

**City of Moorhead
City Council Meeting
Meeting Minutes
June 25, 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 25, 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 Gehertz	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. [Coalition of Greater Minnesota Cities \(CGMC\) Presentation - J.D. Burton, Flaherty & Hood, P.A.](#)

Minutes: J.D. Burton, Flaherty & Hood, provided a 2012 Legislative Update and clarified the following in response to Mayor and Council questions:

- There are several groups working independently to evaluate the Local Government Aid (LGA) formula and provide recommendations to the Minnesota Legislature. Representatives from the Coalition of Greater Minnesota Cities (CGMC) are involved.
- The Greater Minnesota Business Development Public Infrastructure (BDPI) Grant is a program through the Department of Employment and Economic Development (DEED). It is a unique grant opportunity due to the rolling application deadline. Cities are allowed to submit an application if the project meets the criterion. It is anticipated that \$2.4M in funds are remaining for allocation.

B. [Convoy of Hope Red River Valley Presentation - Gregg Tahee](#)

Minutes: Gregg Tahee presented information related to Convoy of Hope, a citywide outreach event which will take place on June 30, 2012 in Moorhead.

3. [Approve Minutes](#)

A. [May 29, 2012 \(City Council\)](#)

Motion to Approve made by Nancy Otto and seconded by Heidi Durand

Approve Minutes of May 29, 2012 (City Council)

Motion Passed

For: 8

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

Minutes: No citizens addressed the Mayor and Council.

5. [Agenda Amendments](#)

Minutes: No agenda amendments were noted.

6. [Consent Agenda](#)

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

Minutes: The following items were removed from the Consent Agenda:

- #15 – Resolution to Award Bid for the 20th St & 40th Ave S Pedestrian Underpass Project. Eng. No. 11-2-1
- #19 – Resolution to Approve Council Rules of Procedure
- #20 – Resolution to Approve Request for Proposals - City Website Redesign

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

Approve Consent Agenda

Motion Passed

For: 8

7. [Mayor and Council Appointments](#)

Public Hearings (5:45 p.m.)

8. [Public Hearing Regarding the Request of Timber Ridge LLP for Property Tax Exemptions](#)

A. [Resolution to Approve Property Tax Exemption for Timber Ridge LLP](#)

Minutes: Public hearing opened at 6:00 p.m.

Peter Doll, Development Services Manager, provided an overview of the Timber Ridge property tax exemption request.

No citizens addressed the Mayor and Council.

Public hearing closed at 6:02 p.m.

Motion to Approve made by Steve Gehrtz and seconded by Nancy Otto
Resolution to Approve Property Tax Exemption for Timber Ridge LLP
Motion Passed: **Resolution 2012-0625-1**
For: 8

9. [Public Hearing - Easement Vacation \(Lot 4, Block 5 Village Green Sixth Addition\)](#)

Minutes: Public hearing opened at 6:03 p.m.

No citizens addressed the Mayor and Council.

Public hearing closed at 6:04 p.m.

A. [Resolution to Approve Easement Vacation](#)

Motion to Approve made by Nancy Otto and seconded by Luther Stueland
Resolution to Approve Easement Vacation
Motion Passed: **Resolution 2012-0625-2**
For: 8

Community Services Department

10. [*Consider Actions Related to Rezoning of Properties Between 10th and 13th Avenues North and 14th and 17th Streets North from Residential Low Density -2 to Residential Low Density -3](#)

A. [*Second Reading of Ordinance No. 2012-11](#)
Ordinance 2012-11

B. [*Resolution to Approve Title and Summary of Ord. No. 2012-11](#)
Resolution 2012-0625-A

Engineering - Wastewater Treatment

11. [*Resolutions to Approve MnDOT Agreements for 28th Ave S from 20th to 26th St. Eng. No. 12-2-03](#)

A. [*Resolution to Approve Railroad Work Force Account Agreement](#)
Resolution 2012-0625-B

B. [*Resolution to Approve Cooperative Construction Agreement](#)
Resolution 2012-0625-C

12. [*Resolution to Approve an Agreement with the Buffalo-Red River Watershed District for Operation & Maintenance of Oakport Flood Mitigation Project Stormwater Lift Stations](#)
Resolution 2012-0625-D

