

**City of Moorhead
City Council Meeting
Meeting Minutes
November 23, 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 23, 2009, at 5:30 PM.

Roll call of the members was made as follows:

1st Ward Council Member:	Nancy Otto	Present
1st Ward Council Member:	Dan Bohmer	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](#) (noted)

2. [Executive Session to Discuss Litigation](#)

Minutes: The Council entered into executive session to discuss litigation regarding American Crystal Sugar valuation of their property and the Holiday Mall.

Motion to Adjourn into Executive Session made by Dan Hunt and seconded by Nancy Otto
Motion Passed

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

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

- A. [Recognition: Life Saving Award – Officer Matthew Wychor, Officer Cory Borkenhagen, Officer James Ohnstad and Sergeant Toby Krone](#)

Minutes: Chief David Ebinger of the Moorhead Police Department presented Lifesaving Awards to Officer Matthew Wychor, Officer Cory Borkenhagen, Officer James Ohnstad, and Sergeant Toby Krone.

On November 6, 2009, these officers responded to a call of a house fire and administered first aid to victims Lyle and Norma Erickson until paramedics arrived. The Ericksons are currently hospitalized, however members of the Erickson family were present to show their support. The Officers endured smoke inhalation during their response and yet went above and beyond their call of duty to prevent the spread of the fire and ensure the safe delivery of the Ericksons to Meritcare Hospital.

Following the presentation of the awards, a video featuring the Ericksons was shown giving their expression of thanks to the officers that responded to the fire.

B. [Proclamation: American Music Month](#)

Minutes: Mayor Voxland presented a proclamation to the Fargo/Moorhead Area Music Club recognizing the 150th birthday of the National Federation of Music Clubs and declaring November as American Music Month in the City of Moorhead.

4. Approve Minutes

Minutes: No minutes were presented for approval.

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

Minutes: George Mallick (1313 South River Drive, Moorhead) affirmed his support for the preservation of the Rourke Art Gallery building.

Paul Knutson (602 38th Avenue S., Moorhead) stated his support for the increase in passenger fares for Metro Senior Ride Service. He believes the increase will assist in continuing this valuable service.

6. [Agenda Amendments](#)

Minutes: No agenda amendments were proposed.

7. [Consent Agenda](#)

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

Motion made to Approve Consent Agenda made by Diane Wray Williams and seconded by Greg Lemke

Motion Passed: **Resolution #2009-1150**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

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

Minutes: Council held some discussion regarding the proposed sale of the Rourke Art Gallery building.

Wray Williams reported that the "log cabin" topic has been tabled by the Park Board, but is still being considered if a solution can result within budgetary limitations.

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

Minutes: Aaron Snyder from the Army Corps of Engineers, St. Paul District Office, presented information on the "Fargo-Moorhead Metropolitan Feasibility Study." He reported that the Army Corps of Engineers would give a full presentation on their initial screening results at the Metro Flood Management Committee meeting scheduled for November 24, 2009 at 7:30 am which will take place at the Ramada Inn in Fargo.

Mr. Snyder shared the following points:

- By December 31, 2009 the Corps anticipates acquiring all the information they need to make a draft report and environmental impact statement.
- A series of internal and external reviews occur to be certain the information is technically sound.
- The Corps will work with downstream communities to find an acceptable level of impact created by a diversion.
- Corps is working to submit a "Water Bill" to congress in October or November 2010.
- Diversion would be designed to support future growth and city expansion.
- No impact anticipated to aquifer and additional testing is anticipated to prevent harm.
- Corps is familiar with legal challenges. They will be prepared with technical information so congress can make their decisions.
- Fargo Moorhead Upstream Study found that a storage option is not a good stand alone measure. It would only be done as an environmental restoration and would not hold a lot of water.

Motion made to Approve Resolution to Submit Request to the State of Minnesota for 2010 Capital funds in the Amount of \$100.2M made by Lauri Winterfeldt and seconded by John Rowell

Motion Passed: **Resolution #2009-1151**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

10. [Pubic Hearing to Consider Metro Senior Ride Proposed Increase in Passenger Fares](#)

Motion to Open Public Hearing Moved by Diane Wray Williams and Seconded by Lauri Winterfeldt
Motion Passed

Minutes: Lori VanBeek outlined that fares for the Metro Senior Ride Service would increase by \$.50 for a total of \$2.50 per ride. This will increase fare revenues in the 2010 budget by \$4,500 per year and helps to match the grants needed to continue service and potentially increase service in the future.

Lori indicated that she received one letter from the Metropolitan Area of Governments indicating that the increase in fees is justified. No other comments from citizens were received. Information on the fare increase and public hearing was published in the paper and posted in the buses, vans, and on the website.

Metro Senior Ride service began in January 2008. It has become a well-utilized service and it is at maximum capacity. In the future there are plans to increase service with the purchase of another van.

Metro Senior Ride provides approximately 400 rides per month. Increase in fares will allow the service to be maintained at its current level. Metro Senior Ride is not a mandated service of the City.

Motion to Close Public Hearing Moved by Dan Bohmer and Seconded by Nancy Otto.
Motion Passed

A. [Resolution to Approve Metro Senior Ride Proposed Increase in Passenger Fares](#)

Motion made by Dan Bohmer and Seconded by Diane Wray Williams

Motion Passed: **Resolution #2009-1152**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

Community Services Department

11. [*Resolution to Consider Bennett Park Cooperative Request for Rental Registration Fee Modification](#)

Motion Passed: **Resolution #2009-1150-A**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

12. [*Ordinance to Amend and Reenact Section 10 of Ordinance No. 2004-30 Relating to Commission Fees Regarding the Courtesy Bench Franchise - 2nd Consideration](#)

and

***Resolution to Approve Title and Summary of Ordinance 2009-10**

Motion Passed: **Resolution #2009-1150-B-1 & #2009-1150-B-2**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

Engineering - Wastewater Treatment

13. [*Resolution to Approve Change Order #1 for the 2009 Levee & Sluice Gate Project, Phase 1. Eng. No. 09-A5-2B](#)

Motion Passed: **Resolution #2009-1150-C**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

14. [*Resolution to Approve Relocation Claim for the SE Main Ave/20th St/21st St Railroad Grade Separation Project. Eng. No. 02-2-2](#)

Motion Passed: **Resolution #2009-1150-D**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

15. [Ordinance No. 2009-11 - An Ordinance to Adopt the 2010 Fee Schedule - 2nd Consideration](#)

and

Resolution to Approve Title and Summary of Ordinance No. 2009-11

Motion made to Approve made by Greg Lemke and seconded by Diane Wray Williams

Motion Passed: **Resolution #2009-1153 & #2009-1154**

For: 8 - Nancy Otto, Dan Bohmer, Diane Wray Williams, John Rowell, Dan Hunt, Lauri Winterfeldt, Mark Hintermeyer, Greg Lemke

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

Minutes: No reports presented.

17. [Reports - Updates](#)

A. Federal - State Legislative - Budgetary Issues: Updates-Action

Minutes: Michael Redlinger announced a special Committee of the Whole scheduled for November 30 at 5:30 pm to provide additional budget information and information on the Rourke lease agreement. State revenue forecast is anticipated on December 2, 2009.

The Council considered postponing the Nov. 30th meeting, but decided to keep the meeting scheduled as planned.

B. Other

Minutes: No reports presented.

18. Executive Session (if needed)

Minutes: No executive session needed.

19. Other Reports

Minutes: No reports presented.

20. New Business

Minutes: No new business.

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

Minutes: No additional citizens addressing the Council.

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