the Oakport Joint Powers Board was held in the Basement East Conference Room, Moorhead City Hall, on February 24, 2010, at 7:30 AM.

Roll call of the members was made as follows:

1st Ward Council Member:	Nancy Otto	Present
1st Ward Council Member:	Luther Stueland	Present
Board Member:	Carolyn Kastella	Present
Board Member:	Greg Anderson	Present
Board Member:	Kevin Campbell	Present
Board Member:	Grant Weyland	Present

Others Present:

Kristie Leshovsky, City Planner
Amy Thorpe, Community Services Planner
Darrin Wixo, Verizon Wireless

1. Call meeting to Order/Roll Call

2. Approval of Minutes

A [November 25, 2009](#)

Motion to Approve Minutes made by Grant Weyland and seconded by Nancy Otto
Motion Passed: For: 6; Against: 0; Abstain: 0; Absent: 0

B [December 16, 2009](#)

Motion made to Approve Minutes made by Grant Weyland and seconded by Nancy Otto
Motion Passed: For: 6; Against: 0; Abstain: 0; Absent: 0

3. Citizens To Be Heard – None.

4. Agenda Amendments – None.

5. Public Hearing

A [Request of Verizon Wireless for a conditional use permit to allow the construction of a communications tower and equipment shelter at 6202 2nd St. N., Moorhead, parcel number 23.017.3620. \(CSD File No. 10P009\)](#)

Motion to Open Public Hearing made by Greg Anderson and seconded by Nancy Otto
Motion Passed: For: 6; Against: 0; Abstain: 0; Absent: 0

Minutes: Leshovsky opened with a summary of the request by Verizon Wireless to construct and operate a commercial wireless communication tower near the water tower. Staff recommend approval with the following conditions:

1. Tower and shelter shall be located and constructed as shown on the plans

and elevation approved by the Oakport Joint Powers Board on February 24, 2010.

2. The tower and accessory structures must be screened in accordance with City Code 10-19-18-A.
3. The tower must be designed to blend with the environment through the use of color unless other dictated by federal or state authorities; and
4. All required permits must be obtained.

A representative of Verizon Wireless, Darrin Wixo, was present and stated that the condition for screening was not a problem but the ownership (care) of the trees or scrubs after planting was an issue. He stated that after trees were planted, Verizon would not be able to water and care for the trees and wondered who would be responsible for their care so they would not die. Wixo also stated the fence slating requirement was not a problem.

Anderson stated that in addition to the above conditions, diffused lighting and screening to cut down noise and lights from shining into nearby houses should be added.

Wixo stated that the tower would be not be lit unless required due to the water tank. He also stated that the lighting on the structure would be motion sensed.

Steve Adamek, Oakport resident and adjoining property owner, stated he wished to go on the record as opposing this request. He stated that building more facilities on this property was in opposition to the reason they live out there. He stated they have problems with the Alltel buildings located nearby with the lighting, air conditioning noise, and generator noise. He also believes that the access to the area is not allowable on the road due to the easement for the road. He submitted to the board the section of the easement agreement that pertains to its usage. He also submitted to the board a letter from a neighbor who is also in opposition to the proposed application.

Pastor Gordon Lee, Oakport resident and adjoining property owner, asked what other sites in Oakport were considered for the construction of the tower?

Anderson first noted that the easement issue had derailed negotiations with Alltel to screen and reconstruct their building on the site. He stated that Alltel was not willing to spend the additional funds on the property until this easement issue was resolved. Anderson also stated that this was the only spot available to Oakport for the construction of this tower. He stated that Oakport will receive revenue for the site, which is applied toward payments of the water tower, but that this was not the only reason for construction of the Verizon tower. He stated that as more people move from land lines to cell phone service, there is a greater need for better coverage and service.

Anderson asked Wixo to outline the timeline for construction. Wixo stated that it is a 2010 build to begin in May unless a flood delays the project.

There was discussion regarding screening and planting requirements. In the end, the board agreed to include the submission of landscape plans for review and approval by city staff as a condition.

Motion to Close Public Hearing made by Carolyn Kastella and seconded by Nancy Otto

Motion Passed: For: 6; Against: 0; Abstain: 0; Absent: 0

Motion to Approve made by Nancy Otto and seconded by Luther Stueland.

Motion to Approve Request of Verizon Wireless for a conditional use permit to allow the construction of a communications tower and equipment shelter at 6202 2nd St. N., Moorhead, parcel number 23.017.3620, including the following conditions:

1. Tower and Shelter shall be located and constructed as shown on the plans and elevations approved by the Oakport Joint Powers Board on February 24, 2010.
2. The tower and accessory structures must be screened in accordance with City Code 10-19-18-A, as submitted to and approved by City Staff.
3. Tower must be designed to blend with the environment through the use of color unless otherwise dictated by federal or state authorities.
4. Foundations of structures are constructed to the new 100-year Base Flood Elevation.
5. Flashing light shall be installed at the top of the tower structure.
6. Lighting installed on structures shall be unobtrusive to reduce lighting and glare on adjacent properties.
7. Generator operation shall be limited to 1:00 p.m. to 4:00 p.m. on weekdays.
8. All required permits must be obtained.

Motion Passed: For: 6; Against: 0; Abstain: 0; Absent: 0

6. Old Business

Minutes: Otto stated that the mayor had appointed Otto and Stueland to the Oakport Planning Board, a newly established committee designed to discuss and monitor the annexation process.

7. New Business

- A [Oakport Dike Minor Subdivisions Approved Administratively: 5304 Broadway St NW \(Jan. 29, 2010\) \(CSD File No. 10P007\)](#)

Minutes: Leshovsky stated that this minor subdivision request related to the dike project had been approved administratively.

8. Adjournment

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

Respectfully submitted by:
Amy Thorpe, Community Services Planner