

**City of Moorhead
City Council Meeting
Meeting Minutes
June 11, 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 June 11, 2012, at 5:30 PM.

Roll call of the members was made as follows:

1st Ward Council Member:	Luther Stueland	Absent
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	Present
Mayor:	Mark Voxland	Present

City Council Meeting

1. [Call to Order and Roll Call](#)

Minutes: Mayor Voxland called the meeting to order.

2. Recognitions - Presentations

A. [Presentation of Proclamation Recognizing Church Sheltering Thank You Day](#)

Minutes: Mayor Voxland presented a proclamation recognizing "Church Sheltering Thank You Day."

B. Presentation of Proclamation Recognizing Elder Abuse Awareness Day

Minutes: Mayor Voxland presented a proclamation recognizing "Elder Abuse Awareness Day."

C. [Jim Johnson, Fargo School Board - Bluestem Center for the Arts Update](#)

Minutes: Jim Johnson, Fargo School Board, provided an update to the Mayor and Council regarding discussions between Fargo Public Schools and Bluestem Center for the Arts. Johnson noted that Fargo Schools intends to provide expanded use of the facility as a regional arts center and that a new business model is being developed to ensure financial success of the site. Johnson added that Fargo Schools has cleared any outstanding capital debt related to the facility and that Moorhead is viewed as a partner and a critical stakeholder to the viability of the facility.

Later in the meeting it was noted that the Moorhead City Council would like to be apprised of any newly developed business model established by Bluestem and Fargo Public Schools and would like it to incorporate

Moorhead City Council representation and input.

3. [Citizens Addressing the Council](#)

Minutes: S.L. Rousseau, Moorhead resident, addressed the Mayor and Council regarding concerns about a Moorhead City Ordinance related to fencing requirements. City staff was directed to assemble background materials which will be provided to the Mayor and Council regarding this issue.

4. [Agenda Amendments](#)

Motion to Approve made by Brenda Elmer and seconded by Heidi Durand

Approve Agenda Amendments

Motion Passed

For: 7; Absent: 1 - Luther Stueland

Minutes: City staff requested that the following item be added under New Business:

- #21.A – Resolution to Approve Plans and Specifications and Authorize Advertisement for Bids for Street Construction on 28th Ave. S from 20th to 26th St. Eng. No. 12-A2-3Remove Election Resolution.

Mayor Voxland recommended that the following item be removed from the agenda due to the fact that one Council Member was absent and approval requires the unanimous vote of the Mayor and all Council Members:

- #8.A – Resolution to Approve First Reading of Ordinance 2012-07, An Ordinance to Amend and Reenact Section 4.01 of the Charter of the City of Moorhead Relating to Regular Elections

5. [Consent Agenda](#)

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

Minutes: The following items were removed from the consent agenda:

- #11 – Approve Actions and Authorize Budget Adjustments to Implement Campus Neighborhood Planning Study Recommendations
- #15 – Receive City of Moorhead 2011 Comprehensive Annual Financial Report (CAFR)
- #16 – Resolution Requesting Clay County and Moorhead Area Public Schools join with the City of Moorhead to Offer a Two-Year Residential Property Tax Abatement Program
- #19.A – Authorize Submission of Application for DEED "Business Development Through Capital Projects" Grant Program

Motion to Approve made by Mark Altenburg and seconded by Heidi Durand

Approve Consent Agenda as Amended

Motion Passed

For: 7; Absent: 1 - Luther Stueland

6. Mayor and Council Appointments

A. [Resolution to Approve Appointment to Moorhead Library Board \(Ward 4\)](#)

Motion to Approve made by Mark Hintermeyer and seconded by Mark Altenburg
Resolution to Approve Appointment to Moorhead Library Board (Ward 4)

Motion Passed: **2012-0611-1**

For: 7; Absent: 1 - Luther Stueland

Public Hearings (5:45 p.m.)

7. [Public Hearing for the 2011 Annual Report and the 2012 Annual Meeting for the Stormwater Pollution Prevention Program](#)

Minutes: Public Hearing opened at 6:09 p.m.

Bob Zimmerman, City Engineer, provided a summary of the 2011 Annual Report for the Stormwater Pollution Prevention Program and noted that inspection and enforcement of construction site run-off is conducted uniformly throughout the City.

Public Hearing closed at 6:18 p.m.

8. [Public Hearing on Proposed Amendment to Moorhead City Charter: Regular Elections](#)

Minutes: Public hearing opened at 6:19 p.m.

