

**City of Moorhead
City Council Meeting
Meeting Minutes
November 13, 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 November 13, 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
Mayor:	Mark Voxland	Present (Absent from 7 pm to 8 pm)
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

City Council Meeting

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

2. Recognitions - Presentations

A. [Recognition: Representative Morrie Lanning \(District 9A\)](#)

Minutes: Mayor Voxland recognized Morrie Lanning and thanked him for his years of service in the Minnesota Legislature.

B. [Veteran's Appreciation Day Proclamation](#)

Minutes: Mayor Voxland presented a proclamation recognizing Veteran's Appreciation Day.

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

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 Mark Altenburg and seconded by Nancy Otto

Motion to Approve Consent Agenda as Amended

Motion Passed

For: 8

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

- #8 – Approve 2013 Community Development Block Grant Budget/Action Plan and Authorize Submission to U. S. Department of Housing and Urban Development
- #11 - Resolution to Approve Leasing City Owned Agricultural Land
- #12 - Resolution to Approve Change Order #9 for the River Haven Road Flood Mitigation Project, Phase 2. Eng. No. 09-A13-2B
- #14 - Resolution to Reject Bids and Authorize Re-Advertisement for Bids for Underground Utilities in Johnson Farms 3rd Addition. Eng. No. 12-A6-3
- #20 - Resolution to Approve One-Year Option Extending Legal Services Agreement with Ohnstad Twichell, P.C.
- #21 - Resolution to Approve First Reading of Ordinance No. 2012-18: An Ordinance Adopting the 2013 Fee Schedule
- #22 - Resolution to Approve Budget Adjustment to Purchase Software for Rental Housing and Code Enforcement
- #24 - Consider Actions Related to 2012 Tax Forfeited Lots

6. [Mayor and Council Appointments](#)

Minutes: No appointments at this time.

[Public Hearings \(5:45 p.m.\)](#)

7. [Public Hearing: 2012 Enterprise Zone Program](#)

A. [Resolution to Approve 2012 Enterprise Zone Program](#)

Motion to Approve made by Nancy Otto and seconded by Mike Hulett

Motion to Approve Resolution to Approve 2012 Enterprise Zone Program

Motion Passed: **Resolution 2012-1113-1**

For: 8

Minutes: Amy Thorpe, Community Services Planner, provided an update regarding the 2012 Enterprise Zone Program.

Council Member Hulett stated that it's important to emphasize that the City of Moorhead has received \$15,190,545 in State-paid allocations since 1983. 160 businesses representing approximately 2,500 full-time employees and 487 part-time employees have benefitted from the program.

Community Services Department

8. [Approve 2013 Community Development Block Grant Budget/Action Plan and Authorize Submission to U. S. Department of Housing and Urban Development](#)

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto
Motion to Approve 2013 Community Development Block Grant Budget/Action Plan and Authorize Submission to U. S. Department of Housing and Urban Development

Motion Passed: **Resolution 2012-1113-2**
For: 8

Minutes: Lisa Vatnsdal, Neighborhood Service Manager, provided a brief update on the 2012 Dorothy Day funding.

- Appraisal has been presented to the owner of property that may be converted to additional parking.
- Relocation Specialist Gary Bock is working with the homeowner to calculate federal relocation benefits.

Council Member Durand asked if there are any funds available to improve Bennett Park. Lisa Vatnsdal announced that the equipment was purchased with CDBG funds and vandalism needs to get under control.

Council Member Gehrtz requested midyear funding updates be available in the future.

Barbara Sipson, resident, expressed her concern that Dorothy Day was not in the budget and the City needs to make sure that staff time is approved to provide information for the program. She would also like to see future CDBG funding discussed at a Committee of the Whole meeting.

9. [*Consider Actions Related to Prairie Meadows 4th Addition](#)

A. [*Resolution to Approve Final Plat](#)
Resolution 2012-1113-A

B. [*Resolution to Approve Developer's Agreement](#)
Resolution 2012-1113-B

10. [*Resolution to Approve Minor Subdivisions \(2706 and 2708 River Dr. N.\)](#)
Resolution 2012-1113-C

11. [Resolution to Approve Leasing City Owned Agricultural Land](#)

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto
Motion to Approve Resolution to Approve Leasing City Owned Agricultural Land

Minutes: Council Member Stueland felt that the City of Moorhead has an asset that does not need to be held in the future.

Council Member Gehrtz stated that the EDA Board felt that it was nice to

have the asset in the City's hands in the event that a business would like to develop and the City can then sell it at a competitive price.

