

**City of Moorhead  
City Council Meeting  
Meeting Minutes  
March 26, 2012 at 5:30 PM  
City Hall Council Chambers**

Pursuant to due call and notice thereof, a regular meeting of the City Council Meeting was held in the City Hall Council Chambers, on March 26, 2012, at 5:30 PM.

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

|                          |                  |         |
|--------------------------|------------------|---------|
| 1st Ward Council Member: | Luther Stueland  | Present |
| 1st Ward Council Member: | Nancy Otto       | Present |
| 2nd Ward Council Member: | Heidi Durand     | Present |
| 2nd Ward Council Member: | Mark Altenburg   | Present |
| 3rd Ward Council Member: | Mike Hulett      | Present |
| 3rd Ward Council Member: | Brenda Elmer     | Present |
| 4th Ward Council Member: | Mark Hintermeyer | Present |
| 4th Ward Council Member: | Steve Gehrtz     | Absent  |
| Mayor:                   | Mark Voxland     | Present |

**City Council Meeting**

1. Call to Order and Roll Call

Minutes: Mayor Voxland called the meeting to order.

2. [Approve Minutes](#)

A. Committee of the Whole (February 21, 2012)

B. [City Council Meeting \(February 27, 2012\)](#)

C. [Committee of the Whole \(March 5, 2012\)](#)

Motion to Approve made by Mike Hulett and seconded by Nancy Otto  
**Approve Minutes of [Committee of the Whole \(February 21, 2012\)](#), City Council Meeting (February 27, 2012), Committee of the Whole (March 5, 2012)**

Motion Passed

For: 7; Absent: 1 - Steve Gehrtz

3. [Citizens Addressing the Council](#)

Minutes: No citizens addressed the Mayor and Council.

4. [Agenda Amendments](#)

Minutes: No agenda amendments were noted.

5. [Consent Agenda](#)

All items listed with an asterisk ( \* ) are enacted by one motion

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

**Motion to Approve Consent Agenda**

Motion Passed

For: 7; Absent: 1 - Steve Gehrtz

6. Mayor and Council Appointments

A. [Resolution to Approve Appointment to Moorhead Airport Committee \(Ward 2\)](#)

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto

**Resolution to Approve Appointment to Moorhead Airport Committee (Ward 2)**

Motion Passed: **Resolution 2012-0326-1**

For: 7; Absent: 1 - Steve Gehrtz

**Community Services Department**

7. [\\*Consider Actions Relating to 3220 8th Street South and other Properties Located Between 8th-9th Street South and 30th Avenue and Belsly Blvd.](#)

A. [\\*Second Reading of Ordinance 2012-4: An Ordinance to Rezone Multiple Properties Between 8th-9th Street South and 30th Avenue and Belsly Blvd.](#)  
**Ordinance 2012-4**

B. [\\*Resolution to Approve Title and Summary \(Ord. No. 2012-4\)](#)  
**Resolution 2012-0326-A**

8. [\\*Consider Actions Relating to Amendments to Title 1, Chapter 7 \(Planning Commission\)](#)

A. [\\*Second Reading of Ordinance 2012-6](#)  
**Ordinance 2012-6**

B. [\\*Resolution to Approve Title and Summary \(Ord. No. 2012-6\)](#)  
**Resolution 2012-0326-B**

9. [Resolution to Solicit Private Sector Development Proposals for Low-Moderate Income Housing Development on City-owned Land east of Southside Regional Park](#)

Minutes: Lisa Vatnsdal, Neighborhood Services Manager, provided an update on a City-owned Community Development Block Grant (CDBG) property and clarified the following in response to Mayor and Council questions:

- The Department of Housing and Urban Development (HUD) recently indicated that the City of Moorhead must develop a 20-acre parcel of property east of the Southside Regional Park purchased through CDBG funds or repay the CDBG investment on this property.
- The City purchased this property to facilitate the development of affordable housing in south Moorhead. There were no specific time requirement conditions outlined by HUD at the time the land was purchased.
- The City may have only 90 days from May 1, 2012 to establish plans to develop the property or repay CDBG funds. HUD may not have

legal authority to enforce this requirement. Many communities across the nation would be impacted by this new provision.

- A portion of the 20-acre property may be appropriate for a multifamily tax credit development. One developer has expressed interest in this specialty development niche. Applications for this program are due June 14, 2012. Results of the application process would not be known until fall of 2012, well beyond HUD's potential 90-day time limit.
- The City Council has considered other development uses for this parcel including a Northwest Minnesota Amateur Sports Facility and a YMCA facility. The only eligible use for this property is to meet a national HUD objective. The City would be required to repay CDBG funds if it is used for another development purpose.
- The City owns a 4-acre undeveloped parcel also purchased with CDBG funds in Stonemill Estates.
- Population in south Moorhead is growing. The City anticipates a demand for affordable housing in the next two years.
- The parcel could be sold by the City to pay back CDBG funds.
- The City has received very limited and conflicting information from HUD with minimal policy guidance.