City staff clarified the following in response to Mayor and Council questions:

- If the Mayor and Council approve the Charter amendment a decision to either shorten or lengthen Council Member terms would be determined by the Council.
- The Charter amendment does not require that it be brought forward to a public vote, but the Council could decide to put it to a public vote if so desired.
- Charter amendments require the unanimous approval of the Mayor and all City Council members.
- The memorandum outlining election costs does not incorporate the financial costs related to the 352 hours of City staff time dedicated to election-related activities in 2011.
- City staff responsibilities and activities vary each year due to the fact that the City Clerk is the chief election official during City General Elections (odd years) and the County Auditor is the chief election official during State Primary and State General Elections (even years).

No citizens addressed the Mayor and Council.

Public hearing closed at 6:29 p.m.

A. REMOVED

9. [Public Hearing to Consider Major Changes to MATBUS Routes 7 and 8](#)

Minutes: Public hearing opened at 6:30 p.m.

Lori Van Beek, Transit Division Manager, provided a summary of the proposed changes to MATBUS Routes 7 and 8 and clarified the following in response to Mayor and Council questions:

- Notice of the proposed changes were widely distributed and posted to the public.
- Mass Transit prefers to arrange route changes prior to the start of the school year. A route change mid-school year can be confusing and inconvenient for riders.
- Route changes are recommended to ensure that buses remain on schedule.

A new bus shelter location is proposed at Comstock Memorial Union.

No citizens addressed the Mayor and Council.

Public hearing closed at 6:45 p.m.

The Mayor and Council noted the following:

- Concern was noted that changes to the MATBUS Routes are being considered during the summer months when many college students are not residing in the area and less likely to be available to provide feedback on the route changes.

A. [Resolution to Approve Major Changes to MATBUS Routes 7 and 8](#)

Motion to Approve made by Mike Hulett and seconded by Nancy Otto
Resolution to Approve Major Changes to MATBUS Routes 7 and 8
Motion Passed: **2012-0611-2**
For: 7; Absent: 1 - Luther Stueland

Community Services Department

10. [*Resolution to Approve Budget Adjustment to Reimburse CDBG Account from Economic Development Fund Reserves - 20 Acres East of Southside Regional Park](#)
2012-0611-A

11. [Approve Actions and Authorize Budget Adjustments to Implement Campus Neighborhood Planning Study Recommendations](#)

Minutes: City staff clarified the following in response to Mayor and Council questions:

- A significant amount of public input was received as part of the Neighborhood Parking Study.
- Elements of the program will be implemented in advance of the 2012-13 school year.
- It is proposed that a parking enforcement vehicle be purchased.
- Part time parking enforcement staff will be employees of the City but

will be recruited from M-State's or MSUM's Criminal Justice Departments.

- City staff will prioritize public education with students, faculty, employees, and residents affected by parking policy changes.
- A notification system will be developed for the seasonal "odd-even" overnight street parking ban.

City staff noted that further clarification is necessary regarding the expense of "wayfinding" signage for MSUM and Concordia campus.

The Mayor and Council stated the following:

- Concern was noted regarding the cost of the Neighborhood Parking Study and the simplistic recommendations of the consultant. It was recommended that City staff conduct future study work of this nature.
- It was noted that the new parking changes will likely improve the quality of life in neighborhoods surrounding campus areas.

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto
Approve Actions and Authorize Budget Adjustments to Implement Campus Neighborhood Planning Study Recommendations

Motion Passed: **2012-0611-3**

For: 7; Absent: 1 - Luther Stueland

12. [*Resolution Authorizing Property Listing Agreement \(former Tire Depot\) with Konrad Olson Commercial Realtors](#)
2012-0611-B

13. [*First Reading of Ordinance No. 2012-11: An Ordinance to Rezone Properties Between 10th and 13th Avenues North and 14th and 17th Streets North from Residential Low Density -2 to Residential Low Density -3](#)
Ordinance 2012-11

Engineering - Wastewater Treatment

14. [*Resolution to Order the Engineer's Report, Call for a Public Hearing, and Approve an Engineering Services Agreement for the Horizon Shores Regional Pond, Phase 2. Eng. No. 12-A5-1](#)

A. [*Resolution to Order Engineer's Report & Call for a Public Hearing](#)
2012-0611-C

B. [*Resolution to Approve Engineering Services Agreement](#)
2012-0611-D

Administration

15. [Receive City of Moorhead 2011 Comprehensive Annual Financial Report \(CAFR\)](#)

Minutes: City staff noted that a complete audit presentation will be conducted at the

June 18, 2012 Committee of the Whole meeting and that the audit report will be posted on the City's website.