Council Member Elmer also voiced concern about the amount of property owned by the City, but acknowledges the improvements being made on lease terms and marketing.

Motion Passed: **Resolution 2012-1113-3**
For: 7; Against: 1 - Luther Stueland

Engineering - Wastewater Treatment

12. [Resolution to Approve Change Order #9 for the River Haven Road Flood Mitigation Project, Phase 2. Eng. No. 09-A13-2B](#)

Motion to Approve made by Mark Altenburg and seconded by Brenda Elmer
Motion to Approve Resolution to Approve Change Order #9 for the River Haven Road Flood Mitigation Project, Phase 2. Eng. No. 09-A13-2B

Minutes: Council Member Gehrtz previously discussed maintenance on the right-of-way.

Council Member Elmer noted the residents of this area have been impacted since 2009.

Council Member Gehrtz stated that before voting on the change order he would like to know how we propose to handle items like this in the future.

Motion to Table made by Steve Gehrtz and seconded by Mark Altenburg
Motion to Table Resolution to Approve Change Order #9 for the River Haven Road Flood Mitigation Project, Phase 2. Eng. No. 09-A13-2B

13. [*Resolution to Approve Master Partnership Contract with MnDOT](#)
Resolution 2012-1113-D

14. [Resolution to Reject Bids and Authorize Re-Advertisement for Bids for Underground Utilities in Johnson Farms 3rd Addition. Eng. No. 12-A6-3](#)

Motion to Approve made by Steve Gehrtz and seconded by Nancy Otto
Motion to Approve Resolution to Reject Bids and Authorize Re-Advertisement for Bids for Underground Utilities in Johnson Farms 3rd Addition. Eng. No. 12-A6-3

Motion Passed: **Resolution 2012-1113-4**
For: 8

Minutes: Council Member Gehrtz inquired about the rebidding process and costs associated.

John Shockley, City Attorney, stated that the Developer was requested to provide a cash deposit by October 22nd. However, the Developer determined that it would be better to wait until the spring and cancel the project for this fall.

Council Member Hintermeyer suggested that the City re-evaluate what is appropriate for future financial security policies.

15. [*Resolution to Approve a Budget Adjustment and Engineering Services Agreement for Consultant Assistance with Traffic Control Requests](#)
Resolution 2012-1113-E

Fire Department

16. [*Resolution to Accept Grant Award from Minnesota Board of Firefighter Training and Education and the Fire Service Advisory Committee](#)
Resolution 2012-1113-F
17. [*Resolution to Approve Budget Adjustment for the Fire Department Overtime Account for Pactiv Fire and Firewatch Service](#)
Resolution 2012-1113-G

Police Department

18. [*Resolution to Accept Donation to K-9 Unit Replacement](#)
Resolution 2012-1113-H

Administration

19. Approve Licenses - Permits
 - A. [*Resolution to Approve Licenses – Permits](#)
Resolution 2012-1113-I
20. [Resolution to Approve One-Year Option Extending Legal Services Agreement with Ohnstad Twichell, P.C.](#)

Motion to Approve made by Mark Altenburg and seconded by Mike Hulett
Motion to Approve Resolution to Approve One-Year Option Extending Legal Services Agreement with Ohnstad Twichell, P.C.

Minutes: Michael Redlinger, City Manager, stated that a formal Request for Proposals (RFP) process was conducted in the fall of 2011 for 2012 legal services. The approved agreement contains two, one-year options to extend the term of the Legal Services Agreement with Ohnstad Twichell, P.C. in 2013 and 2014.

Motion Passed: **Resolution 2012-1113-5**
For: 8

21. [Resolution to Approve First Reading of Ordinance No. 2012-18: An Ordinance Adopting the 2013 Fee Schedule](#)

Motion to Approve made by Heidi Durand and seconded by Nancy Otto
Motion to Approve Resolution to Approve First Reading of Ordinance No. 2012-18: An Ordinance Adopting the 2013 Fee Schedule

Minutes: Council Member Hulett asked if the City should assess higher fees for

property owners who do not want to maintain the properties.

Discussion occurred regarding the Neighborhood Services fees.

Council Member Otto would like to look at property maintenance standards along City corridors.

Council Member Durand would like to know what other communities are doing with sanitation fees for partial year residents, such as snowbirds.