13. [*Resolution to Award Bid for the 40th Ave S & River Oaks Circle Area Flood Pump Station & Levee. Eng. No. 11-A13-2E](#)
Resolution 2012-0625-E

14. [*Resolution to Award Bid for the 2012 Levee & Sluice Gates Flood Mitigation Project.](#)

[Eng. No. 11-A13-2B](#)

Resolution 2012-0625-F

15. [Resolution to Award Bid for the 20th St & 40th Ave S Pedestrian Underpass Project. Eng. No. 11-2-1](#)

Minutes: Concern was noted regarding the use of Minnesota State Aid (MSA) funds for the purposes of this project.

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

Resolution to Award Bid for the 20th St & 40th Ave S Pedestrian Underpass Project. Eng. No. 11-2-1

Motion Passed **Resolution 2012-0625-3**

For: 7; Against: 1 - Luther Stueland

Moorhead Public Service

16. [*Resolution Providing for the Negotiated Sale of \\$6,370,000 Public Utility Revenue and Refunding Bonds, Series 2012E](#)

Resolution 2012-0625-G

Administration

17. [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](#)

Minutes: Jill Wenger, Assistant City Manager, provided an overview of the proposed ordinance as recommended by the Moorhead Charter Commission. City staff clarified the following in response Mayor and Council questions:

- The City Council has the authority to enact an ordinance which would provide for the orderly transition of elected officials' terms from odd-to even-numbered years. This orderly transition ordinance could be determined at a separate time.
- If the proposed amendment fails, the Charter could elect to bring forward this proposal again, or offer a different proposal related to General Elections in the future.

The Mayor and Council stated the following:

- It is preferred that the odd year City General Election be retained due to its focus on City issues, non-partisan make-up, and because voters are more informed.
- It was noted that voters are not necessarily more informed during an odd year.

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

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

Motion Failed

For: 1 - Luther Stueland; Against: 7

18. [Resolutions Approving Issuance of Tax-Exempt Health Care Revenue Bonds](#)

A. [Resolution Approving Issuance of Tax-Exempt Health Care Revenue Bonds for EverCare Senior Living LLC](#)

Minutes: John Shockley, City Attorney, provided an overview of the resolution to issue \$10M in Refunding Revenue Bonds. Issuance will not impact the City's credit rating and the City will have no obligation to pay for the bonds. Cities commonly act as a conduit for nonprofit organizations to enter the tax exempt bond market.

Motion to Approve made by Brenda Elmer and seconded by Mark Altenburg
Resolutions Approving Issuance of Tax-Exempt Health Care Revenue Bonds

Motion Passed: **Resolution 2012-0625-4**

For: 8

B. [*Resolution Approving Issuance of Tax-Exempt Health Care Revenue Bonds by the Moorhead EDA for EverCare Senior Living LLC](#)

Resolution 2012-0625-H

19. [Resolution to Approve Council Rules of Procedure](#)

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

- Section 8.1, paragraph 2 does not prohibit discussion of the Council and the Council could take action if the matter necessitates.
- City Council agenda packets are typically published on Thursdays. There have been some occasions where agendas have been published on Fridays due to City staff schedules and meeting commitments
- City staff makes every effort to include all possible agenda items in order for the Council to consider the item as quickly as possible.
- As long as proper public notice of City Council meetings is provided, agenda items can be added at any time.
- From the perspective of City staff workflow, Mondays are the optimal day of the week for City Council meetings.

The Mayor and Council stated the following:

- It is preferred that Council Members be allowed the discretion to determine if an emailed inquiry to City staff is copied to another Council Member.
- It is preferred that Council Members retain the ability use electronic communications technology to communicate with members of the public during a public meeting in order to remain in contact with family members or others if needed.
- Concern was noted regarding the short timeframe in which the

Council agenda is published to the City's website and available for preview by members of the public.

- It was noted that members of the Council can table agenda items if they need additional time or information prior to vote.
- It was noted that in times of rapid development or emergency situations it may be very difficult for City staff to comply with an earlier agenda publication deadline.
- It was noted that a draft agenda or an agenda in which agenda items are added at the last minute would not provide a thorough document for public review.

