

**City of Moorhead  
City Council Meeting  
Meeting Minutes  
January 23, 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 January 23, 2012, at 5:30 PM.

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

1st Ward Council Member:	Luther Stueland	Present
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 at 5:38 p.m.
4th Ward Council Member:	Mark Hintermeyer	Present
4th Ward Council Member:	Steve Gehertz	Present
Mayor:	Mark Voxland	Present

**City Council Meeting**

1. **Call to Order and Roll Call**

Minutes: Mayor Voxland called the meeting to order.

2. **Citizens Addressing the Council**

Minutes: Jim Danielson, Chair of the Moorhead Charter Commission, addressed the Mayor and Council regarding a tabled Charter Commission recommendation made to the City Council related to fire hydrant fees. Danielson stated that a reasonable time has passed and requested that the council take immediate action on the matter.

Michael Redlinger, City Manager, stated that Moorhead Public Service (MPS) will be conducting a "Cost of Service" analysis during the first quarter of 2012. Information gained from this analysis will allow the City and MPS to negotiate a strategy for fire hydrant rental rates in the future.

The Mayor and City Council directed staff to discuss this issue with Moorhead Public Service at the earliest possibility.

3. **Agenda Amendments**

Minutes: It was noted that agenda item #11.B has been amended to, "\*\*Resolution to Approve an On-Sale 3.2 Percent Malt Liquor / On-Sale Wine / Intoxicating Malt Liquor / Sunday Liquor License to Altony's Inc."

4. **Consent Agenda**

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

Minutes: The following items were removed from the consent agenda:

- #8.A – Resolution to Adopt the 2012-2016 Pavement Management & Transportation Improvement Plan
- #8.C – Resolution to Order & Receive Report, Order & Approve Plans & Specifications, Authorize Advertisement for Bids, and Call for a Public Hearing for the Final Bituminous Overlay & MPS Trench Repair Project. (Eng. No. 12-A2-1)
- #9 – Resolution to Call for Public Hearing for Boulevard Trees Assessment

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

**Approve Consent Agenda as amended**

**Motion Passed**

For: 8

5. [Mayor and Council Appointments](#)

A. [Resolution to Approve Appointment to Economic Development Authority \(Mayor\)](#)

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

**Resolution to Approve Appointment to Economic Development Authority (Mayor)**

Motion Passed: **Resolution 2012-0123-1**

For: 8

6. [Mayor and Council Reports](#)

Minutes: Council Member Otto provided a report on a recent meeting of the Oakport Joint Powers Board.

Council Member Hulett provided a report on a recent meeting of the Moorhead Public Service Commission.

Council Member Elmer provided a report on a recent meeting of the Economic Development Authority.

7. [Permanent Flood Protection Discussion/Update](#)

Minutes: Council Member Otto provided a report on a recent meeting of the FM Diversion Authority.

**Engineering - Wastewater Treatment**

8. [Resolutions to Adopt the 2012-2016 Pavement Management & Transportation Improvement Plan and Approve Related Actions](#)

A. [Resolution to Adopt the 2012-2016 Pavement Management & Transportation Improvement Plan](#)

Minutes: City staff clarified the following in response to Mayor and Council questions:

- Some Municipal State Aid (MSA) funds will be utilized in 2012. Following this use the City intends to grow the MSA fund balance in anticipation of the SE Main Ave/20<sup>th</sup> St/21<sup>st</sup> St railroad grade separation project.
- The TH 75 and 50<sup>th</sup> Ave S Roundabout project is recommended based on a report commissioned by the City which examined safety and operational improvements at the intersection. The accident rate and severity is slightly higher than comparable intersections in MN. The report indicated that traffic signals are not justified at this time and a roundabout is recommended as a best solution to provide safety improvements and traffic control. The project has been evaluated and approved by the MN Department of Transportation (Mn/DOT). Funding for the project is being jointly contributed by the State of MN, Clay County, and City of Moorhead. The City's share will be paid through MSA funds, not special assessments. The \$1.5M in State of MN funding dedicated to this project cannot be utilized for another purpose.
- Mn/DOT has recommended not installing traffic signals near the SE Main Ave/CSAH 52/I-94 westbound on-ramp and eastbound off-ramp. Completion of pavement reconstruction is anticipated this fall. Traffic counts will be conducted immediately after the intersection becomes operational to analyze whether a traffic signal should be considered in the future.

