

**City of Moorhead  
City Council Meeting  
Meeting Minutes  
March 12, 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 12, 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	Present
Mayor:	Mark Voxland	Absent

**City Council Meeting**

1. [Call to Order and Roll Call](#)
2. [Approve Minutes](#)
  - A. [January 20-21, 2012 \(City Council Retreat\)](#)
  - B. [October 17, 2011 \(Committee of the Whole\)](#)
  - C. [November 21, 2011 \(Committee of the Whole\)](#)

Motion to Approve made by Steve Gehrtz and seconded by Brenda Elmer  
**Approve Minutes of January 20-21, 2012 (City Council Retreat), October 17, 2011 (Committee of the Whole), and November 21, 2011 (Committee of the Whole)**

Motion Passed

For: 8

3. [Citizens Addressing the Council \(Time Reserved: 15 Minutes\)](#)

Minutes: James Van Raden, Moorhead resident, addressed the Moorhead City Council regarding a number of concerns related to the Moorhead Police Department.

4. [Agenda Amendments](#)

Minutes: No agenda amendments were noted.

5. [Consent Agenda](#)

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

Minutes: The following item was added to the Consent Agenda:

- #6.A - Resolution to Approve Appointment to Moorhead Airport Committee (Ward 3)

Motion to Approve made by Mark Altenburg and seconded by Brenda Elmer

**Approve Consent Agenda as amended**

Motion Passed

For: 8

6. Mayor and Council Appointments

- A. [\\*Resolution to Approve Appointment to Moorhead Airport Committee \(Ward 3\)](#)  
**Resolution 2012-0312-A**

**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. [\\*First 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 an Amendment to the 2009 Comprehensive Plan Addendum Future Land Use Map for Properties Between 8th-9th Street South and 30th Avenue and Belsly Blvd.](#)  
**Resolution 2012-0312-B**
8. [\\*First Reading of Ordinance No. 2012-6: An Ordinance Amending Title 1, Chapter 7 \(Planning Commission\)](#)  
**Ordinance 2012-6**
9. [\\*Resolution to Approve Minor Subdivision - Extraterritorial Jurisdiction](#)  
**Resolution 2012-0312-C**
10. [\\*Resolution Authorizing Property Listing Agreement \(11th Street & 1st Ave N\) with Coldwell Banker First Realty-Encore](#)  
**Resolution 2012-0312-D**
11. [\\*Resolution to Approve Issuance of Permit for Non-Temporary Use of MCM Walkway](#)  
**Resolution 2012-0312-E**

**Engineering - Wastewater Treatment**

12. [Consider Flood Mitigation Project A Alternative Alignment Allowing Retention of Certain Flood Acquisition Properties for In-place Re-sale. Eng. No. 11-A13-03A](#)

Minutes: Bob Zimmerman, City Engineer, provided a report regarding a proposed alternative alignment for Flood Mitigation Project A and clarified the following in response to Mayor and Council questions:

- It may be possible to accommodate the preservation of five properties near Flood Mitigation Project A
- City staff has received input from residents in the immediate area that they would prefer to preserve as many homes as possible.
- These five homes could be maintained and/or restored as necessary and listed for sale upon completion of Project A.
- The most significant risk associated with retention of the properties is that the projected post-project market value is largely unknown.
- If the properties are retained the City would pursue flood insurance for those properties.
- It may be possible to construct a home on a current vacant property on Riverview Circle.
- The City has acquired approximately 200 homes for flood mitigation projects. Previous projects have not identified properties for possible retention. It was unknown at the time of City acquisition that these properties could be retained.
- A trail system along the river corridor is possible; there may be opposition from homeowners.
- The proposed alternative levy alignment will add some costs to project construction, but the City will receive some return upon resale of the properties. All costs are expected to stay largely within the project budget.
- Certification of the levy system is dependent on whether it incorporates a continuous levy along the entire river corridor.
- If an alternative alignment is selected the City seek to mitigate possible impacts to the floodway. Analysis would be conducted by a consultant and reviewed by the Department of Natural Resources (DNR) for approval. The potential cost for mitigation is unknown.
- If properties are retained for resale, the City would maintain some type of easement for the levy structure written broadly enough to incorporate a possible trail system. Easement language would outline levy and mowing maintenance.
- There may be pieces of existing lots that would be intact following construction of the levy. These pieces could possibly be sold to adjoining properties. Sale of these properties would come before the Council for approval.

