



**City of Moorhead  
City Council Meeting  
Meeting Minutes  
May 29, 2018 at 5:30 PM  
City Hall Council Chambers**

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Pursuant to due call and notice thereof, a regular meeting of the City Council Meeting was held in the City Hall Council Chambers, on May 29, 2018, at 5:30 PM.

**Roll call of the members was made as follows:**

1st Ward Council Member:	Mari Dailey	Present
1st Ward Council Member:	Sara Watson Curry	Present (Note: exited chambers during portion of item #10)
2nd Ward Council Member:	Melissa Fabian	Present
2nd Ward Council Member:	Heidi Durand	Present
Mayor:	Del Rae Williams	Present
3rd Ward Council Member:	Joel Paulsen	Absent
3rd Ward Council Member:	Brenda Elmer	Present (Note: arrived at 6:38 pm during item #10)
4th Ward Council Member:	Steve Gehrtz	Present (Note: exited chambers during item #20)
4th Ward Council Member:	Chuck Hendrickson	Present

**City Council Meeting**

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Agenda Amendments

Minutes: Mayor Williams indicated that the following item will be considered by the City Council at 6:45 pm or later, “#20 - Resolution to Approve Lease Agreement between the City of Moorhead and Moorhead Youth Hockey Association (MYHA).”

4. Consent Agenda

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

Minutes: Mayor Williams announced that the following item was incorrectly placed on the consent agenda and would be removed, “#24 - Resolution to Approve Memorandum of Understanding with IAFF, Local 1323 Regarding Hazardous Materials Response Team.”

Motion to Approve made by Heidi Durand and seconded by Mari Dailey

**Motion to Approve the Consent Agenda as amended**

Motion Passed

For: 6; Absent: 2 – Joel Paulsen, Brenda Elmer

5. Recognitions - Presentations

A. [Presentation of Police Officers Who Have Successfully Completed the City of Moorhead Police Department Field Training Program](#)

Minutes: David Ebinger, Chief of Police, introduced the following officers who have recently completed the Department's Field Training Officer Program: Jordan Werk, Eric Zimmer, Jessica Horn, and Anastacia Hermes. Officers Michael Fildes and John (Laddie) Bata were introduced as the newest trainers of the Department's Field Training Officer Program. Chief Ebinger also announced the recent promotion of Joel Voxland to the position of Sergeant.

B. [One Vegetable One Community Proclamation - Clay County Extension](#)

Minutes: Mayor Williams presented a proclamation naming "Garden Beets" as the vegetable of the year.

C. [Proclamation - World Recycling Day, June 5, 2018: A Day Without Plastic Bag Pollution](#)

Minutes: Mayor Williams presented a proclamation announcing June 5, 2018 as, "a day without plastic bag pollution" in the City of Moorhead.

6. Approve Minutes

A. May 14, 2018 City Council Meeting

Minutes: A correction was noted under agenda item #10 – Legislative Strategy Discussion. The date should read, "November 27, 2017."

Motion to Approve made by Steve Gehrtz and seconded by Mari Dailey

**Motion to Approve May 14, 2018 City Council Meeting Minutes as amended**

Motion Passed

For: 6; Absent: 2 – Joel Paulsen, Brenda Elmer

7. Citizens Addressing the Council (Time Reserved: 15 Minutes)

Minutes: No citizens addressed the Council.

8. Mayor and Council Appointments

A. \*Resolution to Approve Board/Commission Appointment  
**Resolution 2018-0529-A**

**Public Hearings (5:45 p.m.)**

9. Public Hearing Regarding the Request of T&M Graham Management Inc. for Property Tax Exemption for a Multi-Family Residential Project Located at 1601 8 St S (and two adjacent parcels to the west)

Minutes: Public hearing opened at 5:50 pm.

Cindy Graffeo, Executive Director of Economic Development Authority, provided an overview of the project.

Four citizens were heard regarding their concerns with the project.

Matt Bosch, Rock Development, spoke in support of the project and stated that their company will be developing the multi-family residence located at 1601 8 St S, Moorhead.

Public hearing closed at 6:23 pm.

It was noted that the project meets all requirements for tax exemption eligibility.