Council Member Stueland stated that Fargo does not have a rental registration program and questioned whether it was necessary for Moorhead. He provided a concept to amend the motion to increase mass transit fees to include the following: Adult: \$2; Elderly/Disables/Child \$1; Prepaid Same as Cash; Monthly Pass – Adult \$45; Elderly/Disabled/Child \$30; 14-Day Pass – All Customers \$25; 4-Day Pass \$12.

Council Member Otto inquired if a public hearing is required to increase mass transit fare. Michael Redlinger stated that he would need to confer with Lori Van Beek, Transit Manager, on this question.

Council Member Durand stated that the increase in fees would create significant hardship for those who use it.

Council Member Elmer suggested coordinating with our other partners.

Motion to Approve made by Luther Stueland and seconded by Heidi Durand
Motion to Amend Resolution to Approve First Reading of Ordinance No. 2012-18: An Ordinance Adopting the 2013 Fee Schedule as amended to include Adult: \$2; Elderly/Disables/Child \$1; Prepaid Same as Cash; Monthly Pass – Adult \$45; Elderly/Disabled/Child \$30; 14-Day Pass – All Customers \$25; 4-Day Pass \$12.

Motion Failed

Motion Passed

For: 7; Against: 1 - Luther Stueland

22. [Resolution to Approve Budget Adjustment to Purchase Software for Rental Housing and Code Enforcement](#)

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

Motion to Approve Resolution to Approve Budget Adjustment to Purchase Software for Rental Housing and Code Enforcement

Motion Passed **Resolution 2012-1113-6**

For: 7; Against: 1 - Luther Stueland

Minutes: Council Member Stueland stated that the idea is to make it more efficient code enforcement but he would like to see less of this. Safety, fires and risks still exists in properties currently in the rental registration program. People make the choice on how much they would pay for safety.

Council Member Altenburg informed City Council that he fully supports this program as more people are living in rental properties. He stated that the

City of Moorhead regulates business and landlords are a business.

Council Member Elmer stated that she would like this software to be based on property maintenance code.

Council Member Otto suggested putting an article in the *City Insights* once the software is implemented.

Council Member Altenburg and Council Member Durand will be talking to the MSUM Student Senate.

23. [*Resolution to Approve the Lateral Adjustment of the City's FTE's in the Operations Division](#)
Resolution 2012-1113-J

24. [Consider Actions Related to 2012 Tax Forfeited Lots](#)

Motion to Approve made by Steve Gehrtz and seconded by Mark Altenburg
Motion to Approve Resolution to Consider Actions Related to 2012 Tax Forfeited Lots

Motion Passed **Resolution 2012-1113-7**
For: 8

Minutes: John Shockley, City Attorney, suggested approving the parcels for public auction, or auction to adjacent landowners or requests a conveyance for public use.

- Executive Session will be held to discuss pricing strategies and procedure.

Council Member Hintermeyer suggested setting a process that won't negatively impact the private market.

25. [Mayor and Council Reports](#)

Minutes: Council Member Durand suggested that the City upgrade Bennett Park.

Council Member Altenburg provided a report that Senator-elect Eken and Representative-elect Lien are willing to visit with the City Council prior to the start of the Legislative Session.

Council Member Hulett thanked the Assistant City Manager and City Clerk for the outstanding work on the 2012 General Election.

Council Member Otto provided report from the Finance Committee of the FM Diversion Authority.

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

Minutes: Michael Redlinger, City Manager, stated that the City Council will adjourn this meeting to next week for the Executive Session and include the

engineering item that was tabled to get further clarification. It was stated that the November 26th City Council meeting will also include a discussion on the Bluestem contract for deed matter.

A. [Economic Development Outreach Update](#)

Minutes: Michael Redlinger, City Manager, gave a brief recap from the October 29, 2012 City Council Meeting discussion.

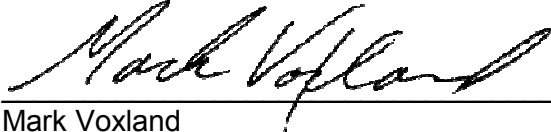
- Discussion occurred regarding the Business Development/recruitment of the new position and provided a budget plan.
- The City Council thanked the City Manager for the presentation and plan.

27. [New Business](#)

Minutes: Council Member Otto stated that it looks like the developer of the proposed tax credit housing on 1st Ave. N. did not receive development assistance from Minnesota Housing for his project.

Meeting adjourned at 8:10 p.m.

APPROVED BY:



Mark Voxland
Mayor

ATTEST:



Michelle French
City Clerk

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

Respectfully submitted by:
Michelle French, City Clerk