

**MINUTES OF THE MEETING OF THE CITY COUNCIL  
OF THE CITY OF MOORHEAD, MINNESOTA  
FEBRUARY 19, 2008**

---

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Moorhead, Clay County, Minnesota, was duly held in the Council Chambers, City Hall, the 19<sup>th</sup> day of February, 2008, at 7:00 p.m.

The following members were present for roll call: Mayor Voxland, Council Members Otto, Bohmer, Wray Williams, Rowell, Hunt, Winterfeldt-Shanks, Hintermeyer, Lemke; and the following were absent: none.

Mayor Voxland proclaimed the week of February 7-14, 2008 as "Congenital Heart Defect Awareness Week" and presented a copy of such to an organization representative.

David Ebinger, Police Chief, introduced the following Patrol Officers: Shawn Krebsbach, Chad Anderson, Mathew Olson, and Nicholas Wiedenmeyer. Mayor Voxland administered the oath of office for each Officer.

Council Member Otto moved, seconded by Council Member Wray Williams, to approve the minutes of January 22, 2008 as submitted, which motion passed by unanimous vote.

The consent agenda was amended by removing the following items:

- #8-C – Approve City Manager Employment Agreement;
- #16 – Ordinance No. 2008-3 - An Ordinance Pertaining to Temporary Outside Storage Containers - 2nd Consideration;
- #19 – Ordinance No. 2008-6 - An Ordinance Amending Section 10-18-1 and 10-18-2 Relating to Bars/Taverns and Nightclubs - 1st Consideration;
- #21 – Approve Budget Adjustment for Boiler Replacement – Hjemkomst Center;
- #22 – Resolution Authorizing an Addendum to the Existing Agreement with SRF Consulting Group Inc. to Prepare Additional Master Plans for Targeted Moorhead Parks;
- #25 – Resolution to Authorize the Mayor and Acting City Manager to Execute a Purchase Agreement with Holiday Stationstores, Inc. for Right-of-Way for the SE Main Ave/20thSt/21st St Railroad Grade Separation Project. Eng. No. 02-2-2; and
- #29 – Resolution to Reschedule Public Hearing for Street and Underground Utility Improvements of 8th Ave North from TH 75 to 34th Street, Eng. No. 08-A2-4.

Council Member Hunt moved, seconded by Council Member Wray Williams, to approve the following licenses/bonds:

**CIGARETTE/TOBACCO PRODUCSTS LICENSES** ..... \$100.00

American Legion Post 21, 303 30<sup>th</sup> St N  
Discontent, 815 Main Ave  
Mellow Mood Pipe/Tobacco, 1825 Main Ave

**COIN OPERATED AMUSEMENT LICENSES** ..... \$ 25.00

American Legion Post 21, 303 30<sup>th</sup> St N

**FIRE PREVENTION LICENSE**

*Fireworks Sales and/or Storage*

K Mart #7216, 3000 Highway 10 East .....	\$100.00
<b>PORTABLE SIGN LICENSE</b> .....	\$100.00
Cook Sign Co., 1418 Main Ave, Fargo Design A Sign, 1510 29 <sup>th</sup> Ave So	
<b>TATTOO/BODY ART/PIERCING LICENSE</b> .....	\$ 35.00
Discontent (Disc & Tape, Inc.,) 815 Main Ave	
<b>BOARDING/LODGING HOUSE</b>	
Anchorage Inpatient/Outpatient, 810 4 Ave S, Ste 152 .....	\$290.00
Clay County Juvenial Center, 919 8 Ave N .....	\$250.00
Safe Harbour, 810 4 Ave S, Ste 234 .....	\$282.00
<b>RESTAURANT</b>	
MSUM-Kise, 725 14 St S, .....	\$610.00
Matson Field Concessions, 1010 13 Ave N .....	\$250.00
<b>PLACE OF REFRESHMENT/LIMITED FOOD</b>	
All Star Bowl, 309 17 St N.....	\$125.00
MSUM Coffee Cart, 725 14 St S.....	\$125.00
MSUM Dragon Stop, 1104 7 Ave S .....	\$175.00
Moorhead American Legion, 303 30 St N .....	\$410.00
<b>MOBILE HOME PARK</b>	
Bennett Park Cooperative, 1700 3 Ave S.....	\$212.00

Which motion passed by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-A**, seconded by Council Member Wray Williams:

WHEREAS, the City Council approved the final plat of Moorhead High School Second Addition on May 21, 2007; and

WHEREAS, Ulteig Engineering, who prepared the final plat, has identified technical errors that should be corrected prior to recording;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead to approve the revised final plat of Moorhead Senior High School Second Addition, a copy of which was before the City Council and is now of record and on file in the office of the City Clerk.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced for second consideration, seconded by Council Member Wray Williams:

**ORDINANCE NO. 2008-2**  
**AN ORDINANCE AMENDING CHAPTER 10-19-16 OF THE MOORHEAD CITY CODE**  
**RELATING TO TRAFFIC VISIBILITY STANDARDS**

Which ordinance passed second consideration by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-B**, seconded by Council Member Wray Williams:

WHEREAS, the City Council of the City of Moorhead did pass Ordinance No. 2008-2, An Ordinance Amending Chapter 10-19-16 of the Moorhead City Code Relating to Traffic Visibility Standards; and

WHEREAS, a title and summary for publication of the above Ordinance was submitted to the City Council for its review in accordance with Section 3.08 of the Moorhead City Charter; and

WHEREAS, the City Council has reviewed the title and summary for said Ordinance for approval and has determined that the title and summary informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moorhead hereby approves the title and summary of Ordinance No. 2008-2, An Ordinance Amending Chapter 10-19-16 of the Moorhead City Code Relating to Traffic Visibility Standards. A copy of said title and summary was before the City Council and is now of record and on file in the office of the City Clerk.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the City Clerk is authorized and directed to publish said title and summary in accordance with Section 3.08 of the Moorhead City Charter.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-C**, seconded by Council Member Wray Williams:

WHEREAS, the City Council of the City of Moorhead did pass Ordinance No. 2008-3, An Ordinance Amending Sections 10-18-3 B and C, 10-19-7-A-1 and 10-19-8 A and B of the Moorhead City Code, Relating to Temporary Outside Storage Containers; and

WHEREAS, a title and summary for publication of the above Ordinance was submitted to the City Council for its review in accordance with Section 3.08 of the Moorhead City Charter; and

WHEREAS, the City Council has reviewed the title and summary for said Ordinance for approval and has determined that the title and summary informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moorhead hereby approves the title and summary of Ordinance No. 2008-3, An Ordinance Amending Sections 10-18-3 B and C, 10-19-7-A-1 and 10-19-8 A and B of the Moorhead City Code, Relating to Temporary Outside Storage Containers. A copy of said title and summary was before the City Council and is now of record and on file in the office of the City Clerk.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the City Clerk is authorized and directed to publish said title and summary in accordance with Section 3.08 of the Moorhead City Charter.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced for second consideration, seconded by Council Member Wray Williams:

**ORDINANCE NO. 2008-4**

**AN ORDINANCE AMENDING CHAPTERS 10-18-1 AND 10-18-2 OF THE MOORHEAD CITY CODE TO INCLUDE ADDITIONAL USES IN SPECIFIED DISTRICTS**

Which ordinance passed second consideration by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-D**, seconded by Council Member Wray Williams:

WHEREAS, the City Council of the City of Moorhead did pass Ordinance No. 2008-4, An Ordinance Amending Chapters 10-18-1 and 10-18-2 of the Moorhead Code to Include Additional Uses in Specified Districts; and

WHEREAS, a title and summary for publication of the above Ordinance was submitted to the City Council for its review in accordance with Section 3.08 of the Moorhead City Charter; and

WHEREAS, the City Council has reviewed the title and summary for said Ordinance for approval and has determined that the title and summary informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Moorhead hereby approves the title and summary of Ordinance No. 2008-4, An Ordinance Amending Chapters 10-18-1 and 10-18-2 of the Moorhead Code to Include Additional Uses in Specified Districts. A copy of said title and summary was before the City Council and is now of record and on file in the office of the City Clerk.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the City Clerk is authorized and directed to publish said title and summary in accordance with Section 3.08 of the Moorhead City Charter.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-E**, seconded by Council Member Wray Williams:

WHEREAS, the City wished to sell a portion of its property southwest of the intersection of 15<sup>th</sup> Avenue North and Hwy 75 North (parcels 589000130 and 589000135); and

WHEREAS, the City Council of the City of Moorhead finds the minor subdivision consistent with Section 11-1-3 of the Moorhead City Code;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the described minor subdivision is hereby approved.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-F**, seconded by Council Member Wray Williams:

WHEREAS, City staff has requested an amendment to the 2004 Comprehensive Plan's Future Land Use Map to change the designation of the City of Moorhead Parcels 589000130 and 589000135, a triangular-shaped property of 6.685 acres southwest of the intersection of 15<sup>th</sup> Avenue North and Hwy 75, from Community Commercial use to Light Industrial use; and

WHEREAS, the City of Moorhead Planning Commission held a public hearing on said amendment February 12, 2008 and unanimously recommended approval of the request; and

WHEREAS, the City Council of the City of Moorhead finds said amendment to be in the best interest of the City and to reflect changing needs in the community or issues that were not anticipated by the Plan, and furthermore finds the amendment to be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Moorhead to amend the Future Land Use Map of the City of Moorhead's 2004 Comprehensive Plan to change designation of Parcels 589000130 and 589000135, the City of Moorhead, Clay County, Minnesota, from Community Commercial to Light Industrial.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced for first consideration, seconded by Council Member Wray Williams:

**ORDINANCE NO. 2008-5**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP IN ACCORDANCE WITH CHAPTER 3-1 OF TITLE 10 OF THE MOORHEAD CITY CODE REZONING 2001 15<sup>TH</sup> AVENUE NORTH FROM CC, COMMUNITY COMMERCIAL TO LI, LIGHT INDUSTRIAL

Which ordinance passed first consideration by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-G**, seconded by Council Member Wray Williams:

WHEREAS, Gray Canyon Company has requested preliminary plat approval of Gray Canyon One Addition; and

WHEREAS, the City of Moorhead Planning Commission held a public hearing regarding said request on February 12, 2008, and unanimously recommended approval of the preliminary plat, subject to the conditions stated below; and

WHEREAS, the City Council of the City of Moorhead finds the preliminary plat of Gray Canyon One Addition consistent with Section 11-1-3 of the Moorhead City Code;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the preliminary plat of Gray Canyon One Addition is hereby approved, subject to the following conditions:

1. Applicant/property owners enter into developer's agreement.

2. Developer receives all required federal, state and local permits.
3. Plat shows 30<sup>th</sup> Avenue South as dedicated right-of-way and includes a statement of dedication.
4. Plat shows a five-foot utility easement adjoining the north side of 30<sup>th</sup> Avenue and includes a statement of dedication.
5. Names of all owners must appear on plat.
6. Add date of preparation on the plat.
7. Show location of boundary lines in relation to a known section, quarter section or quarter-quarter section lines and finalize the description.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-H**, seconded by Council Member Wray Williams:

WHEREAS, the City of Moorhead receives Community Development Block Grant (CDBG) funds from the U. S. Department of Housing and Urban Development; and

WHEREAS, the City has established a Five-Year Consolidated Plan and annual Consolidated Action Plan to guide expenditure of CDBG resources; and

WHEREAS, the City of Moorhead finds that it is in the community's interest to amend its 2008 Consolidated Annual Action Plan for an activity consistent with its Five-Year Plan, specifically:

**Public Facilities and Improvements-Churches United for the Homeless – \$10,000:**  
Renovate and repair the existing elevator within the facility to meet the Americans with Disabilities Act requirements and safety standards. The total amount of expenditure is \$10,000 which would be partnered with \$50,000 raised through other non-profit and government contributions.