- A. Resolution to Approve a Property Tax Exemption for T&M Graham Management Inc. for a Project Located at 1601 8 St S (and two adjacent parcels to the west)

Motion to Approve made by Steve Gehrtz and seconded by Melissa Fabian  
**Motion to Approve Resolution to Approve a Property Tax Exemption for T&M Graham Management Inc. for a Project Located at 1601 8 St S (and two adjacent parcels to the west)**

Motion Passed **Resolution 2018-0529-1**  
For: 6; Absent: 2 – Joel Paulsen, Brenda Elmer

10. [Public Hearing - SE Main Ave/20 St/21 St Railroad Grade Separation Project. Eng. No. 02-02-02](#)

Minutes: Public hearing opened at 6:27 pm.

Bob Zimmerman, City Engineer, provided a slide presentation on the proposed project and potential funding considerations. Mr. Zimmerman noted that the current project bid is valid for only 60 days. If the City chooses to re-bid project construction, there would be significant cost inflation and increase to project completion length.

John Shockley, City Attorney, stated that he and the City Engineer have thoroughly examined the assessment district and have expanded the district outline to include the maximum benefitting area. Mr. Shockley does not recommend extending the assessment district any further.

City Attorney Shockley explained that special assessments in the state of Minnesota assess 20% to the assessment district. Moorhead consistently proposes 20% to be assessed for these types of projects. The other 80% is spread across the rest of the City through issuance of a general obligation bond utilizing tax levy. Thus, the majority of the project cost would be borne by all the taxpayers in the City. Comparatively, in the state of North Dakota, oftentimes 100% of the assessed cost is attributed to the assessment district.

City Attorney Shockley stated that approval of the resolution will not set the actual assessment amount. Approval is only preserving the City's ability to assess in the future, if necessary. The resolution sets the maximum ceiling

for a future assessment. Without final project cost numbers it is hard to know the precise assessment amount. The City will continue to work toward minimizing project costs in order to reduce or eliminate special assessments.

Several citizens address the Mayor and Council stating they are not supportive of the proposed specials assessment district area.

Two individuals addressed the Mayor and City Council stating they are supportive of the project, but would like the City to seek ways to reduce assessment costs.

Public hearing closed at 7:40 pm.

City Attorney Shockley stated that if a district is determined to be too big, it can be legally challenged, putting the City at risk for litigation costs and the ability to finance the project. Based on the geography of City, the assessment district area is currently at the maximum boundary.

City Engineer Zimmerman stated that of the approximately 3,400 properties in the assessment district, most are single family properties and have relatively small acreage. The City Council may want to consider this before setting the assessment amount later on in the process.

Council Member Gehrtz spoke about the complexity of the project and believes there are still avenues to reduce costs before assessment numbers are finalized. Approval of the resolution would keep the City's options open.

Council Member Fabian asked if there were opportunities to tap into grant funding resources for portions of the project.

Mayor Williams noted that the City Council would be voting on this matter at its June 4, 2018 meeting.

11. [Public Hearing to Consider an Amendment to the EDA Enabling Resolution](#)

Minutes: Public hearing opened at 7:53 pm.

Mayor Williams stated that the Economic Development Authority (EDA) met earlier today where she shared an idea about adding staff for economic development in Moorhead to maintain its momentum.

Several individuals addressed the Mayor and City Council stating they are not supportive of changing the EDA Enabling Resolution.

One individual addressed the Mayor and City Council stating they are supportive of changing the EDA Enabling Resolution.

Council Member Gehrtz stated that by having the EDA Director position report directly to the City Manager, it would reduce unnecessary silos, create efficiencies, and facilitate a team approach to economic development. Mr. Gehrtz is not in favor of eliminating the EDA Director position. The EDA Board would still function as an advisory committee to the Council.

Mayor Williams stated she believes that a change in the EDA Enabling resolution is unnecessary.

Council Member Elmer stated that the work of the EDA should be internally administered and this change simply changes the administrative structure.

Council Member Hendrickson stated he believes the EDA would work better under the City Manager and if additional staff is necessary, he would consider it.

Council Member Elmer asked City Manager Volkert if there are any concerns with changing the enabling resolution. City Manager Volkert stated that this issue is a policy decision of the Council. There would be no concerns having the position report directly to the City Manager. Funding of the EDA Director position and any additional positions would need to be considered by the Council.

Public hearing closed at 8:43 pm.

Mayor Williams noted that the City Council would be voting on this matter at its June 4, 2018 meeting.