The Mayor and Council noted the following:

- Concern was noted on the impact of the City not actively soliciting private sector development proposals immediately, given HUD's recent notice.
- The parcel near Southside Regional Park and the parcel in Stonemill Estates were purchased to incorporate housing of various income levels throughout the community.
- The parcel near Southside Regional Park may be better for future park and recreation uses.

The Mayor and City Council directed staff to hold on all development actions until more information and guidance is received from HUD.

## **Engineering - Wastewater Treatment**

10. [\\*Resolutions to Approve Right-of-Way, Temporary Easement, and BNSF Agreements for Street Construction on 28th Ave S from 20th to 26th St. Eng. No. 12-A2-3](#)
  - A. [\\*Resolution to Approve Agreements to Accept Donation of Right-of-Way & Temporary Easement and to Abate Special Assessments](#)  
**Resolution 2012-0326-C**
  - B. [\\*Resolution to Approve Temporary Easement Acquisition](#)  
**Resolution 2012-0326-D**
  - C. [\\*Resolution to Approve Agreement with BNSF](#)  
**Resolution 2012-0326-E**

11. [\\*Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for the 20th St Reconstruction Project from 6th to 12th Ave S. Eng. No. 12-A2-2](#)  
**Resolution 2012-0326-F**
12. [\\*Resolution to Approve Engineering Services Agreement with Houston Engineering for Various Flood Mitigation Projects. Eng. Nos. 11-A13-3 A, C, F1 & F2.](#)  
**Resolution 2012-0326-G**

#### **Operations Department**

13. [\\*Consider Budget Adjustment for Water Filling Station at Public Works Facility](#)  
**Resolution 2012-0326-H**

#### **Moorhead Public Service**

14. [\\*Award Bid for Opportunity Substation Construction](#)  
**Resolution 2012-0326-I**
15. [\\*Award Bids for Underground Cable Replacement Projects and Annual Boring](#)  
**Resolution 2012-0326-J**
16. [\\*Award Bid for Aerial Manlift Device and Line Body](#)  
**Resolution 2012-0326-K**
17. [\\*Award Bids for 2012 Electric Extension and Upgrade Projects](#)  
**Resolution 2012-0326-L**
18. [\\*Award Bid for Main Avenue \(4th Street to 8th Street\) Watermain Replacement Project](#)  
**Resolution 2012-0326-M**

#### **Police Department**

19. [\\*Resolution to Enter Into a Professional Service Agreement with Communications Service for the Deaf \(CSD\)](#)  
**Resolution 2012-0326-N**

#### **Administration**

20. [Consider Actions Relating to Ordinance 2012-5: An Ordinance to Adopt a Redistricting Plan Establishing the Ward/Precinct Boundaries for the City of Moorhead](#)

Minutes: The Mayor and Council noted the following:

- It is preferred that Ward 2 boundaries be adjusted to encompass areas of the historic Comstock neighborhood.
- Ward boundary changes will impact all wards under the Council preferred municipal redistricting plan.
- Council members intend to represent all Moorhead residents, not just those who reside in their ward.

A. [Second Reading of Ordinance 2012-5](#)

Motion to Amend made by Mark Altenburg and seconded by Heidi Durand  
**Amend ordinance to remove from Ward 2 the area between 4-5 Ave S & 14-20 St S and designate it to Ward 1; remove from Ward 3 the area between 5-12 Ave S & 8-11 St S and designate it to Ward 2**

**Amendment Failed**

For: 3 – Luther Stueland, Heidi Durand, Mark Altenburg; Against: 4 – Nancy Otto, Mike Hulett, Brenda Elmer, Mark Hintermeyer; Absent: 1 - Steve Gehrtz

Motion to Approve made by Mike Hulett and seconded by Heidi Durand

**Consider Actions Relating to Ordinance 2012-5: An Ordinance to Adopt a Redistricting Plan Establishing the Ward/Precinct Boundaries for the City of Moorhead**

Motion Passed: **Ordinance 2012-5**

For: 6; Against: 1 – Heidi Durand; Absent: 1 - Steve Gehrtz

B. [Resolution to Approve Title and Summary of Ordinance 2012-5](#)

Motion to Approve made by Mark Altenburg and seconded by Mike Hulett

**Resolution to Approve Title and Summary of Ordinance 2012-5**

Motion Passed: **Resolution 2012-0326-2**

For: 7; Absent: 1 - Steve Gehrtz

21. [USACE Right of Entry Authorization](#)

Minutes: John Shockley, City Attorney, reported that the USACE Right of Entry Authorization will allow access to properties to conduct testing for the F-M Diversion Project.