Motion to Amend made by Mark Altenburg and seconded by Mark Hintermeyer
Amend Council Rules of Procedure section 2.1 by striking sentence 3, paragraph 4, "A Council Member should not copy...Members of the City Council" and by striking the phrase "members of the public" from sentence 1, paragraph 5.
Amendment Passed

For: 8

Motion to Amend made by Brenda Elmer and seconded by Luther Stueland
Amend Council Rules of Procedure section 2.1 by adding the following as sentence 2, paragraph 3, "Draft agendas must be published at least two business days in advance of a Council meeting."
Amendment Passed

For: 6; Against: 2 – Nancy Otto, Heidi Durand

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

Resolution to Approve Council Rules of Procedure as amended

Motion Passed: **Resolution 2012-0625-5**

For: 8

20. [Resolution to Approve Request for Proposals - City Website Redesign](#)

Minutes: The Mayor and Council stated the following:

- It is preferred that the City spend more time on structural reforms that spend little to no money.
- A website update is needed and will provide the tools to support mobile technology applications.
- It was noted that City materials should inform citizens about all the ways in which they can find City information including website, phone, and in person.

City staff noted that current microsites will be incorporated into the redesigned City website through links that will be easily navigated by the public.

Motion to Approve made by Mark Altenburg and seconded by Brenda Elmer
Resolution to Approve Request for Proposals - City Website Redesign

Motion Passed: **Resolution 2012-0625-6**

For: 7; Against: 1 - Luther Stueland

21. *Approve Licenses - Permits

A. [*Resolution to Approve Licenses – Permits](#)
Resolution 2012-0625-I

22. [Mayor and Council Reports](#)

Minutes: Council Member Altenburg provided a report on a recent meeting of the Clay County Collaborative Board of Directors and the Senator Keith Langseth retirement dinner.

Council Member Gehrtz and Council Member Hintermeyer provided a report on a recent meeting of the Economic Development Authority.

Council Member Hintermeyer reported that the Moorhead Public Service (MPS) Commission has indicated some interest in establishing a Communications Specialist position shared by the City and MPS.

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

Minutes: Michael Redlinger, City Manager, reported that the Department of Employment and Economic Development (DEED) Capital Projects Grant Program deadline has been extended to July 9.

A. [OSA Performance Measurement Program Report](#)

Minutes: Michael Redlinger, City Manager, provided an overview of the Office of the State Auditor (OSA) Performance Management Program and clarified the following in response to Mayor and Council questions:

- The City has until July 1 to declare adoption of OSA's ten performance measures.
- Implementation is not required, but the City could receive approximately \$5,300 in additional Local Government Aid (LGA), payable 2013, if the measures are adopted.
- A survey instrument would be developed to measure performance standards. The Council could elect to survey citizens on topics beyond the required OSA questions if desired.

The Mayor and Council stated the following:

- It was noted that the City could work with local colleges to develop a survey instrument.
- Concern was noted whether the survey results will be used by the Minnesota Legislature for future LGA allocation/reduction decisions.
- It was noted that some performance measures do not require a survey instrument and can be easily determined by data already available to the City.
- It was noted that citizen feedback is always welcomed.
- It was noted that survey data should be statistically significant in order for it to be valuable.

Motion to Approve made by Mark Altenburg and seconded by Mark Hintermeyer
Resolution to Approve Participation in the OSA Performance Measurement Program

Motion Passed: **Resolution 2012-0625-7**

For: 6; Against: 2 - Luther Stueland, Steve Gehrtz

B. [Discuss Future Town Hall Meeting](#)

Minutes: The Mayor and Council determined that a Town Hall Meeting will be scheduled on the 5th Monday in October to provide citizens an opportunity to provide input into the Council's budget process.

24. [Executive Session - Labor Negotiations Update](#)

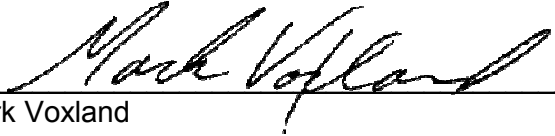
Motion to Approve made by Mark Altenburg and seconded by Nancy Otto
Enter Into Executive Session to receive a Labor Negotiations Update
Motion Passed

For: 8

Meeting adjourned to July 16, 2012.

Meeting adjourned at 7:52 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