### Engineering Department

12. [\\*Various Actions for Mill & Overlay of 15th Ave N from the Red River to 28th St N. Eng. No. 18-A2-02](#)
  - A. [\\*Resolution to Approve Plans and Specifications and Authorize Advertisement for Bids](#)  
**Resolution 2018-0529-B**
  - B. [\\*Resolution to Approve a Limited Use Permit for Non-Motorized Recreational Path LUP #1407-0017](#)  
**Resolution 2018-0529-C**
13. [\\*Resolution to Approve Easement Acquisition for the Mill & Overlay, Rehabilitation and Reconstruction of Streets in the 2nd, 4th, 6th, & 7th Ave N Area. Eng. No. 18-A2-03](#)  
**Resolution 2018-0529-D**

### Planning and Neighborhood Services Department

14. [\\*Resolution to Approve Minor Subdivision – 587520010](#)  
**Resolution 2018-0529-E**
15. [\\*Resolution to Approve Site Plans and Agreements - Audubon Society Urban Woods and Prairies Initiative](#)  
**Resolution 2018-0529-F**
16. [\\*Resolution to Approve Second Reading of Ordinance 2018-07: An Ordinance to Rezone Lots 3-10 Block 1 Shepherd Meadows First Addition](#)  
**Ordinance 2018-07**
17. [\\*Resolution to Approve Second Reading of Ordinance 2018-08: An Ordinance to](#)

**Ordinance 2018-08**

**Public Works Department**

18. [\\*Resolution to Replace Sports Center Rooftop HVAC Unit](#)  
**Resolution 2018-0529-G**

**Administration**

19. Approve Licenses - Permits
- A. [\\*Resolution to Approve Off-Site Gambling Permit to Moorhead Youth Hockey Association on February 20, 2019](#)  
**Resolution 2018-0529-H**
- B. [\\*Resolution to Approve a Minnesota Lawful Gambling Premise Permit to Moorhead Youth Hockey Association](#)  
**Resolution 2018-0529-I**
20. [Resolution to Approve Lease Agreement between the City of Moorhead and Moorhead Youth Hockey Association \(MYHA\)](#)

Minutes: Council Member Gehrtz recused himself due to a stated conflict of interest and exited the Council Chambers.

Public Work Director Steve Moore and City Attorney John Shockley presented information on the proposed lease agreement. The City recommends approval of the resolution contingent on the following:

- Authorization from Minnesota Management and Budget
- Receipt of signed and executed financing documents
- Receipt of updated insurance required

Motion to Approve made by Chuck Hendrickson and seconded by Brenda Elmer  
**Motion to Approve Resolution to Approve Lease Agreement between the City of Moorhead and Moorhead Youth Hockey Association (MYHA)**

Motion Passed **Resolution 2018-0529-2**

For: 6; Absent: 1 – Joel Paulsen; Recused: 1 – Steve Gehrtz

21. [\\*Resolution to Amend and Correct Precinct Designations for Polling Locations](#)  
**Resolution 2018-0529-J**

**Other**

22. Mayor and Council Reports

Minutes: Council Member Hendrickson provided an update of the Economic Development Authority (EDA) meeting.

Council Member Durand stated that the Moorhead Public Service Commission met last week and discussed the cost of replacing and relocating transmission lines for the Main Ave/20 St/21 St project. There is a

possibility of MPS covering the cost of relocation, but the result could be a rate increase to customers.

Council Member Elmer stated that Cindy Grey has been hired as the new Director at Fargo-Moorhead Metropolitan Council of Governments (Metro COG).

23. City Manager Reports – Updates

Minutes: No updates were reported.

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

A. Resolution to Approve Memorandum of Understanding with IAFF, Local 1323 Regarding Hazardous Materials Response Team

Motion to Approve made by Heidi Durand and seconded by Mari Dailey

**Motion to Approve Resolution to Approve Memorandum of Understanding with IAFF, Local 1323 Regarding Hazardous Materials Response Team**

Motion Passed **Resolution 2018-0529-3**

For: 7; Absent: 1 – Joel Paulsen

25. New Business

26. Citizens Addressing the Council (continued, if necessary)

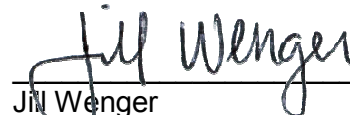
Meeting adjourned at 9:10 pm.

APPROVED BY:



Del Rae Williams  
Mayor

ATTEST:



Jill Wenger  
Acting City Clerk

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

*Respectfully submitted by:*  
*Jill Wenger, Acting City Clerk*