The Mayor and Council noted the following:

- It is preferred that the properties be retained to keep the neighborhood as intact as possible.

John Brummer, Moorhead resident, addressed the Mayor and Council regarding the neighborhood's interest in retaining homes in Riverview circle.

Motion to Approve made by Mike Hulett and seconded by Brenda Elmer  
**Consider Flood Mitigation Project A Alternative Alignment Allowing Retention of  
Certain Flood Acquisition Properties for In-place Re-sale. Eng. No. 11-A13-03A**  
Motion Passed: **Resolution 2012-0312-1**  
For: 8

### **Fire Department**

13. [\\*Resolution Authorizing the Donation of Used Self-Contained Breathing \(SCBA\) Equipment](#)  
**Resolution 2012-0312-F**

### **Operations Department**

14. [\\*Resolution to Call for Public Hearing for Installation of Boulevard Trees \(Project # 12-A13-1, 12-A13-2, 12-A13-3\)](#)  
**Resolution 2012-0312-G**
15. [\\*Resolution to Approve Budget Adjustment for Wash Bay Repairs at Joint Public Works Facility](#)  
**Resolution 2012-0312-H**

### **Moorhead Public Service**

16. [\\*Award Bids for 2012 Water Treatment and Wastewater Treatment Chemicals](#)  
**Resolution 2012-0312-I**
17. [\\*Award Bid for Furnishing 115kV Transmission Line Steel Structures](#)  
**Resolution 2012-0312-J**
18. [\\*Award Bid for Moorhead DOE Tap Substation Flood Mitigation Project](#)  
**Resolution 2012-0312-K**
19. [\\*Reject and Award Bid Item #2 for 2012 Electrical Materials](#)  
**Resolution 2012-0312-L**

### **Administration**

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

Minutes: Jill Wenger, City Clerk, provided a report regarding a proposed municipal redistricting plan and clarified the following in response to Mayor and Council questions:

- Per Council direction, Ward 1 has been reduced slightly in population to accommodate the future annexation of Oakport Tract 2.
- The greatest difference between any two wards in the proposed redistricting plan is 7.03%.
- The recommendations provided were based on election judge feedback received over the last several elections regarding polling

facility accommodations.

- City staff intends to utilize only the number of polling places necessary to adequately accommodate voting so as to reduce election costs.
- The precincts are numbered in consecutive order as a preference of City election staff.
- Polling locations would be established on MSUM and Concordia campus to accommodate voting for students living on campus.
- In Ward 1 larger venues are being used as polling sites to accommodate more voters.
- In Ward 2 the Moorhead Youth Hockey Arena will replace the Moorhead Sports Center as a polling location. Triumph will be used to accommodate more voters. Triumph is located outside of the precinct boundary.
- In Ward 3 the First Congregational Church will be used to accommodate more voters. It is located slightly outside of the precinct boundary.
- Ward 4 is divided into four separate precincts to accommodate three separate existing Clay County Commissioner Districts. The number of polling sites is reduced to two. Each polling site will serve two precincts. Larger venues are being used as polling sites to accommodate more voters. Precincts 9 & 12 will share a polling location and precincts 10 & 11 will share a polling location.
- Triumph is located in precinct 9 but actually serves Ward 2. The Council could elect to use Christ the King as a polling location for precinct 9, however it would require additional cost for election equipment, facility rental, and election judge staffing.
- All calculations to gauge polling site accommodations were based on U.S. Census data for residents that are age 18 or older and accounting for up to 75% voter turnout on Election Day (which is the Minnesota average).
- On March 19 there will be a public hearing to receive comments regarding municipal redistricting plans.
- On March 26 the Council will adopt a municipal redistricting plan.
- Redistricting information and resources are available on the City's website. Citizens can provide input at the public hearing or in writing to the City Clerk's Office. Public input will be aggregated and provided to the Mayor and City Council throughout the month.
- Given the numerous changes to ward and precinct boundaries, great efforts will be made in 2012 to provide notification to voters.

