

**City of Moorhead  
City Council Meeting  
Meeting Minutes  
September 10, 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 September 10, 2012, at 5:30 PM.

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

1st Ward Council Member:	Luther Stueland	Absent
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	Present

**City Council Meeting**

1. Call to Order and Roll Call

Minutes: Mayor Voxland called the meeting to order.

2. Recognitions - Presentations

A. Proclamation: Beyond the Yellow Ribbon Presentation

Minutes: Mayor Voxland presented a proclamation recognizing the Yellow Ribbon City

B. Proclamation: Suicide Awareness and Prevention Week

Minutes: Mayor Voxland presented a proclamation recognizing Suicide Awareness and Prevention Week

3. Approve Minutes

A. August 27, 2012 (City Council Minutes)

Minutes: A correction was noted on item number 25. Council Member Gehrtz wanted to add that August 27, 2012 EDA Meeting there was discussion of an Executive Director position and strong support among the EDA Board members.

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

**Motion to Approve Minutes as corrected**

**Motion Passed**

For: 7; Absent: 1 – Luther Stueland

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

Minutes: No citizens addressed the Mayor and Council.

5. Agenda Amendments

Minutes: Mr. Hutchins introduced Michelle French as the new City Clerk. He informed City Council that John Shockley, City Attorney will need to leave at 6:30 pm to attend a meeting in Barnesville and he needed to leave at 6:45 pm to attend the School Board Meeting.

6. Consent Agenda

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

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

- #14 - Consider Budget Adjustments to Reroof the Law Enforcement Center #22 – Resolution to Approve Budget Adjustment for Professional Services Agreement - Classification and Compensation Study
- #17 – Approve Warranty Deed and Easement Agreement for the Opportunity Substation and Associated 115kV Transmission Line

Motion to Approve made by Brenda Elmer and seconded by Mike Hulett

**Motion to Approve Consent Agenda as Amended**

**Motion Passed**

For: 7; Absent: 1 – Luther Stueland

7. Mayor and Council Appointments

Minutes: No Mayor and Council Appointments were noted.

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

8. Public Hearing for Assessment of Cost related to Code Enforcement Abatement Actions, Unpaid Penalties, Fees, and Charges at Multiple Properties

Minutes: Public hearing opened at 5:45 p.m.

Scott Hutchins, Deputy City Manager, and Lisa Vatnsdal, Neighborhood Service Manager, provided a report on the proposed assessments and the following was a clarified response to Mayor and Council questions:

- Assessments include the following: Rental Inspection Penalties/Fees; Property Maintenance Abatements/Penalties; Mowing/Weed lots; Tree Removal; Branch/Rootball Pick Up; and Environmental Health/Sanitation.
- Discussion occurred regarding the State of Minnesota properties. These are fees that occurred when the properties were privately owned.
- Lisa Vatnsdal, Neighborhood Service Manager, asked that Parcel

No. 587370140 be removed from the resolution.

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto  
**Resolution to adopt assessment of costs related to Code Enforcement Abatement Actions, Unpaid Penalties, Fees, and Charges at Multiple Properties excluding parcel number 587370140.**

Minutes: Lisa Vatnsdal, Neighborhood Service Manager, provided the following clarified response to Mayor and Council questions:

- These are all complaint driven and the City of Moorhead is one of few communities who use the Administrative Penalties System.
- City Council would like to review code enforcement at a future Committee of the Whole Meeting.

Motion Passed: **Resolution 2012-0910-1**

For: 7; Absent: 1 – Luther Stueland

9. Public Hearing and Confirming Issuance of Health Care Facilities Development Refunding Bonds, Series 2012B (EverCare Senior Living, LLC Projects)

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

Scott Hutchins, Deputy City Manager, provided a report on the project and the following was clarified response to Mayor and Council questions:

- Bond Counsel for Evercare determined it necessary to hold one public hearing in Moorhead prior to the issuance of the Bonds to safeguard their tax-exempt status under Federal Law.

