

**MINUTES OF THE MEETING OF THE CITY COUNCIL
OF THE CITY OF MOORHEAD, MINNESOTA
April 13, 2009**

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, April 13, 2009, at 5:30 PM.

The following were present for roll call:

1st Ward Council Member:	Nancy Otto	Present
1st Ward Council Member:	Dan Bohmer	Absent
2nd Ward Council Member:	Diane Wray Williams	Present
2nd Ward Council Member:	John Rowell	Present
3rd Ward Council Member:	Dan Hunt	Present
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](#)
3. [Approve Minutes of March 23, 2009](#)

Motion made to Approve made by Diane Wray Williams and seconded by Nancy Otto 5:31 PM
Motion to Approve Minutes of March 23, 2009
Passed For: 7; Against: 0; Abstain: 0; Absent: 1

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

Minutes: No one wished to speak at this time. 5:31 PM

5. [Agenda Amendments](#)

Minutes: There were no agenda amendments. 5:31 PM

6. [Consent Agenda](#)

All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in accordance with the "Council Rules of Procedure". In such event, the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

Motion made to Approve made by Diane Wray Williams and seconded by Nancy Otto 5:32 PM
Motion to Approve Consent Agenda

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

7. [*Approve Licenses - Bonds](#)

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

Minutes: Mayor Voxland announced he received \$20 from an individual in Australia for the flood relief effort. He noted this money will be presented to the American Red Cross Relief Fund. **5:33 PM**

Council Member Rowell moved to accept the \$20 donation, seconded by Council Member Otto, which motion passed by unanimous vote.

A. [Resolution to Approve Committee Appointment/Reappointment](#)

Minutes: Council Member Wray Williams reported the Public Housing Agency advertised for bids for the modernization project for the scattered site housing units. She noted these units are in need of repair/maintenance. **5:36 PM**

Council Member Lemke reported the Human Development Steering Committee, National League of Cities, announced they will be holding their fall meeting in Moorhead.

Motion made to Approve made by John Rowell and seconded by Lauri Winterfeldt **5:37 PM**

Motion to Approve Resolution to Approve Committee Appointment/Reappointment

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

9. [Public Hearing Continued from the March 23rd Meeting to Consider Street and Underground Utility Improvements in the Brookdale Area, Phase 2. Eng. No. 09-A2-5](#)

Minutes: Mayor Voxland announced this hearing was continued from March 23rd. Jody Bertrand, Senior Engineer, explained the purpose of the public hearing, which is to consider street and underground utility improvements in the Brookdale area. The project was divided into three phases due to the scope of the project and to limit construction-related impacts to the existing neighborhood. The 2009 project is the second phase of construction and includes the replacement of the existing cast iron watermain by Moorhead Public Service. Bertrand noted that, in accordance with City policy, special assessments have been applied to the benefiting properties, both primary and secondary. **6:03 PM**

Terry Jacobson, 318 Dale Avenue, asked for clarification regarding the project. He asked how the project estimates are determined. He also inquired as to the timeframe after the bids are awarded and the work commences.

Senior Engineer Bertrand replied the City has 30 days after opening the bid to award the project. He explained how the assessment cost was determined noting approximately 35% of the project cost will be assessed to property owners. Work will tentatively start in the latter part of May.

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

- A. [Resolution to Order Improvements for Street & Underground Utility Improvements in the Brookdale Area, Phase 2. Eng. No. 09-A2-5](#)

Motion made to Approve made by Mark Hintermeyer and seconded by John Rowell 6:04 PM

Motion to Approve Resolution to Order Improvements for Street & Underground Utility Improvements in the Brookdale Area, Phase 2. Eng. No. 09-A2-5

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Minutes: Both resolutions (9-A and 9-B) were approved in one motion. 6:04 PM

- B. [Resolution to Award Bid for Street & Underground Utility Improvements in the Brookdale Area, Phase 2. Eng. No. 09-A2-5](#)

10. [Public Hearing to File Application with the Federal Transit Administration for Receipt of 2009 Federal Operating, Planning, and Capital Assistance](#)

Motion made to Approve made by Lauri Winterfeldt and seconded by Nancy Otto 6:04 PM

Motion to Open the Public Hearing to File Application with the Federal Transit Administration for Receipt of 2009 Federal Operating, Planning, and Capital Assistance

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Minutes: Lori Van Beek, Transit Manager, explained the purpose of the public hearing, which is to consider filing the grant application with the Federal Transit Administration for receipt of the 2009 Federal operating, planning, and capital assistance funding. Moorhead receives an apportionment of Federal Section 5307 funds based on population. 5:30 PM

Moorhead's 2009 allocation is \$547,478, which is approximately a 3% increase over 2008. In addition, Moorhead received an apportionment of the American Recovery and Reimbursement Act of 2009 (economic stimulus) funds in the amount of \$748,840 plus \$410,000 from the State of Minnesota for a total of \$1,158,840.

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.

A. [Resolution to Authorize Filing Application with the Federal Transit Administration](#)

Motion made to Approve made by John Rowell and seconded 6:10 PM
by Nancy Otto

Motion to Approve Resolution to Authorize Filing Application with the Federal
Transit Administration

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

11. [Public Hearing to Consider Adoption of Assessments for Various Projects](#)

Motion made to Approve made by Nancy Otto and seconded 6:10 PM
by Dan Hunt

Motion to Open the Public Hearing to Consider Adoption of Assessments for
Various Projects

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Minutes: Lisa Vatnsdal, Neighborhood Services Manager, 6:18 PM
explained the purpose of the public hearing, which is to consider the adoption of assessments for unpaid weed lot mowing, nuisance abatements, rental reinspection/other fees, branch pickups and tree removals. She noted the assessments for nuisance abatements are for enforcement activities that took place in 2008.

