

**City of Moorhead
City Council Meeting
Meeting Minutes
October 26, 2009 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 October 26, 2009, at 5:30 PM.

Roll call of the members was made as follows:

1st Ward Council Member:	Dan Bohmer	Present
1st Ward Council Member:	Nancy Otto	Present
2nd Ward Council Member:	Diane Wray Williams	Present
2nd Ward Council Member:	John Rowell	Present
3rd Ward Council Member:	Dan Hunt	Absent
3rd Ward Council Member:	Lauri Winterfeldt	Present
4th Ward Council Member:	Mark Hintermeyer	Present
4th Ward Council Member:	Greg Lemke	Present
Mayor:	Mark Voxland	Present

City Council Meeting

1. [Call to Order and Roll Call](#)
2. [Recognitions/Presentations/Introductions](#)
 - A. [Recognition - David Martin, Former President & CEO, Chamber of Commerce of Fargo-Moorhead](#)

Minutes: David Martin, former President and CEO of the Fargo Moorhead Chamber of Commerce, was awarded a recognition plaque in honor of his many years of service and dedication to the Fargo-Moorhead community.
 - B. [Proclamation: Day of the Deployed](#)

Minutes: Governor Pawlenty of the State of Minnesota proclaimed October 26, 2009 the "Day of the Deployed". In honor of the occasion the Mayor and Council recognized all City employees who have served or are currently serving as deployed military service members.
 - C. [Presentation - Lynne Kovash & Wayne Kazmierczak, Moorhead Area Public Schools](#)

Minutes: Lynne Kovash (Superintendent of Schools) and Wayne Kazmierczak (Assistant Superintendent) presented information on the Moorhead Area Public Schools operating levy referendum up for public vote on November 3, 2009.
3. Approve Minutes
4. [Citizens Addressing the Council \(Time Reserved: 15 Minutes\)](#)

5. [Agenda Amendments](#)

Minutes: Michael Redlinger, City Manager, announced the addition of Agenda Item #25C "Update on the Comprehensive Flood Risk Reduction and Property Acquisition Program." Redlinger also stated that at the end of the meeting he would request an Executive Session to discuss pending litigation.

Motion by Wray Williams, seconded by Rowell to **Approve agenda as amended**
Motion Passed by unanimous vote

6. [Consent Agenda](#)

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

Motion by Wray Williams, seconded by Winterfeldt to **Approve Consent Agenda**
Motion Passed by unanimous vote

7. * Approve Licenses - Bonds

8. [Mayor and Council Reports - Appointments](#)

Minutes: Council Member Otto reported information on the Clay County Solid Waste Committee meeting. A permit for the 50 foot vertical expansion of the landfill has been acquired. They are also looking for an option to utilize a baler to reduce the likelihood of litter.

Council Member Otto reported that the Metro Flood Management Committee met on October 19, 2009. The meeting was well attended by public officials from both Minnesota and North Dakota. At this meeting information was presented on the analysis of a diversion at varying Cubic Feet per Second (CFS) levels.

Council Member Otto stated that on October 21, 2009 there was a meeting of the Minnesota task force members and other public officials. The group discussed the greater benefit of having a diversion on the North Dakota side however the group wants to study both plans and consider all options. Realistically construction on the diversion would not occur until Year 2016. Dilworth and West Fargo will be included in future meetings.

Council Member Wray Williams reported that the Park Board took a tour of the log cabin on fourth street. It will be on the next meeting agenda. They will look into whether the cabin should remain or be relocated.