Motion to Approve made by Nancy Otto and seconded by Heidi Durand  
**Resolution to confirm the issuance of the Health Care Facilities Development Refunding Bonds, Series 2012B (EverCare Senior Living, LLC Projects)**

Motion Passed: **Resolution 2012-0910-2**

For: 7; Absent: 1 – Luther Stueland

### **Community Services Department**

10. \*Resolution to Approve Request of the City of Moorhead for a Conditional Use Permit to allow Fill/Placement of a Flood Control Structure and Excavation in the Floodway Overlay District (48<sup>th</sup> Avenue SW – multiple properties)  
**Resolution 2012-0910-3**

11. Resolution to Approve Listing Agreement for Flood Buyout Homes Preserved for Inplace Resale

Minutes: Scott Hutchins, Deputy City Manager, provided a report on the project. Discussion occurred regarding marketing the homes, flood insurance rates, preparation of sale, setting a minimum sale price on the homes, and selling process.

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto  
**Resolution to Approve Listing Agreement for Flood Buyout Homes Preserved for Inplace Resale**

Motion Passed: **Resolution 2012-0910-4**

For: 7; Absent: 1 – Luther Stueland

### **Engineering - Wastewater Treatment**

12. \*Resolutions to Order Report, Receive Report, Order and Approve Plans & Specifications, Call for Public Hearing; Approve Engineering Services Agreement; and Approve Plans & Specs and Authorize Ad for Bids for Underground Utility Improvements for Johnson Farms 3<sup>rd</sup> Addition.
  - A. \*Resolution to Order Preliminary Engineer's Report  
**Resolution 2012-0910-A**
  - B. \*Resolution to Receive Engineer's Report, Order Plans & Specifications and Call for Public Hearing  
**Resolution 2012-0910-B**
  - C. \*Resolution to Approve Engineering Services Agreement  
**Resolution 2012-0910-C**
  - D. \*Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids  
**Resolution 2012-0910-D.**

### **Fire Department**

13. \*Resolution to Approve Budget Adjustment to Outfit Two Replacement Vehicles with Emergency Response Equipment  
**Resolution 2012-0910-E**

### **Operations Department**

14. Consider Budget Adjustments to Reroof the Law Enforcement Center

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto  
**Resolution to Approve Budget Adjustments for the Roof on the Law Enforcement Center**

Minutes: Discussion occurred regarding the one bid received and the current roof condition. Council Member Gehrtz recommended rebidding this project with local contractors. Chad Martin, Operations Director, provided clarification to Mayor and Council questions.

- Timeframe depends on the architects in order to receive a quote.

**Motion Failed:**

Opposed: 7; Absent: 1 – Luther Stueland

### **Police Department**

15. \*Resolution to Approve Second Reading of Ordinance No. 2012-15: An Ordinance to Amend the 2012 City of Moorhead Fee Schedule  
**Resolution 2012-0910-F**
16. \*Authorization for the Moorhead Police Department to Participate in the 2012-2013 Safe & Sober Grant Program  
**Resolution 2012-0910-G**

### **Moorhead Public Service**

17. \*Approve Warranty Deed and Easement Agreement for the Opportunity Substation and Associated 115kV Transmission Line

Minutes: Bill Schwandt, Public Service General Manager, provided a report on the project and the following was clarified response to Mayor and Council questions:

- Create a protocol for future projects between the City of Moorhead and Public Service.

Motion to Approve made by Heidi Durand and seconded by Brenda Elmer  
**Resolution to Approve the Warranty Deed and Easement Agreement for the Opportunity Substation and Associated 115kV Transmission Line**

Motion Passed: **Resolution 2012-0910-5**

For: 7; Absent: 1 - Luther Stueland

### **Administration**

18. Adopt Proposed 2012 Tax Levy Payable 2013 & Proposed 2013 Budget
  - A. Resolution to Approve Proposed 2012 EDA Tax Levy Payable 2013

Motion to Approve made by Heidi Durand and seconded by Nancy Otto  
**Resolution to Approve Proposed 2012 EDA Tax Levy Payable 2013**

Minutes: Council Member Altenburg recommended an amendment to the resolution to increase the EDA Levy by \$100,000 to \$345,000 to allow EDA to look at retail development and the hiring of an Executive Director. Discussion occurred regarding setting the EDA Tax Levy and future partnerships.