Neighborhood Services Manager Vatnsdal noted the City received written correspondence from the property owner at 822 Rensvold Boulevard, wherein said owner expressed their objection to the proposed assessment for nuisance abatement. Ms. Vatnsdal reported staff did work with this property owner for the entire summer season of 2007. The situation was not remedied and was subsequently abated by the City on June 25, 2008. The property owner was provided the opportunity to remove anything of value; however, the correspondence received today indicates the

materials did have a value. Staff disputes these items were of value and that the property owner was provided sufficient time to comply. Ms. Vatnsdal recommended the proposed assessment be approved. She also recommends the City Finance Department work with property owner to secure a hardship deferral. Ms. Vatnsdal added the property is vacant and recently deemed unfit for occupancy.

No one 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.

A. [Resolution to Adopt Special Assessments for Public Improvements](#)

Motion made to Approve made by Nancy Otto and seconded 6:19 PM
by Diane Wray Williams

Motion to Approve Resolution to Adopt Special Assessments for Public
Improvements

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Community Services Department

12. [*Resolution to Authorize Submission of the 2008 CDBG Consolidated Annual Performance and Evaluation Report](#)
13. [*Resolution Authorizing the Purchase of One Replacement and One Expansion Minivan from Nelson Auto Center for Metro Senior Ride Service](#)
14. [*Ordinance No. 2009-3 - An Ordinance Amending the Official Zoning Map in Accordance with Chapter 3-1 of the Moorhead City Code to Rezone Approximately 32.736 Acres of Proposed Horizon Shores 6th Addition - 2nd Consideration](#)
 - A. [*Resolution to Approve Title and Summary](#)
15. [*Ordinance No. 2009-4 - An Ordinance to Amend Section 10-18-2 of the Moorhead City Code Regarding Auto Repair in the LI, Light Industrial Zone - 2nd Consideration](#)
 - A. [*Resolution to Approve Title and Summary](#)
16. [*Resolution to Authorize Grant Agreement for Airport Improvements at the Moorhead Municipal Airport](#)
17. [*Resolution to Approve 2009 Tax Increment Interfund Loan](#)
18. [*Resolution to Authorize a DEED Clean up Grant Application for Environmental Remediation Expenses at 1817 1st Avenue North](#)

19. [*Resolution Authorizing Building Improvements at Rourke Art Gallery Museum, 521 Main Avenue](#)

Engineering - Wastewater Treatment

20. [*Resolution to Call for a Public Hearing to Review the 2008 Annual Report and Conduct the 2009 Annual Meeting for the Stormwater Pollution Prevention Program](#)

Fire Department

21. No Items Scheduled

Operations Department

22. [*Resolution to Set Public Hearing to Consider the Installation of Boulevard Trees, Operations/Eng. No. 09-A13-1](#)

Police Department

23. No Items Scheduled

Moorhead Public Service

24. [*Resolution to Award Bids for 2009 Water Distribution Pipe and Fittings](#)
25. [*Resolution to Award Bids for 2009 Street and Lawn Repairs](#)

City Attorney Reports

26. [*Resolution Providing for the Negotiated Sale of Approximately \\$7,705,000 Public Utility Revenue Bonds](#)

City Manager Reports

27. [*Resolution to Approve Budget Adjustment - Library Custodial Services](#)
28. [Good News - Good People](#)

Minutes: Leigh Wilson-Mattson, Assistant to the City Manager, related the recent 'Good News - Good People' announcements. **5:38 PM**

29. [Reports - Updates](#)

A. [Flood Update](#)

Minutes: City Manager Redlinger provided the following updates: **5:54 PM**
- The FEMA disaster/recovery center will be opening in the near future in the former Thomas Edison school location.

- The U.S. Army Corps of Engineers has suspended work on the remaining contingency dikes. They will be available should a rain event occur and cause a rise in the river levels.
- Acknowledged the Minnesota Dept. of Transportation (MnDOT) in securing the I-94 ramps and assisting the City with snow removal.
- The rapid response team will be available to make sure the "City remains strong" and will "man the pumps" should a rain event occur.

Minutes: City Manager Redlinger acknowledged the Moorhead City Council for their efforts with the flood fight.

5:57 PM

Questions were asked about sand and sandbag collection after the flood and whether the City has made bags available outside the City. City Manager Redlinger replied Moorhead has provided some sandbags to Oakport. Moorhead maintains a supply of approximately 250,000 sandbags should such be needed to ensure adequate flood protection in the City. Announcements will be made at a later date regarding sand and bag collection efforts.

- B. Federal - State Legislative - Budgetary Issues: Updates-Action
- C. Other

- 30. [Executive Session \(if needed\)](#)
- 31. Other Reports
- 32. New Business
- 33. Citizens Addressing the Council (continued, if necessary)

Minutes: Meeting adjourned.

6:19 PM

The proceedings of this meeting are digitally recorded and said electronic file is available for public review.

APPROVED:

MARK VOXLAND, Mayor

ATTEST:

KAYE BUCHHOLZ, City Clerk