The above-described activity will be financed through reprogrammed Contingency and Deteriorated Structure Removal budgets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that they do hereby amend the 2008 Consolidated Annual Action Plan to accommodate this activity.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the Mayor and Acting City Manager are herein authorized and directed to enter into any agreements necessary to effectuate the described activity.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-I**, seconded by Council Member Wray Williams:

BE IT RESOLVED by the City Council of the City of Moorhead that the Mayor and City Manager are herein authorized and directed to enter into and execute for and on behalf of the City of Moorhead with Mutchler Bartram Architects, P.C., Amendment No. 3 to the

existing Architectural Services Agreement between the parties, in the amount of \$74,375 for theatre design work with respect to the development of the Trollwood Performing Arts School.

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that pursuant to the existing Joint Powers Agreement between the City of Moorhead and Fargo Public School District entities other than the City of Moorhead are responsible to pay any and all costs related to this Amendment No. 3.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-J**, seconded by Council Member Wray Williams:

WHEREAS, pursuant to the August 6, 2007 resolution of the City Council, Houston Engineering has prepared plans and specifications for the construction of Curb, Gutter & Paving Improvements in Shepherd Meadows 1<sup>st</sup> Addition (Eng. No. 07-A2-6); and

WHEREAS, City Engineering staff has reviewed the plans, a copy of which are available for review in the Engineering Office, and finds that they are in accordance with applicable City standards; and

WHEREAS, bids for the project will be advertised in accordance with Minnesota Statutes Annotated, Chapter 429.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such plans and specifications, a copy of which is on file in the office the City Engineer, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the legal paper an advertisement for bids for the making of such improvements under such approved plans and specifications. The advertisement shall be published twice with the first advertisement appearing a minimum of 21 days before the scheduled bid opening, and the advertisements will state the time and place that bids will be opened. The ad shall also state that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for ten percent (10%) of the amount of such bid.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-K**, seconded by Council Member Wray Williams:

WHEREAS, pursuant to the February 4, 2008 resolution of the City Council, plans and specifications for the Extension of Sanitary Sewer and Watermain to a Parcel at SE Main Ave & 34<sup>th</sup> St Eng. No. 07-A6-4) have been prepared by Houston Engineering and are available for review in the Engineering Office; and

WHEREAS, bids for this project will be advertised in accordance with Minnesota Statutes Annotated, Chapter 429.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such plans and specifications, a copy of which is on file in the office the City Clerk, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the legal paper an advertisement for bids for the making of such improvements under such approved plans and specifications. The advertisement shall be published twice with the first advertisement appearing a minimum of 21 days before the scheduled bid opening, and the advertisements will state the time and place that bids will be opened. The ad shall also state that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for ten percent (10%) of the amount of such bid.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-L**, seconded by Council Member Wray Williams:

WHEREAS, pursuant to a resolution by the City Council on December 10, 2007, a report has been prepared by Houston Engineering to consider the Construction of a Stormwater Pond and Outlet in Astrups 2<sup>nd</sup> Addition (Eng. No. 08-A5-1); and

WHEREAS, said report determined that the improvements are necessary, cost-effective and feasible, and was presented to the Council at the February 19, 2008 Council Meeting; and

WHEREAS, in order to expedite the project, Houston Engineering has prepared the plans and specifications for the making of such improvements as described in the report, and such plans have been reviewed by the City Engineer and are available for review in the City Engineer's Office; and

WHEREAS, the improvements will be financed through the PIR fund and assessed to benefiting properties in accordance with MSA 429 and the City's Assessment Policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such improvements are necessary, cost effective, and feasible as detailed in the Preliminary Engineering Report prepared by Houston Engineering and on file in the office of the City Engineer.
2. Houston Engineering is hereby designated as the engineer for the improvement and shall prepare plans and specifications for the making of such improvement under the direction of the City Engineer.
3. The City Council will consider the proposed improvements in accordance with the report and the assessment of benefiting property for all or a portion of the cost of the improvement pursuant to MN Statutes, Chapter 429 at an estimated total cost of \$100,000.
4. A public hearing shall be held on such proposed improvement on the 7<sup>th</sup> day of April, 2008 in the Council chambers of City Hall at 7:15 pm and the City Clerk shall give mailed and published notice of such hearing and improvements as required by law.
5. The plans and specifications for the proposed improvements, a copy of which is on file



in the office of the City Engineer are hereby approved.

6. The City Clerk shall prepare and cause to be inserted in the legal paper an advertisement for bids for the making of such improvements under such approved plans and specifications. The advertisement shall be published twice with the first advertisement appearing a minimum of 21 days before the scheduled bid opening, and the advertisements will state the time and place that bids will be opened. The ad shall also state that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for ten percent (10%) of the amount of such bid.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-M**, seconded by Council Member Wray Williams:

WHEREAS, the Broken Axe Inc. (dba: Ushers House) submitted an application for issuance of a special event intoxicating liquor license for the conduct of the American Heart Association fund raising event at the Hjemkomst Center on February 28, 2008; and

WHEREAS, said application has been reviewed by officials of the Moorhead Police Department, who recommend issuance of the license.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby approve issuance of a Special Event Intoxicating Liquor License to the Broken Axe Inc. (dba: Ushers House), 700 1<sup>st</sup> Avenue North, for the conduct of the American Heart Association fund raising event at the Hjemkomst Center on February 28, 2008 from 6:00 p.m. to 12:00 Midnight.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-N**, seconded by Council Member Wray Williams:

WHEREAS, the Police Department, along with other area law enforcement agencies have been requested to contribute funding to the Drug Court; and

WHEREAS, Drug Court is intended as a highly structured program that combines intensive supervision, chemical dependency treatment and regular communication between the participants and the Court; and

WHEREAS, participants are non-violent first time offenders who are chemically dependent; and

WHEREAS, the requested funding will be used for a surveillance agent to assist in the supervision of the participants, who will support the probation agent in drug testing and drop-in visits to insure participants are following the guidelines as set out in the program; and

WHEREAS, funding contributions will also be used for evaluation of the program by North Dakota State University, acquiring statistics on recidivism and cost savings to the city, county, and state; and

WHEREAS, the 7<sup>th</sup> Judicial District Office for the Clay/Becker Drug Court is requesting a

funding contribution of \$5,000.00 from the Police Department; and

WHEREAS, the Police Department intends to utilize State Forfeiture Account to make the one-time \$5,000.00 funding contribution to the Drug Court Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby approve Budget Adjustment No. 08-006; and

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the City Council does hereby authorize the funding contribution of \$5,000.00 to the 7<sup>th</sup> Judicial District Office for the Clay/Becker Drug Court.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-O**, seconded by Council Member Wray Williams:

BE IT RESOLVED by the City Council of the City of Moorhead, upon recommendation and request of the Public Service Commission, to authorize advertisement for bids for underground cable replacement projects and annual boring as approved by the Public Service Commission at its February 12, 2008, meeting.

Which resolution was declared duly adopted by unanimous vote.

Council Member Hunt introduced the following resolution **#2008-250-P**, seconded by Council Member Wray Williams:

BE IT RESOLVED by the City Council of the City of Moorhead, upon recommendation and request of the Public Service Commission, to authorize advertisement for bids for 2008 water treatment chemicals as approved by the Public Service Commission at its February 12, 2008, meeting.

Which resolution was declared duly adopted by unanimous vote.

Council Member Winterfeldt-Shanks introduced the following resolution **#2008-251**, seconded by Council Member Wray Williams:

BE IT RESOLVED by the City Council of the City of Moorhead, upon recommendation of Mayor Voxland, that the following individual is hereby appointed/reappointed to the committee so noted:

**Economic Development Authority**

GaNè Skatvold, 334 48<sup>th</sup> Avenue South, representing an at-large citizen, is reappointed for a term commencing February 1, 2008 and ending January 31, 2011.

Which resolution was declared duly adopted by unanimous vote.

Council Member Rowell introduced the following resolution **#2008-252**, seconded by Council Member Wray Williams:

WHEREAS, the Minnesota Department of Transportation estimates that Minnesota's state highways and bridges are underfunded \$2.4 billion per year for the next six years; and

WHEREAS, sole reliance upon trunk highway bonding for transportation funding has caused debt service payments at MnDOT to increase 657% in the last 10 years; and

WHEREAS, an additional \$1.7 billion in trunk highway bonding will cost MnDOT an estimated \$800 million in interest; and

WHEREAS, over \$50 million in State funds designated for highways were actually spent on interest payments for bonds in 2007; and

WHEREAS, general obligation bonds may be used only to fund local bridges, not state highway and bridges; and

WHEREAS, Minnesota currently has over 1,800 structurally deficient bridges and it will cost the state over \$1 billion to meet the bridge needs identified on the state trunk highway system; and

WHEREAS, with the increased cost of fuel and congestion, as well as funding for the state's transit system, must be a component to any comprehensive transportation bill; and

WHEREAS, Twin Cities' commuters paid a "congestion tax" of \$790 per year in wasted gas and time; and

WHEREAS, increased long-term transportation revenue also provides funding for new jobs and infrastructure at a time when Minnesota's unemployment rate is above the national average; and

WHEREAS, the gas tax is a user fee paid by drivers who use the roads and a lack of state funding has resulted in an increase of \$1 billion a year in property taxes since the mid-1990's for local transportation needs; and

WHEREAS, Minnesota's 20 cent per gallon gas tax, which has not been increased since 1988, is worth less than 12 cents in 1988 dollars, has seen its purchasing power fall by more than 57 percent since 1988, and is lower than the gas tax in all bordering states; and

WHEREAS, in 2006, two-thirds of the fatal accidents in Minnesota occurred in rural areas where the quality of the transportation system impacts public safety;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City of Moorhead supports passage of a comprehensive transportation bill, during the 2008 Legislative session, that provides additional long-term, sustainable funding to Minnesota's state highways and bridges, county roads, city streets, metro and rural transit systems, and local bridges. The transportation bill should provide funding at a level equal to or above the level of funding in the comprehensive transportation bill that was passed by the Legislature and vetoed by the Governor in 2007.

Which resolution was declared duly adopted with the following voting aye: Council Members Wray Williams, Rowell, Hunt, Winterfeldt-Shanks, Hintermeyer, Lemke; and the following voting no: Council Members Otto, Bohmer.

Council Member Bohmer requested that the Council meeting be recessed, following the conclusion of regular business, to executive session to conduct contract negotiations for the City Manager position.

Council Member Wray Williams moved, seconded by Council Member Lemke, to open the public hearing to consider street rehabilitation on 4<sup>th</sup> Street (37<sup>th</sup> to 40<sup>th</sup> Avenue South) in conjunction with the non-assessed Sanitary Lift Station #20 improvements and forcemain extension, which motion passed by unanimous vote.