The Mayor and Council Members stated the following:

- It is preferred that the 20<sup>th</sup> St S and railroad pedestrian underpass at 40<sup>th</sup> Ave S be removed from the plan in order to preserve MSA funds.
- It is believed that the TH 75 and 50<sup>th</sup> Ave S Roundabout project will improve safety and traffic management.
- It was suggested that it may be beneficial to delay the TH 75 and 50<sup>th</sup> Ave S Roundabout project based on resident concerns.

Mike Wheeler, Moorhead resident, addressed the Mayor and City Council regarding his concern over the proposed roundabout at TH 75 and 50<sup>th</sup> Ave.

Motion to Approve made by Mark Altenburg and seconded by Mike Hulett  
**Resolution to Adopt the 2012-2016 Pavement Management & Transportation Improvement Plan**

Motion Passed: **Resolution 2012-0123-2**

For: 6; Against: 2 - Luther Stueland, Brenda Elmer

- B. [\\*Resolution to Adopt Special Assessment Rates for 2012 Street Mill & Overlay, Street Rehabilitation, Street Reconstruction, and Sidewalk Repair Projects](#)  
**Resolution 2012-0123-A**
- C. [Resolution to Order & Receive Report, Order & Approve Plans & Specifications, Authorize Advertisement for Bids, and Call for a Public Hearing for the Final](#)

[Bituminous Overlay & MPS Trench Repair Project. \(Eng. No. 12-A2-1\)](#)

Minutes: City staff clarified the following in response to Mayor and Council questions:

- Developer's agreements typically delay the final bituminous overlay in new residential developments for a period of three to five years to allow for settlement to occur. Delaying the final overlay beyond this time could expose pavement to potential damage from heavy loads.
- City staff would recommend that the Council consider a spring load restriction on roads which do not have the final overlay in order to reduce the risk of pavement damage. It is anticipated that the restriction will garner voluntary compliance from most builders.

The Mayor and Council Members stated the following:

- It was requested that the final bituminous overlay be postponed in developments which do not appear to have developer support.
- It was noted that some homeowners may be anticipating the final overlay in their development and may not want the project delayed.
- It was requested that any delayed project be reconsidered by the Council in 2013 and that the Council receive a report on current road conditions in these developments at reconsideration.

Concern was noted regarding the risk to pavement conditions if the final overlay is delayed.

City staff was directed to bring forward a resolution to consider spring load restrictions at the next City Council meeting.

Motion to Approve made by Mark Altenburg and seconded by Heidi Durand  
**Resolution to Order & Receive Report, Order & Approve Plans & Specifications, Authorize Advertisement for Bids, and Call for a Public Hearing for the Final Bituminous Overlay & MPS Trench Repair Project. (Eng. No. 12-A2-1)**

Motion to Amend made by Steve Gehrtz and seconded by Mike Hulett

**Amend Resolution to strike Tessa Terrace 3<sup>rd</sup> Addition/Tessa Court Addition, Parkview 1<sup>st</sup> Addition, and Shepherd Meadows 1<sup>st</sup> Addition  
Amendment Passed**

For: 7; Against: 1 – Brenda Elmer

**Resolution to Order & Receive Report, Order & Approve Plans & Specifications, Authorize Advertisement for Bids, and Call for a Public Hearing for the Final Bituminous Overlay & MPS Trench Repair Project. (Eng. No. 12-A2-1) as amended**

Motion Passed: **Resolution 2012-0123-3**

For: 8

D. [\\*Resolution to Order & Receive Report, Order Preparation of Plans & Specifications and Call for a Public Hearing for Street Reconstruction on 20th St from 6th to 12th Ave S. \(Eng. No. 12-A2-2\)](#)  
**Resolution 2012-0123-B**