A. [Committee Appointment - Moorhead Human Rights Commission](#)

Motion by Otto, seconded by Wray Williams to **Approve Appointment to Moorhead Human Rights Commission**

Motion Passed: **Resolution #2009-1051**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

9. [Public Hearing - Community Development Block Grant Five Year Consolidated Plan and 2010 Action Plan \(hearing only, action to be taken 11/09/2009\)](#)

Motion by Bohmer, seconded by Otto to **Open Public Hearing**
Motion Passed by unanimous vote

Minutes: Lisa Vatnsdal, Neighborhood Services Manager, presented a draft 2010-2014 Consolidated Plan for Community Development Block Grant (CDBG) housing and community needs. Staff held public meetings and conducted resident and agency surveys to gather information on community issues and needs. CDBG funding has decreased in recent years. Staff would definitely like to maintain its flagship program the Rehabilitation Loan Program.

Romkey Park programming has been funded through CDGB funds in the past. It is currently being funded through other resources.

Public comment period ends November 4, 2009. Council will vote on the final plan at the November 9, 2009 City Council meeting.

Motion by Bohmer, seconded by Otto to **Close Public Hearing**
Motion Passed by unanimous vote

Community Services Department

10. [* Approve Budget Adjustment Moorhead Sports Center Concessions](#)

Motion Passed: **Resolution #2009-1050-A**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

11. [*Resolution to Approve Minor Subdivision Request for Parcel 58.619.0030](#)

Motion Passed: **Resolution #2009-1050-B**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

12. [*Moorhead Municipal Airport - Resolution to Authorize Grant Agreement with MNDOT for Maintenance and Operation Expenses](#)

Motion Passed: **Resolution #2009-1050-C**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

13. [*Resolution to Authorize Trollwood Change Orders](#)

Motion Passed: **Resolution #2009-1050-D**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

Engineering - Wastewater Treatment

14. [*Resolution to Approve Engineering Services Agreements and Easement Encroachment Agreement for Flood Risk Reduction Projects. Eng. Nos. 09-A13-2B, 09-A13-E & 09-A13-2A](#)

- A. [*Resolution to Approve Engineering Services Agreement with Moore Engineering for the River Haven Road Right-of-Way Flood Mitigation Project. Eng. No. 09-A13-2B](#)
Motion Passed: **Resolution #2009-1050-E-1**
For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke
Absent: 1 - Hunt
- B. [*Resolution to Approve Engineering Services Agreement with Ulteig Engineers for the Moorhead Country Club Area Flood Mitigation Project. Eng. No. 09-A13-2E](#)
Motion Passed: **Resolution #2009-1050-E-2**
For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke
Absent: 1 - Hunt
- C. [*Resolution to Approve Easement Encroachment Agreement with Viking Gas for the 27th Ave. North Flood Control Project. Eng. No. 09-A13-2A](#)
Motion Passed: **Resolution #2009-1050-E-3**
For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke
Absent: 1 - Hunt
15. [*Resolution to Approve an Easement Acquisition for the 34th St./I-94 Interchange Project. Eng. No. 04-2-1](#)
Motion Passed: **Resolution #2009-1050-F**
For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke
Absent: 1 - Hunt

Fire Department

16. [*Resolution to Accept Minnesota Board of Firefighter Training and Education - FY 2008 Training Reimbursement and Approve Budget Adjustment to Allocate Funds](#)
Motion Passed: **Resolution #2009-1050-G**
For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke
Absent: 1 - Hunt
17. [*Resolution to Enter Into Hazardous Materials Team Contract with the State of Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management](#)
Motion Passed: **Resolution #2009-1050-H**
For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke
Absent: 1 - Hunt

Operations Department

Police Department

18. [*Resolution to Approve Issuance of Intoxicating Liquor Special Event Permit - Speak Easy](#)
Motion Passed: **Resolution #2009-1050-I**
For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke
Absent: 1 - Hunt

19. [*Participation in a Service Agreement with the State of Minnesota, Seventh Judicial District and Clay County](#)

Motion Passed: **Resolution #2009-1050-J**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

Moorhead Public Service

20. [*Award Bid for Tree Trimming](#)

Motion Passed: **Resolution #2009-1050-K**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

City Attorney Reports

21. [Resolution Accepting Offer on Sale of \\$2,820,000 G.O. Imp Bonds, Series 2009A; \\$8,155,000 G.O. Flood Mitigation Bonds, Series 2009B; \\$1,615,000 G.O. Imp Refunding Bonds, Series 2009C and \\$975,000 G.O. TIF Refunding Bonds, Series 2009D](#)

Minutes: Brian Neugebauer, City Attorney, stated that City staff and bond counsel have recommended the offer on the sale of the above-referenced bonds. Neugebauer detailed the sale prices, net interest costs, and true interest rates for the bonds.

