

**City of Moorhead  
City Council Meeting  
Meeting Minutes  
November 09, 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 November 09, 2009, at 5:30 PM.

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

1st Ward Council Member:	Dan Bohmer	Absent
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	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. Approve Minutes

3. [Recognitions/Presentations/Introductions](#)

A. [Recognition - Assistant Chief Clay Dietrich, Moorhead Fire Department](#)

Minutes: Fire Chief Joel Hewitt, along with Assistant Fire Chiefs Doeden, Duysen, and Sorum, recognized the retirement of Chief Clay Dietrich and thanked him for his 26 years of outstanding service to the City of Moorhead.

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

Minutes: No citizens addressed the Council.

5. [Agenda Amendments](#)

Minutes: No agenda amendments were presented.

6. [Consent Agenda](#)

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

Motion by Otto, seconded by Hunt to **Approve Consent Agenda**  
**Motion Passed by unanimous vote**

7. \* Approve Licenses - Bonds

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

Minutes: Council Member Otto informed the Council the following regarding Moorhead Public Service (MPS): MPS has office space available at the Mall level; an electrical disconnection procedure for use during disasters was approved by the MPS Commission; they approved a GIS analyst position; and announced that Electric Division Manager, Dave Kahly, resigned to take a new post in Idaho.

Mayor Voxland announced that there will be a separate line item on all Council agendas dedicated to discussion of flood-related items beginning with the next Council meeting.

Council Member Otto reported that the Metro Flood Work Group met on November 5, 2009 to discuss various flood control measures. They passed a motion to take levies off table for consideration, due to the size of the levies needed and their downstream impact. A summary of the information presented was handed out. Not all information is available yet on costs of the various possible plans; however, at this time the Work Group is not able to justify a North Dakota diversion alternative.

Council Member Rowell explained that flood control options presented by the US Army Corps of Engineers (USACE) on November 5<sup>th</sup> show that a diversion on the Minnesota side currently has a better cost-benefit ratio than North Dakota to leverage Federal funding. The Corps will be looking into other cost-benefit ratio options to be presented at a later date.

Council Member Hintermeyer stated his concern about the actions of the Work Group in proposing solutions separately from official City, County, and Township elected bodies. Zimmerman stated that the Work Group is tasked to bring back recommendations to each of the various elected bodies for discussion and these bodies would make determinations on any official action.

The Mayor and Council requested that USACE staff be available at the next available City Council meeting so that Council Members and citizens could observe their presentation and discuss their preliminary findings.

Zimmerman stated that the Corps established that upstream storage is not available as a stand-alone option. It can only be utilized as a further reduction in water levels after a long-term solution is determined.

Motion by Winterfeldt, seconded by Rowell to **Approve a Resolution supporting a North Dakota diversion alignment if a cost-benefit ratio greater than 1.0 is found and if the diversion maintains a capacity of no less than 25,000 cubic feet per second.**

Motion Passed: **Resolution #2009-1126**

*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*

*Absent: 1 – Bohmer*

## Community Services Department

9. [\\*Approve and Authorize Submission of 2010-2014 Consolidated Plan for Housing and Community Development](#)  
Motion Passed: **Resolution #2009-1125-A**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*
10. [\\*Adopt 2009 Addendum to the 2004 City of Moorhead Comprehensive Plan \(Unanimous Planning Commission Recommendation\)](#)  
Motion Passed: **Resolution #2009-1125-B**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*
11. [\\*An Ordinance to Amend and Reenact Section 10 of Ordinance No. 2004-30 Relating to Commission Fees Regarding the Courtesy Bench Franchise](#)  
Motion Passed: **Resolution #2009-1125-C**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*

## Engineering - Wastewater Treatment

12. [\\*Resolution to Approve Budget Adjustment and Amendment to the Engineering Services Agreement with Houston Engineering Inc. for Flood Modeling for the Fargo-Moorhead Metropolitan Feasibility Study](#)  
Motion Passed: **Resolution #2009-1125-D**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*
13. [\\*Resolution to Approve Property Acquisition and Commercial Lease for the SE Main Ave/20th St/21st St Railroad Grade Separation Project. Eng. No. 02-2-2](#)  
Motion Passed: **Resolution #2009-1125-E**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*

## Fire Department

## Operations Department

## Police Department

14. [\\*Resolution to Approve Gambling Permit \(raffle\) - Dragon Fire](#)  
Motion Passed: **Resolution #2009-1125-F**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*
15. [\\*Resolution to Approve Gambling Permit \(raffle\) - Bethesda Lutheran Church](#)  
Motion Passed: **Resolution #2009-1125-G**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*

16. [\\*Resolution to Approve Gambling Permit \(raffle\) - Trinity Lutheran Church](#)  
Motion Passed: **Resolution #2009-1125-H**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*
17. [\\*Resolution to Approve Gambling Permit \(raffle\) - Moorhead Noon Kiwanis](#)  
Motion Passed: **Resolution #2009-1125-I**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*

## **Moorhead Public Service**

### **City Attorney Reports**

### **City Manager Reports**

18. [Ordinance No. 2009-11 - An Ordinance to Adopt the 2010 Fee Schedule - 1st Consideration](#)  
  
Motion by Lemke, seconded by Wray Williams to **Approve Ordinance No. 2009-11 - An Ordinance to Adopt the 2010 Fee Schedule - 1st Consideration**  
Motion Passed: **Resolution #2009-1127**  
*For: 8 – Otto, Wray Williams, Rowell, Hunt, Winterfeldt, Hintermeyer, Lemke*  
*Absent: 1 – Bohmer*
19. Good News - Good People  
  
Minutes: No Reports
20. Reports - Updates  
  
Minutes: Acting City Manager Hutchins stated the items for the November 16<sup>th</sup> Committee of the Whole meeting include the Preliminary 2010 Operating & Capital Budget and a review of options for the Rourke Art Museum roof repair project.
  - A. Federal - State Legislative - Budgetary Issues: Updates-Action
  - B. Other
21. Executive Session (if needed)
22. Other Reports
23. New Business
24. Citizens Addressing the Council (continued, if necessary)

APPROVED BY:

ATTEST:

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Mark Voxland  
Mayor

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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*