The following individuals addressed the Mayor and Council regarding their preference to retain the historic Comstock neighborhood as part of Ward 2:

- Deb White, Moorhead resident
- Donna McMaster, Moorhead resident

- John Sherman, Moorhead resident

The Mayor and Council noted the following:

- It is preferred that the Comstock neighborhood be retained in Ward 2.
- Current and proposed Moorhead Council members intend to represent the interests of the Comstock neighborhood as well as that of all Moorhead residents.

City staff was asked to follow-up with Ward 2 boundary adjustment inquiries prior to the March 19 public hearing.

Motion to Approve made by Brenda Elmer and seconded by Luther Stueland  
**First Reading of 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: 7; Against: 1 - Heidi Durand

21. Approve Licenses - Permits

- A. [\\*Resolution to Approve Licenses – Permits](#)  
**Resolution 2012-0312-M**

22. [Mayor and Council Reports](#)

Minutes: Council Member Otto provided a report on a recent meeting of the F-M Flood Diversion Board of Authority.

It was noted that a Moorhead member of the F-M Flood Diversion Board of Authority was not made aware that Fargo City Commissioners visited the North Dakota Congressional Delegation in Washington D.C. regarding the F-M Flood Diversion Project.

Michael Redlinger, City Manager, has requested that clarity be provided to Moorhead staff whether future meetings related to the F-M Diversion are considered part of the Diversion Authority or limited to that of the City of Fargo. All events and meetings germane to those on the F-M Flood Diversion Board of Authority will be communicated as they are received by City staff.

Redlinger clarified the following in response to Mayor and Council questions:

- The City Engineer will be responsible for a significant amount of Department of Natural Resources (DNR) work related to the Minnesota Environmental Impact Statement (MN EIS).
- City staff provides significant contributions of time toward the F-M Diversion Project. Through the current Limited Joint Powers Agreement the City of Moorhead does not have the authority to bill the Diversion Authority for staff time.
- A detailed accounting of Diversion Authority expenses are being recorded by finance staff.

- A cash flow analysis is currently being conducted to ascertain long-term financing of the F-M Diversion Project.
- The State of Minnesota is not able to provide definitive financial commitment toward the F-M Diversion Project until the MN EIS is completed.
- The current Limited Joint Powers Agreement will expire on September 30, 2012. After that time a new agreement would need to be negotiated.

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

Minutes: Michael Redlinger, City Manager, provided the following updates:

- Mayor Voxland is currently in Washington D.C. meeting with the Congressional Delegation regarding flood and transportation priorities.
- City staff has participated in developer outreach meetings to discuss the City's special assessment policy and how it relates to the metro area. Staff will bring back recommendations from the Home Builder's Association (HBA) to the Council by April.
- A new microsite has been developed at [projects.cityofmoorhead.com](http://projects.cityofmoorhead.com) dedicated to planned flood mitigation projects and a dedicated engineering staff member will act as a point of contact for residents.
- A Developer Summit date has not yet been set. It was recommended that the summit take place by the end of April.
- The ramp reconstruction at SE Main Avenue/CSAH 52 & I-94 remains on schedule.

24. [Executive Session](#)

A. Litigation

B. Labor Negotiations

Motion to Approve made by Mark Hintermeyer and seconded by Mark Altenburg  
**Enter into Executive Session to discuss a litigation matter regarding Southfield Investments LLC and discuss tentative AFSCME Labor Agreement.**

Motion Passed

For: 8

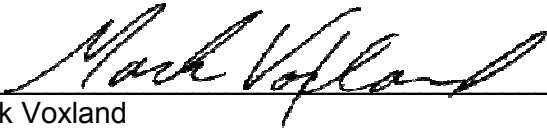
Minutes: The Mayor and Council entered Executive session at 7:44 p.m. and returned at 8:24 p.m.

It was reported that the tentative AFSCME Council 65, Local 1450 Collective Bargaining Agreement contains programmed step increases and a 0% COLA increase for 2012 (1-year agreement).

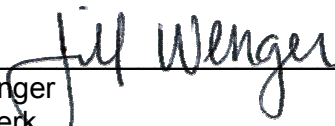
Motion to Approve made by Mark Hintermeyer and seconded by Mike Hulett  
**Resolution to Approve Tentative AFSCME Labor Agreement**  
Motion Passed: **Resolution 2012-0312-2**  
For: 8

Meeting adjourned at 8:26 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*