Motion to Approve made by Mark Altenburg and seconded by Steve Gehrtz  
**Resolution to Amend the Resolution to Increase the EDHA Levy by \$100,000 to \$345,000**

**Motion Failed**

Motion Passed: **Resolution 2012-0910-6**

For: 7; Absent: 1 - Luther Stueland

- B. Resolution to Adopt Proposed 2013 EDA Budget

Motion to Approve made by Mark Altenburg and seconded by Brenda Elmer  
**Resolution to Adopt the Proposed 2013 EDA Budget**

Motion Passed: **Resolution 2012-0910-7**

For: 7; Absent: 1 - Luther Stueland

C. Resolution to Approve Proposed 2012 City Tax Levy Payable 2013

Motion to Approve made by Heidi Durand and seconded by Nancy Otto  
**Resolution to Adopt the Proposed 2012 City Tax Levy Payable 2013**

**Motion Failed:**

Against: 7; Absent: 1 - Luther Stueland

Minutes: Wanda Wagner, Finance Director, explained the difference between the resolution and the original proposed budget which included the Library having a supplemental increase for \$13,500 and the Assessors Abstract and there was more growth than what was anticipated.

Wanda Wagner, provided a report on the three 2013 tax levy options.

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

**Resolution to Adopt a 5% 2012 City Tax Levy Payable 2013**

**Motion Failed:**

Against: 7; Absent: 1 - Luther Stueland

Minutes: Discussion occurred regarding the \$12 annual increase on the \$140,000 home; obligations that the City Council had already approved; special assessments; and fees.

Motion to Approve made by Nancy Otto and seconded by Mark Hintermeyer  
**Resolution to direct the City Manager to find an offsetting amount of \$12 per year (\$1 per month) in the City Enterprise Fund and City Budget so an average homeowner sees no net increase of money coming to the City.**

Motion Passed: **Resolution 2012-0910-8**

For: 6; Against: 1 - Brenda Elmer Absent: 1 - Luther Stueland

D. Resolution to Adopt Proposed 2013 City Budget

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

**Resolution to Adopt the Proposed 2013 City Budget**

Minutes: Wanda Wagner stated that the resolution would show a decrease of \$345,000 based on the 5% 2012 City Tax Levy Payable 2013.

Motion Passed: **Resolution 2012-0910-9**

For: 6; Against: 1 - Brenda Elmer Absent: 1 - Luther Stueland

19. \*Approve Licenses - Permits

A. \*Resolution to Approve Licenses – Permits  
**Resolution 2012-0910-H**

20. Mayor and Council Reports

Minutes: Council Member Hulett provided a report on the defiant garden. Council Member Otto suggested a sculpture instead of the defiant garden. Council Member Otto inquired the status of the hydrant fees. Bill Schwandt

addressed the issue.

Council Member Hintermeyer provided a report on the Charter Commission to change the number of votes. He also discussed the Restaurant Disparity Credit and Border Cities Legislation Disparity reduction.

Council Member Elmer informed City Council that on the Transit Advisory Board, the Commuter Challenge to leave your vehicle at home one day a week for the next eight weeks. Track your progress on mapbus.com.

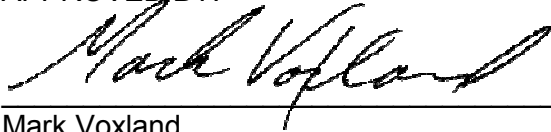
Mayor Voxland announced that the State of Minnesota would like to share a statement with the Council and residents announcing a public meeting on December 3, 2012 at 6 pm in the Moorhead City Council Chambers for discussion on the 2013 tax levy and 2013 budget with final adoption on December 10, 2012 at 6 pm.

21. City Manager Reports - Updates

Minutes: Scott Hutchins, Deputy City Manager, provided an update on the School Board Meeting regarding the tax abatement.

Meeting adjourned until September 17, 2012 at 5:30 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*