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto
Receive City of Moorhead 2011 Comprehensive Annual Financial Report (CAFR)

Motion Passed: **2012-0611-4**

For: 7; Absent: 1 - Luther Stueland

16. [Resolution Requesting Clay County and Moorhead Area Public Schools join with the City of Moorhead to Offer a Two-Year Residential Property Tax Abatement Program](#)

Minutes: City staff clarified the following in response to Mayor and Council questions:

- The City was unsuccessful in obtaining special legislation during the 2012 Legislative Session to continue a two-year residential property tax exemption program.
- The proposed resolution will authorize City staff to formally engage in conversations with Clay County and Moorhead Public Schools to discuss implementation of a local two-year residential property tax abatement program.
- The City could continue to seek special legislation for a tax exemption program during the 2013 Legislative Session.
- The administrative aspects of the program will be determined before a future recommendation is provided to the Mayor and Council.

The Mayor and Council stated the following:

- Fargo and West Fargo currently offer residential property tax abatement programs. It will be important for Moorhead to offer one as well.
- Developers and realtors have indicated that a Moorhead tax abatement program would be particularly beneficial to encourage development.

Motion to Approve made by Mark Altenburg and seconded by Brenda Elmer
Resolution Requesting Clay County and Moorhead Area Public Schools join with the City of Moorhead to Offer a Two-Year Residential Property Tax Abatement Program

Motion Passed: **2012-0611-5**

For: 7; Absent: 1 - Luther Stueland

17. *Approve Licenses - Permits

A. [*Resolution to Approve Licenses – Permits](#)
2012-0611-E

B. [*Resolution to Approve Annual Liquor License Renewals](#)
2012-0611-F

18. Mayor and Council Reports

Minutes: Council Member Otto reported that the next "Bike Night in Moorhead" event will take place on Thursday, June 14.

Mayor Voxland reported that he recently attended a meeting in which it was reported that the City of Moorhead can expect a significant increase of refugee resettlement over the next 6-12 months.

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

Minutes: Michael Redlinger, City Manager, requested that the Mayor and Council adjourn the Council meeting to May 18, 2012 in order to consider a resolution related to the Oakport Township 2nd St. Pavement Project – Joint Powers Agreement.

A. [Authorize Submission of Application for DEED "Business Development Through Capital Projects" Grant Program](#)

Minutes: City staff clarified the following in response to Mayor and Council questions:

- Deadline for DEED grant submission is June 26, 2012.
- There is a 50% local match requirement. Application materials indicate that local matching funds can only be considered if they were expended since July 1, 2010.
- Local investment in the Moorhead Southside Regional Park project exceeds state local match requirements, but expenditures preceded the July 1, 2010 date. The City will need to ascertain whether the state will accept these costs toward the local match.
- DEED grant proposals are highly competitive statewide.
- A requirement for grant award is that the project is ready to start and can be completed in a timely manner.

The Mayor and Council stated the following:

- Another possible DEED grant proposal could incorporate a project at Bluestem Center for the Arts. Fargo Public Schools has indicated interest in constructing a set design studio and practice stage area at the facility.
- It was noted that the City has made significant financial investments toward the Bluestem facility including flood mitigation and street construction projects.
- Matson Field was proposed another possible DEED grant proposal.
- The Moorhead Public Service Transmission Line Project for service in MCCARA Industrial Park was proposed as another possible DEED grant proposal.

City staff was directed to explore all possible options and provide a recommendation for a DEED "Business Development Through Capital

Projects" Grant Proposal at the May 18 Adjourned Council meeting.

20. [Executive Session - Anda Litigation Proposed Settlement](#)

Motion to Approve made by Mark Altenburg and seconded by Brenda Elmer
Enter into Executive Session to discuss Anda Litigation Proposed Settlement
Motion Passed

For: 7; Absent: 1 - Luther Stueland

Minutes: City Council entered into Executive Session at 8:16 p.m.

City Council exited Executive Session at 8:49 p.m.

Motion to Approve made by Mike Hulett and seconded by Steve Gehrtz
Authorize the transfer of \$388,437 from the EDA Reserves for the purpose of the
Anda Litigation Proposed Settlement

Motion Passed: **2012-0611-6**

For: 7; Absent: 1 - Luther Stueland

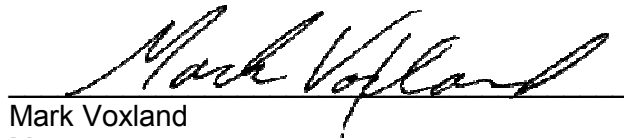
21. New Business

- A. *Resolution to Approve Plans and Specifications and Authorize Advertisement for Bids for Street Construction on 28th Ave. S from 20th to 26th St. Eng. No. 12-A2-3
2012-0611-G

Meeting adjourned to May 18, 2012.

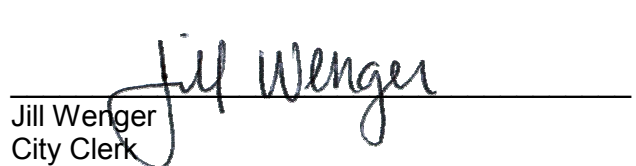
Meeting adjourned at 8:50 p.m.

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