E. [\\*Resolution to Order & Receive Report, Order Preparation of Plans & Specifications for Street Improvements on 28th Ave S from 20th to 26th St \(Eng. No. 12-A2-3\)](#)

### **Resolution 2012-0123-C**

- F. [\\*Resolution to Order & Receive Report, Order & Approve Plans & Specifications, Authorize Advertisement for Bids, and Call for a Public Hearing for Street Improvements in the Village Green Area, Phase 3 and Country Club Area. \(Eng. No. 12-A2-5\)](#)

### **Resolution 2012-0123-D**

- G. [\\*Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids for Intersection Improvements at 50th Ave S & 3rd St \(Eng. No. 07-A2-12B\)](#)

### **Resolution 2012-0123-E**

- H. [\\*Resolution to Order & Receive Report, Order Plans & Specifications and Call for a Public Hearing for Ramp Reconstruction at SE Main Ave/CSAH 52 & I-94. \(Eng. No. 11-A2-4\)](#)

### **Resolution 2012-0123-F**

- I. [\\*Resolution of Intent to Participate in a Cooperative Construction Agreement with Mn/DOT for the SE Main Ave/CSAH 52 & I-94 Ramp Reconstruction Project. Eng. No. 11-A2-4](#)

### **Resolution 2012-0123-G**

## **Operations Department**

9. [Resolution to Call for Public Hearing for Boulevard Trees Assessment](#)

Minutes: City staff clarified the following in response to Mayor and Council questions:

- The public hearing is to consider a special assessment for trees that have already been installed.
- Boulevard tree installation is frequently included as part of Developer Agreements.
- Residents may elect to plant boulevard trees at their own expense.

The Mayor and Council Members stated the following:

- It may be worthwhile to provide more flexibility regarding the requirement of boulevard trees in Developer Agreements.

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

**Resolution to Call for Public Hearing for Boulevard Trees Assessment**

Motion Passed: **Resolution 2012-0123-4**

For: 8

## **Police Department**

10. [\\*Resolution to Authorize Minnesota Department of Public Safety Grant](#)

### **Resolution 2012-0123-H**

## **Administration**

11. Approve Licenses - Permits

- A. [\\*Resolution to Approve Licenses – Permits](#)  
**Resolution 2012-0123-I**
- B. [\\*Resolution to Approve an On-Sale 3.2 Percent Malt Liquor / On-Sale Wine / Intoxicating Malt Liquor / Sunday Liquor License to Altony's Inc.](#)  
**Resolution 2012-0123-J**

12. [City Manager Reports - Updates](#)

- A. [Resolution to Support Bluestem Center for the Arts \(BCFA\) Special Liquor License](#)

Minutes: It was requested that the Moorhead City Council support special legislation to allow Bluestem Center for the Arts to hold its own on-sale intoxicating liquor license.

Motion to Approve made by Brenda Elmer and seconded by Mike Hulett  
**Resolution to Support Bluestem Center for the Arts (BCFA) Special Liquor License**

Motion Passed: **Resolution 2012-0123-5**

For: 8

13. [Executive Session - Labor Negotiations](#)

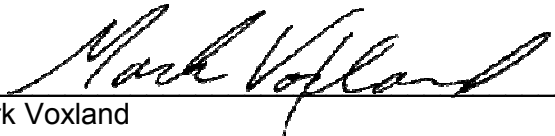
Motion to Approve made by Mark Altenburg and seconded by Nancy Otto  
**Enter into Executive Session to discuss labor negotiations**

Motion Passed

For: 8

Meeting adjourned at 7:24 p.m.

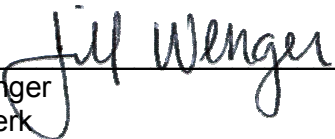
APPROVED BY:



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Mark Voxland  
Mayor

ATTEST:



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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*