Motion by Rowell, seconded by Winterfeldt to **Approve Resolution Accepting Offer on Sale of \$2,820,000 G.O. Imp Bonds, Series 2009A; \$8,155,000 G.O. Flood Mitigation Bonds, Series 2009B; \$1,615,000 G.O. Imp Refunding Bonds, Series 2009C and \$975,000 G.O. TIF Refunding Bonds, Series 2009D**

Motion Passed: **Resolution #2009-1052**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

City Manager Reports

22. [*Resolution to Authorize the City Manager to Enter Into an Agreement for the City's Annual Financial Audit](#)

Motion Passed: **Resolution #2009-1050-L**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

23. [*Resolution to Approve Village Business Institute Employee Assistance Program Contract](#)

Motion Passed: **Resolution #2009-1050-M**

For: 7 – Bohmer, Otto, Wray Williams, Rowell, Hintermeyer, Lemke

Absent: 1 - Hunt

24. [Good News - Good People](#)

25. [Reports - Updates](#)

Minutes: Redlinger stated that he has been in communication with the Department of Employment and Economic Development (DEED) regarding the Power Plant Redevelopment Grant. A letter was sent to the staff at DEED stating that the City will not likely be able to commit to the grant at this point, but would like to utilize DEED funding in the future if a public use concept for the Power Plant site emerges.

- A. Federal - State Legislative - Budgetary Issues: Updates-Action
- B. Other
- C. Update on the Comprehensive Flood Risk Reduction and Property Acquisition Program

Minutes: Redlinger presented a handout detailing the 2009 Flood Recovery / Mitigation, DNR Partnership & Flood Buyout Status. The Minnesota DNR and City of Moorhead currently have a contract for the initial \$8 million, and \$22 million remains part of the 2010 legislature appropriation. Long-term flood recovery planned by the U.S. Army Corps of Engineers is estimated to have a Moorhead cost share of \$50-80 million. Based on the contract language approved by the state, there is no further City share required.

Redlinger also detailed the Interim Property Acquisition and Infrastructure Projects. The handout detailed the proposed sources/uses of funds; adopted sources of local funds; project status as of 10/23/09 and anticipated by 6/1/10; remaining needs from the state (\$22 million); and the U.S. Army Corps of Engineers Fargo-Moorhead Metropolitan Project. Redlinger stated that he and others are confident the State of Minnesota will be there to help provide the \$22 million in state assistance needed.

Council Member Winterfeldt asked what will be done with the amenities in buyout homes. Redlinger stated that the City is evaluating salvage and recycling options. Peter Doll, Development Services Division Manager, stated that the City cannot remove anything from the properties until the environmental assessment is complete. A third party salvage bidding process is currently in place. The City is attempting to mitigate landfill issues as much as possible.

Redlinger stated that the City will be communicating with "Category 3" property owners to update them on the City's efforts to address their needs in 2010 legislation.

26. [Executive Session \(if needed\)](#)

Motion Otto, seconded by Wray Williams to **Enter Closed Session**
Motion Passed by unanimous vote

27. Other Reports

28. New Business

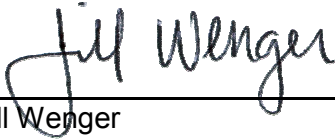
29. Citizens Addressing the Council (continued, if necessary)

APPROVED BY:

ATTEST:



Mark Voxland
Mayor



Jill Wenger
City Clerk

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

Respectfully submitted by:
Jill Wenger, City Clerk