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto

**USACE Right of Entry Authorization**

Motion Passed: **Resolution 2012-0326-3**

For: 6; Against: 1 – Luther Stueland; Absent: 1 - Steve Gehrtz

22. [Resolution providing for the Competitive Negotiated Sale of General Obligation Flood Mitigation Bonds Series 2012A, General Obligation Wastewater Crossover Refunding Revenue Bonds 2012B, General Obligation Improvement Crossover Refunding Bonds 2012C](#)

Minutes: Dave MacGillivray, Chairman of Springsted Inc., provided a report recommending the competitive negotiated sale of General Obligation Flood Mitigation Bonds Series 2012A, General Obligation Wastewater Crossover Refunding Revenue Bonds 2012B, and General Obligation Improvement Crossover Refunding Bonds 2012C.

Motion to Approve made by Nancy Otto and seconded by Mark Altenburg

**Resolution providing for the Competitive Negotiated Sale of General Obligation Flood Mitigation Bonds Series 2012A, General Obligation Wastewater Crossover Refunding Revenue Bonds 2012B, General Obligation Improvement Crossover Refunding Bonds 2012C**

Motion Passed: Resolution #'s noted below

For: 6; Against: 1 – Luther Stueland; Absent: 1 - Steve Gehrtz

- A. [Resolution Providing for the Competitive Negotiated Sale of \\$16,955,000 General Obligation Flood Mitigation Bonds, Series 2012A](#)  
**Resolution 2012-0326-4**
  - B. [Resolution Providing for the Competitive Negotiated Sale of \\$11,035,000 General Obligation Wastewater Refunding Revenue Bonds, Series 2012B](#)  
**Resolution 2012-0326-5**
  - C. [Resolution Providing for the Competitive Negotiated Sale of \\$19,925,000 General Obligation Improvement Refunding Bonds, Series 2012C](#)  
**Resolution 2012-0326-6**
23. [\\*Approve Licenses - Permits](#)
- A. [\\*Resolution to Approve Licenses – Permits](#)  
**Resolution 2012-0326-O**

24. [Mayor and Council Reports](#)

Minutes: It was requested that the Moorhead City Council discuss the MATBUS U-Pass Program at an upcoming Committee of the Whole meeting in order to have a better understanding of how the U-Pass fees paid by colleges and universities is determined and the impact of this on local costs.

Council Member Elmer provided a report on a recent meeting of the Economic Development Authority.

Mayor Voxland reported on his recent trip to Washington D.C. to meet with the Congressional Delegation. Topics discussed included the TIGER Discretionary Grant Application for the SE Main Avenue/20th/21st Railroad Grade Separation Project, future plans for an 11th Street underpass, ramp reconstruction at SE Main Avenue/CSAH 52 & I-94, and the F-M Flood Diversion Project. Mayor Voxland also reported that he attended a National League of Cities (NLC) meeting and a gathering of the Minnesota members of the NLC.

25. [City Manager Reports - Updates](#)

Minutes: Michael Redlinger, City Manager, announced that the Moorhead City Council will meet on April 2, 2012 for a Strategic Planning discussion at 5:30 p.m. in Council Chambers. A “Town Hall” meeting will be hosted by the City Council on April 30. Further details on this event will be forthcoming following City Council discussion on April 2.

26. [Executive Session - Labor Negotiations](#)

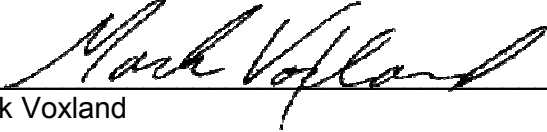
Motion to Approve made by Luther Stueland and seconded by Nancy Otto  
**Enter into Executive Session to receive labor negotiation updates**

Motion Passed

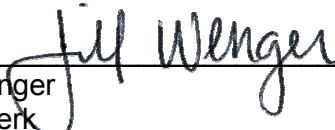
For: 7; Absent: 1 - Steve Gehrtz

Meeting adjourned 7:26 p.m.

APPROVED BY:

  
\_\_\_\_\_  
Mark Voxland  
Mayor

ATTEST:

  
\_\_\_\_\_  
Jill Wenger  
City Clerk

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

*Respectfully submitted by:*  
*Jill Wenger, City Clerk*