Tom Trowbridge, Assistant City Engineer, explained the purpose of the public hearing, which is to consider the street rehabilitation project in conjunction with the new forcemain project. He noted the proposed street improvements are included in the 2008-2012 Transportation Capital Improvement Plan for construction in 2008. A portion of the project cost will be assessed to the abutting properties in accordance with City policy at the pavement rehabilitation rate of \$46.50 per adjusted front foot. In addition, per the City's Special Assessment Policy for the construction of collector streets, improvements to 4<sup>th</sup> Street will also be assessed on an area basis at a rate of \$350 per equivalent single family unit to all properties located between 8<sup>th</sup> Street and the Red River of the North. Mr. Trowbridge also acknowledged the comments received regarding this project.

No one else wished to speak regarding this hearing. Council Member Winterfeldt-Shanks moved, seconded by Council Member Wray Williams, to close the public hearing, which motion passed by unanimous vote.

Council Member Winterfeldt-Shanks introduced the following resolution **#2008-253**, seconded by Council Member Wray Williams:

WHEREAS, pursuant to a December 10, 2007 resolution of the City Council, City staff prepared a report to consider Street Rehabilitation on 4<sup>th</sup> St (37<sup>th</sup> to 40<sup>th</sup> Ave S), to be constructed in conjunction with the non-assessed Sanitary Lift Station #20 Improvements & Forcemain Extension (Eng. No. 07-6-1); and

WHEREAS, said report determined that the improvements are necessary, cost-effective and feasible, and on January 22, 2008, the Council received the report, ordered the preparation of plans and specifications for the making of such improvements, and fixed a date for a Public Hearing for the proposed improvements to be held on February 19, 2008; and

WHEREAS, two weeks published notice and ten days written notice of hearing was given, and the hearing was held on the 19<sup>th</sup> day of February 2008, at which all persons desiring to be heard were given the opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such improvements are necessary, cost effective, and feasible as detailed in the Preliminary Engineering Report.
2. Such improvement is hereby ordered as proposed in the Council resolution dated January 22, 2008.
3. The City Council declares its official intent to reimburse itself for the costs of the improvements from the proceeds of a tax-exempt bond.

Which resolution was declared duly adopted by unanimous vote.

Council Member Bohmer moved, seconded by Council Member Hunt, to open the public hearing to consider street rehabilitation and watermain construction in the Brookdale Area – Phase 1 (Eng. No. 08-A2-3), which motion passed by unanimous vote.

Tom Trowbridge, Assistant City Engineer, explained the purpose of the public hearing, which is to consider pavement rehabilitation on streets in the Brookdale Area and along River Shore Drive from 32<sup>nd</sup> Avenue South to 37<sup>th</sup> Avenue South and a mill overlay of the two cul-de-sacs along River Shore Drive. He noted the proposed improvements are included in the 2008-2012 Transportation Capital Improvement Plan for construction in 2008. A portion of the project cost will be assessed to the abutting properties in accordance with City policy at a rate of \$18.50 per adjusted front foot for the mill and overlay of two cul-de-sacs on Rivershore Drive, and \$46.50 per adjusted front foot for the rehabilitation of the remaining streets. In addition, per the City's Special Assessment Policy for the construction of collector streets, improvements to Rivershore Drive and 32<sup>nd</sup> Avenue South will also be assessed on an area basis at a rate of \$350 per equivalent single family unit to all properties located between 8<sup>th</sup> Street and the Red River of the North. Mr. Trowbridge acknowledged the comments received regarding this project.

No one else wished to speak regarding this hearing. Council Member Bohmer moved, seconded by Council Member Otto, to close the public hearing, which motion passed by unanimous vote.

Council Member Winterfeldt-Shanks introduced the following resolution **#2008-254**, seconded by Council Member Rowell:

WHEREAS, pursuant to a December 10, 2007 resolution of the City Council, City staff prepared a report to consider proposed Pavement Rehabilitation & Watermain Construction in the Brookdale Area, Phase 1 (Eng. No. 08-A2-3); and

WHEREAS, said report determined that the improvements are necessary, cost-effective and feasible, and the Council received the report and ordered the preparation of plans and specifications for the making of such improvements at the January 22, 2008 Council Meeting; and

WHEREAS, a resolution of the City Council adopted January 22, 2008, fixed a date of February 19, 2008 for a council hearing on the proposed Pavement Rehabilitation & Watermain Construction in the Brookdale Area, Phase 1 (Eng. No. 08-A2-3); and

WHEREAS, two weeks published notice and ten days written notice of hearing was given, and the hearing was held on the 19<sup>th</sup> day of February 2008, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, pursuant to the January 22, 2008 resolution of the City Council, the City Engineer has prepared plans and specifications for Pavement Rehabilitation & Watermain Construction in the Brookdale Area, Phase 1 (Eng. No. 08-A2-3), and said plans are available for review in the Engineering Office; and

WHEREAS, bids for this project will be advertised in accordance with Minnesota Statutes Annotated, Chapter 429.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such improvement is necessary, cost-effective and feasible as detailed in the Preliminary Engineering Report.
2. Such improvement is hereby ordered as proposed in the Council resolution dated January 22, 2008.
3. The City Council declares its official intent to reimburse itself for the costs of the

improvements from the proceeds of a tax-exempt bond.

4. The plans and specifications for the proposed improvements, a copy of which is on file in the office of the City Engineer, are hereby approved.
5. The City Clerk shall prepare and cause to be inserted in the legal paper an advertisement for bids for the making of such improvements under such approved plans and specifications. The advertisement shall be published twice with the first advertisement appearing a minimum of 21 days before the scheduled bid opening, and the advertisements will state the time and place that bids will be opened. The ad shall also state that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for ten percent (10%) of the amount of such bid.

Which resolution was declared duly adopted by unanimous vote.

Council Member Bohmer moved, seconded by Council Member Wray Williams, to open the public hearing to consider street rehabilitation of 34<sup>th</sup> Street from 4<sup>th</sup> to 12<sup>th</sup> Avenue South (Eng. No. 08-A2-5), which motion passed by unanimous vote.

