

**City of Moorhead  
Committee of the Whole  
Meeting Minutes  
January 22, 2013 at 5:30 PM  
City Hall Council Chambers**

Pursuant to due call and notice thereof, a regular meeting of the Committee of the Whole was held in the City Hall Council Chambers, on January 22, 2013, 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 |
| Mayor:                   | Mark Voxland     | 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 |

**Committee of the Whole Meeting**

1. **Consider Ordinance Establishing Urban and Rural Taxing Districts**

Minutes: City Attorney John Shockley explained that this ordinance was a result of a recent detachment petition. The Administrative Law Judge advised the City to consider such an ordinance as provided by Minnesota State Statutes. As vacant farmland, such properties do not receive customary City services. Under the Rural Taxing District, if the property is developed in the future, it will change back to the urban designation. Parcels that qualify for the Rural Taxing District are defined by law, and if the parcel meets the criteria, it is included.

- City Planner Kristie Leshovsky stated that if the Ordinance is implemented, it would only apply to municipal taxes, not school district or county taxes. The Ordinance would affect 1,068 acres, or 13% of the land within the City limits. Detachment proceedings are governed by Minnesota Statute 414.06 which lists five criteria for the property: 1) it is rural in character and is not developed; 2) it is located within the City limits; 3) the change would not unreasonably affect the symmetry of abutting property; 4) the property is not needed for future development; and, 5) the City can continue to function without the parcel.

At questions from the City Council, staff clarified the following:

- If this Ordinance is not passed, there may be other landowners who chose to petition for detachment.
- Oakport Township properties have not been analyzed for possible rural designation, but will be before orderly annexation occurs in 2015.
- The City will continue to receive the same amount of revenue, but tax burden will shift from rural to urban property at present levy rate.
- The change does not affect any special assessments on the property.
- Minimum City services are continued to the property.
- There are no limits on the size of the parcel affected, but such limits could be added at Council's discretion.
- Minnesota State Statute requires a 30-day period before first reading of the ordinance.

2. [Discuss Metropolitan Area Adult Entertainment Ordinance](#)

Minutes: Police Chief David Ebinger explained that over last several months, law enforcement has seen a significant increase in prostitution, not only in Moorhead, but throughout the area from Minneapolis to western North Dakota. Many cities are now considering ordinances regulating adult entertainment. This is not an attempt to stop legal activities, but rather it will protect the legal activities. The ordinance would require licensure of adult entertainment providers, which would include a background check, verification of name and age, and payment of a license fee. The ordinance will help prevent illegal activity such as prostitution, human trafficking, and abuse, especially of underage persons.

This is a metro-wide initiative so that an ordinance of one city does not force the problem onto another city.

City Attorney John Shockley stated that this ordinance differs from other City ordinances in that it does not hinge on zoning areas. The purpose of this was to separate out First Amendment and zoning issues, so there were no legal challenges.

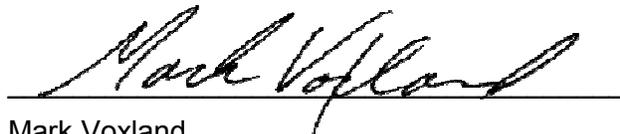
City staff clarified the following in response to Mayor and Council questions:

- While addressing this issue may be perceived as tacit approval of these activities, the intent is not to regulate legal activities, but rather to expose illegal activity and stop it.
- The ordinance would make it a misdemeanor to engage in activities that are regulated without a license.
- The City Council can set the license fee at any level it feels is appropriate that is commensurate with the service provided. The fee will be included with the City's fee schedule and approved by ordinance.

Consensus of the City Council was to bring the ordinance forward for first consideration at the next Council meeting.

The meeting adjourned at 6:28 p.m.

APPROVED BY:



Mark Voxland  
Mayor

ATTEST:



Becky Jahnke  
Deputy City Clerk

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

*Respectfully submitted by:*  
*Becky Jahnke, Deputy City Clerk*