

**City of Moorhead  
Oakport Joint Powers Board  
Meeting Minutes  
May 22, 2013 at 7:30 AM  
1st Floor Boardroom, Moorhead City Hall**

Pursuant to due call and notice thereof, a regular meeting of the Oakport Joint Powers Board was held in the 1st Floor Boardroom, Moorhead City Hall, on May 22, 2013, at 7:30 AM.

**Roll call of the members was made as follows:**

Board Member:	Jeff Schaumann	Present
Board Member:	Kevin Campbell	Present
Board Member:	Carolyn Kastella	Present
1st Ward Council Member:	Nancy Otto	Present
1st Ward Council Member:	Luther Stueland	Present
Board Member:	Grant Weyland	Absent

1. **Call meeting to Order/Roll Call**

2. **Approval of Minutes**

A **November 14, 2012**

**Motion to Approve made by Luther Stueland and seconded by Carolyn Kastella**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

3. **Citizens To Be Heard**

4. **Agenda Amendments**

5. **Public Hearing**

A **Request of Verizon Wireless for a conditional use permit to allow construction of a communications tower and equipment shelter at 6200 2nd Street North, Moorhead (parcel 23.017.3602)**

**Motion to Open Public Hearing made by Nancy Otto and seconded by Luther Stueland**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

Minutes: Leshovsky provided an overview of the request from Verizon Wireless, which was originally approved in 2010 by the Joint Powers Board and is under review again due to the expiration of the 2010 Conditional Use Permit approval of the same request.

S. Adamek, Oakport resident, expressed concern regarding the existing access easement and zoning requirements regarding the placement of the tower.

G. Lee, Oakport resident, inquired if other sites in the area had been considered.

**Motion to Close Public Hearing made by Jeff Schaumann and seconded by Luther Stueland**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**Motion to Approve Request of Verizon Wireless for a conditional use permit to allow construction of a communications tower and equipment shelter at 6200 2nd Street North, Moorhead (parcel 23.017.3602) with the following conditions made by Luther Stueland and seconded by Jeff Schaumann**

1. Tower and Shelter shall be located and constructed as shown on the plans and elevations approved by the Oakport Joint Powers Board on May 29, 2013. Tower and Shelter may be located up to twenty-three feet (23') west of the area shown on the plans and elevation approved by the Oakport Joint Powers Board on May 29, 2013 if said new location is approved by Oakport Township.
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 Regulatory Flood Protection Elevation (896.8) and finished fill fifteen feet from the structures shall be no lower than the Base Flood Elevation (895.5).
5. Flashing lights shall be installed at the top of the tower structure.
6. Lighting installed on structures shall be unobtrusive to reducing lighting and glare on adjacent properties.
7. Generator operation shall be limited to between 1:00 p.m. and 4:00 p.m. on weekdays.
8. All required permits must be obtained.

**Motion to add condition number 9, to require the addition of sound regulations to the approved conditions, made by Carolyn Kastella and seconded by Grant Weyland.**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**Motion to amend condition number 9, to restate as requiring installation of appropriate sound mitigation as approved by the City Planner, made by Jeff Schaumann and seconded by Carolyn Kastella.**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**Motion to amend condition number 5, to read 'if lights are required by Federal Aviation Administration', made by Nancy Otto and seconded by Grant Weyland.**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**Motion to Approve a Request of Verizon Wireless for a conditional use permit to allow the construction of a communications tower and equipment shelter at 6200 2nd Street North, Moorhead (parcel 23.017.3602) with the following conditions and amendments:**

1. Tower and Shelter shall be located and constructed as shown on the plans and elevations approved by the Oakport Joint Powers Board on May 29, 2013. Tower and Shelter may be located up to twenty-three feet (23') west of the area shown on the plans and elevation approved by the Oakport Joint Powers Board on May 29, 2013 if said new location is approved by Oakport Township.
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 Regulatory Flood Protection Elevation (896.8) and finished fill fifteen feet from the structures shall be no lower than the Base Flood Elevation (895.5).
5. Lights shall be installed at the top of the tower structure if required by the Federal Aviation Administration.
6. Lighting installed on structures shall be unobtrusive to reducing lighting and glare on adjacent properties.
7. Generator operation shall be limited to between 1:00 p.m. and 4:00 p.m. on weekdays.

8. All required permits must be obtained.
9. Applicant shall install sound mitigation measures for areas that would affect nearby residents, which may include landscaping, berming, and/or structural modifications, as approved by the city planner.

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

## 6. Other Business

### A [City Code Discussion \(continued\)](#)

Minutes: Shannon Monroe, Deputy Police Chief, presented the previously discussed snowmobile and ATV ordinance and noted changes to state laws since the last discussion. The board reviewed the draft ordinance and suggested to modify 1d and 2b to include "expressed or written". Other changes included to add "as amended" where ever MN State Statutes are referenced, to accommodate future changes. The proposed changes will be incorporated into a draft ordinance to be presented to City Council.

**Motion to Approve made by Carolyn Kastella and seconded by Grant Weyland**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

Minutes: Leshovsky presented accessory building options that were previously presented to the Board. Schaumann suggested the maximum area for accessory structures be the footprint of the primary structure (house) plus an additional 680 square feet for lots with an area greater than ½ acre. Properties less than 1/2 acre would be limited to the footprint of the house plus an additional 576 square feet. Staff will modify the language and bring back to a future meeting.

## 7. Adjournment

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

**Respectfully submitted by:**  
**Mary Schmitt, Community Services**