Tom Trowbridge, Assistant City Engineer, explained the purpose of the public hearing, which is to consider street rehabilitation of 34<sup>th</sup> Street from 4<sup>th</sup> to 12<sup>th</sup> Avenue South. He noted the proposed improvements are included in the 2008-2012 Transportation Capital Improvement Plan for construction in 2008. A portion of the project cost will be assessed to the benefiting properties in accordance with the City's Special Assessment Policy for the construction of collector streets at a rate of \$350 per equivalent single family unit to all properties located approximately between 28<sup>th</sup> St and 37<sup>th</sup> St. Improving the roadway to a concrete surface (10-ton road) is consistent with the City's approved Truck Haul Route map. Mr. Trowbridge acknowledged the comments received regarding this project.

No one else wished to speak regarding this hearing. Council Member Bohmer moved, seconded by Council Member Otto, to close the public hearing, which motion passed by unanimous vote.

Council Member Rowell introduced the following resolution **#2008-255**, seconded by Council Member Hunt:

WHEREAS, pursuant to a December 10, 2007 resolution of the City Council, City staff prepared a report to consider proposed Street Rehabilitation on 34th St from 4th to 12th Ave S. (Eng. No. 08-A2-5); and

WHEREAS, said report determined that the improvements are necessary, cost-effective and feasible, and the Council received the report and ordered the preparation of plans and specifications for the making of such improvements at the January 22, 2008 Council Meeting; and

WHEREAS, a resolution of the City Council adopted January 22, 2008, fixed a date of February 19, 2008 for a council hearing on the proposed Street Rehabilitation on 34th St from 4th to 12th Ave S. (Eng. No. 08-A2-5); and

WHEREAS, two weeks published notice and ten days written notice of hearing was given, and the hearing was held on the 19<sup>th</sup> day of February 2008, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, pursuant to the January 22, 2008 resolution of the City Council, the City Engineer has prepared plans and specifications for Street Rehabilitation on 34th St from 4th to 12th Ave S. (Eng. No. 08-A2-5), and said plans are available for review in the Engineering Office; and

WHEREAS, bids for this project will be advertised in accordance with Minnesota Statutes Annotated, Chapter 429.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such improvement is necessary, cost-effective and feasible as detailed in the Preliminary Engineering Report.
2. Such improvement is hereby ordered as proposed in the Council resolution dated January 22, 2008.
3. The City Council declares its official intent to reimburse itself for the costs of the improvements from the proceeds of a tax-exempt bond.
4. The plans and specifications for the proposed improvements, a copy of which is on file in the office of the City Engineer, are hereby approved.
5. The City Clerk shall prepare and cause to be inserted in the legal paper an advertisement for bids for the making of such improvements under such approved plans and specifications. The advertisement shall be published twice with the first advertisement appearing a minimum of 21 days before the scheduled bid opening, and the advertisements will state the time and place that bids will be opened. The ad shall also state that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for ten percent (10%) of the amount of such bid.

Which resolution was declared duly adopted by unanimous vote.

Council Member Bohmer moved, seconded by Council Member Hunt, to open the public hearing to consider the street rehabilitation and watermain construction in the 2<sup>nd</sup> and 3<sup>rd</sup> Street South area, which motion passed by unanimous vote.

Tom Trowbridge, Assistant City Engineer, explained the purpose of the public hearing, which is to consider street rehabilitation and watermain construction in the 2<sup>nd</sup> and 3<sup>rd</sup> Street South area. He noted the proposed improvements are included in the 2008-2012 Transportation Capital Improvement Plan for construction in 2008. A portion of the project cost will be assessed to the abutting properties in accordance with City policy at the pavement rehabilitation rate of \$46.50 per adjusted front foot. Mr. Trowbridge acknowledged the comments received regarding this project.

No one else wished to speak regarding this hearing. Council Member Otto moved, seconded by Council Member Wray Williams, to close the public hearing, which motion passed by unanimous vote.

Council Member Winterfeldt-Shanks introduced the following resolution **#2008-256**, seconded by Council Member Rowell:

WHEREAS, pursuant to a December 10, 2007 resolution of the City Council, City staff prepared a report to consider proposed Street Rehabilitation and Watermain Construction in the 2nd & 3rd St S Area (Eng. No. 08-A2-6); and

WHEREAS, said report determined that the improvements are necessary, cost-effective and feasible, and the Council received the report and ordered the preparation of plans and specifications for the making of such improvements at the January 22, 2008 Council Meeting; and

WHEREAS, a resolution of the City Council adopted January 22, 2008, fixed a date of February 19, 2008 for a council hearing on the proposed Street Rehabilitation and Watermain Construction in the 2nd & 3rd St S Area (Eng. No. 08-A2-6); and

WHEREAS, two weeks published notice and ten days written notice of hearing was given, and the hearing was held on the 19<sup>th</sup> day of February 2008, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, pursuant to the January 22, 2008 resolution of the City Council, the City Engineer has prepared plans and specifications for Street Rehabilitation and Watermain Construction in the 2nd & 3rd St S Area (Eng. No. 08-A2-6), and said plans are available for review in the Engineering Office; and

WHEREAS, bids for this project will be advertised in accordance with Minnesota Statutes Annotated, Chapter 429.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead as follows:

1. Such improvement is necessary, cost-effective and feasible as detailed in the Preliminary Engineering Report.
2. Such improvement is hereby ordered as proposed in the Council resolution dated January 22, 2008.
3. The City Council declares its official intent to reimburse itself for the costs of the improvements from the proceeds of a tax-exempt bond.
4. The plans and specifications for the proposed improvements, a copy of which is on file in the office of the City Engineer, are hereby approved.
5. The City Clerk shall prepare and cause to be inserted in the legal paper an advertisement for bids for the making of such improvements under such approved plans and specifications. The advertisement shall be published twice with the first advertisement appearing a minimum of 21 days before the scheduled bid opening, and the advertisements will state the time and place that bids will be opened. The ad shall also state that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for ten percent (10%) of the amount of such bid.

Which resolution was declared duly adopted by unanimous vote.

Council Member Bohmer moved, seconded by Council Member Rowell, to open the public hearing to consider the vacation of an easement in the Moorhead Senior High School 2<sup>nd</sup> Addition, which motion passed by unanimous vote.

Michael Redlinger, Acting City Manager, explained the purpose of the public hearing, which is to consider the vacation of an easement that is no longer required. He reported staff requested a re-plat of Moorhead Senior High School Addition to show recent changes in the alignment of 2<sup>nd</sup>



Avenue, and the preliminary and final plat of Moorhead Senior High School Second Addition was approved on May 21, 2007. Ulteig Engineering, in preparing to record the plat, identified needed revisions, including an easement to be vacated that is no longer used and now covered by the Sports Center addition.

No one else wished to speak regarding this hearing. Council Member Lemke moved, seconded by Council Member Otto, to close the public hearing, which motion passed by unanimous vote.

Council Member Bohmer introduced the following resolution **#2008-257**, seconded by Council Member Otto:

WHEREAS, an easement located within the plat of Moorhead Senior High School Addition, legally described below, is not needed by the City of Moorhead and is incompatible with current use of the property;

The west 371 feet of the 40-foot wide easement adjacent to and east of vacated 24<sup>th</sup> Street South, lying within the Moorhead Senior High School Addition.

WHEREAS, City staff has requested vacation of said easement; and

WHEREAS, according to Section 13.06 of the Moorhead City Charter, the City Council may vacate, by resolution and in accordance with law, a street, alley, public grounds, public way, or part thereof, in the city after 14 days' published notice and 10 days' mailed notice to affected property owners of a public hearing before the council; and

WHEREAS, the City Council at its February 19, 2008 meeting held a public hearing on the vacation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the request for vacation of the described utility easement is approved.

Which resolution was declared duly adopted by unanimous vote.

Council Member Bohmer moved, seconded by Council Member Otto, to open the public hearing to consider Ordinance Nos. 2008-7 and 2008-8 regarding the annexation of approximately 11 acres (KOA property) and 0.5 acres (land owned by the City of Moorhead), which motion passed by unanimous vote.

Michael Redlinger, Acting City Manager, explained the purpose of the public hearing, which is to consider the above referenced ordinances for annexation of certain parcels. He reported the City of Moorhead received a request from Black Mountain Investments, LLC for the annexation of Parcel 21.014.3401 (containing approximately 11.25 Acres) and is located adjacent to 28<sup>th</sup> Avenue South at 43<sup>rd</sup> Street East in Moorhead. The City of Moorhead acquired Parcel 21.015.4301 (located at 3526 28<sup>th</sup> Avenue South in Moorhead) for the 34<sup>th</sup> Street Interchange project. The City is proceeding with annexation of the aforementioned parcels by ordinance in that each is less than 120 acres and is contiguous to the City of Moorhead.

No one else wished to speak regarding this hearing. Council Member Bohmer moved, seconded by Council Member Otto, to close the public hearing, which motion passed by unanimous vote.

Council Member Winterfeldt-Shanks introduced for first consideration, seconded by Council Member Rowell:

**ORDINANCE NO. 2008-7**

AN ORDINANCE OF THE CITY OF MOORHEAD ANNEXING LAND  
LOCATED IN THE TOWN OF MOORHEAD, CLAY COUNTY, MINNESOTA  
TO THE CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA, PURSUANT TO MINN. STAT.  
§ 414.033, SUBD. 2(3), PERMITTING ANNEXATION BY ORDINANCE

Which ordinance passed first consideration by unanimous vote.

Council Member Winterfeldt-Shanks introduced for first consideration, seconded by Council Member Rowell:

**ORDINANCE NO. 2008-8**

AN ORDINANCE OF THE CITY OF MOORHEAD ANNEXING LAND  
LOCATED IN THE TOWN OF MOORHEAD, CLAY COUNTY, MINNESOTA  
TO THE CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA, PURSUANT TO MINN. STAT.  
§ 414.033, SUBD. 2(3), PERMITTING ANNEXATION BY ORDINANCE

Which ordinance passed first consideration by unanimous vote.

Council Member Wray Williams was excused at approximately 8:00 p.m.

Council Member Hintermeyer introduced for second consideration, seconded by Council Member Hunt:

**ORDINANCE NO. 2008-3**

AN ORDINANCE AMENDING CHAPTERS 10-18-3, 10-19-7 and 10-19-8 OF THE  
MOORHEAD CITY CODE RELATING TO TEMPORARY OUTSIDE STORAGE CONTAINERS

Which ordinance passed second consideration by unanimous vote. (Note for the record: Council Member Wray Williams was not present to vote on this matter or any subsequent action until her return later that evening.)

Council Member Rowell introduced for first consideration, seconded by Council Member Lemke, Ordinance No. 2008-6 (An Ordinance Amending chapters 10-18-1 and 10-18-2 of the Moorhead City Code Relating to Bars, Taverns and Nightclubs). Council Member Bohmer expressed concern with the language in Section 10-18-2-D/C (4) wherein it states that such liquor establishments "shall not be located adjacent to (connected to) any residential use, unless the adjacent residence or residences are of the same ownership as said use". He feels businesses should not be restricted in such a manner. It was explained this particular paragraph actually lessens the City's restrictions. It was suggested, in an effort to accommodate first reading tonight, staff prepare and forward to the Mayor and Council, the current language and alternative language to be considered on March 3, 2008.

Ordinance No. 2008-6 (An Ordinance Amending chapters 10-18-1 and 10-18-2 of the Moorhead City Code Relating to Bars, Taverns and Nightclubs) passed first consideration by unanimous vote.

Council Member Winterfeldt-Shanks introduced the following resolution **#2008-258**, seconded by Council Member Rowell:

WHEREAS, funding is needed from the Repair and Replacement fund to replace an

inoperable boiler at the Hjemkomst Center; and

WHEREAS, the Repair and Replacement fund has joint contributions from the City and the County; and

WHEREAS, a letter was sent to County Administrator ViJay Sethi to request the use of these funds for the purpose of replacing the boiler which will be addressed at their February 20<sup>th</sup>, board meeting of Clay Country Historical Society; and

WHEREAS, three companies were contacted to replace this boiler with Grants Mechanical quoting \$25,440 and the next closest competitor Trane quoted \$33,786;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that repair and replacement money for the amount of \$25,440, (contingent upon the approval of the Clay County Historical Society Board of Directors), be used to complete this project. (Budget Adjustment No. 08-005)

BE IT FURTHER RESOLVED, that the City Council of the City of Moorhead authorizes Grants Mechanical be awarded the work to replace the boiler.

Which resolution was declared duly adopted by unanimous vote.

Council Member Winterfeldt-Shanks introduced the following resolution **#2008-259**, seconded by Council Member Otto:

WHEREAS, the City Council at its meeting of December 3, 2007 approved an agreement with SRF Consulting Group to prepare a Master Plan for the development of M.B. Johnson Park and would like to enter into an addendum to that agreement for additional planning services needed for targeted Moorhead parks; and

WHEREAS, the targeted neighborhoods include: Allyson, Johnson Farms, Village Green Sixth Addition, Woodlawn, Riverfront, Viking Ship and Davy Memorial Park; and

WHEREAS, the cost for providing such service is quoted at \$14,958 of which \$15,000 is currently approved in the 2008 budget to provide this work;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby authorize the expenditure of \$14,958 of capital improvement funds to provide planning services; and

BE IT FURTHER RESOLVED by the City Council of the City of Moorhead that the City does hereby enter into an addendum to the existing agreement with SRF Consulting Group Inc. to provide this planning service for the above mentioned targeted Moorhead Parks.

Which resolution was declared duly adopted by unanimous vote.

Council Member Rowell introduced the following resolution **#2008-260**, seconded by Council Member Winterfeldt-Shanks:

WHEREAS, it is necessary to acquire right-of-way from Holiday Stationstores Inc. for the SE Main Ave/20<sup>th</sup> St/21<sup>st</sup> St Railroad Grade Separation Project (Eng. No. 02-2-2); and

WHEREAS, the proposed right-of-way will be purchased at a price of \$667,080; to be paid from Federal and Municipal State Aid funds; and

WHEREAS, an agreement has been prepared detailing the terms of the acquisition.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead, that the City Council does hereby authorize the Mayor and Acting City Manager to acquire right-of-way from Holiday Stationstores Inc. for the SE Main Ave/20<sup>th</sup> St/21<sup>st</sup> St Railroad Grade Separation Project (Eng. No. 02-2-2).

Which resolution was declared duly adopted by unanimous vote.

Council Member Bohmer introduced the following resolution **#2008-261**, seconded by Council Member Otto:

WHEREAS, on February 4, 2008, the Moorhead City Council, as evidenced by Resolution #2008-204, scheduled a public hearing for March 3, 2008, to consider the construction of Street & Underground Utility Improvements on 8<sup>th</sup> Ave. N from TH 75 to 34<sup>th</sup> St. (Eng. No. 08-A2-4); and

WHEREAS, the Moorhead City Council finds it is necessary to reschedule this hearing for April 21, 2008.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the Public Hearing for the Construction of Street & Underground Utility Improvements on 8<sup>th</sup> Ave. N from TH 75 to 34<sup>th</sup> St. (Eng. No. 08-A2-4) is hereby rescheduled for the April 21, 2008 City Council Meeting.

Which resolution was declared duly adopted by unanimous vote.

Michael Redlinger, Acting City Manager, related the recent '*Good News • Good People*' announcements.

Council Member Bohmer moved, seconded by Council Member Hunt, to recess to executive session to discuss contract negotiations (City Manager position), which motion passed by unanimous vote.

The meeting was recessed at 8:57 p.m. and reconvened at 9:20 p.m. (Note for the record: Council Member Wray Williams joined the meeting as Council recessed to executive session.)

Council Member Winterfeldt-Shanks introduced the following resolution **#2008-262**, seconded by Council Member Hunt:

WHEREAS, the former City Manager for the City of Moorhead submitted his resignation effective July, 2007; and

WHEREAS, the City utilized the professional services of Brimeyer Associates to recruit qualified candidates to interview for the open position at the City; and

WHEREAS, as part of an extensive review process, the City interviewed three qualified candidates on February 1 and 2, after which Michael J. Redlinger was selected as the preferred candidate; and

WHEREAS, the Moorhead City Council finds it is in the best interest of the City to hire Michael J. Redlinger, current Acting City Manager, to handle the responsibilities and duties of the City Manager position;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the City Council does hereby authorize an Employment Agreement, for the City Manager position, with Michael J. Redlinger, a copy of which was before the City Council and is now of record and on file in the office of the City Clerk.

Which resolution was declared duly adopted with the following voting aye: Council Members Otto, Wray Williams, Rowell, Hunt, Winterfeldt-Shanks, Hintermeyer, Lemke; and the following voting no: Council Member Bohmer.

The proceedings of this meeting are mechanically recorded and said cassette tape is available for public review.

Meeting adjourned at 9:24 p.m.

APPROVED:

\_\_\_\_\_  
MARK VOXLAND, Mayor

ATTEST:

\_\_\_\_\_  
KAYE BUCHHOLZ, City Clerk