



**City of Moorhead
City Council Meeting
Meeting Minutes
November 14, 2016 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 14, 2016, at 5:30 PM.

Roll call of the members was made as follows:

1st Ward Council Member:	Mari Dailey	Present
1st Ward Council Member:	Nancy Otto	Present
2nd Ward Council Member:	Jim Haney	Present
2nd Ward Council Member:	Heidi Durand	Present
Mayor:	Del Rae Williams	Present
3rd Ward Council Member:	Mike Hulett	Present
3rd Ward Council Member:	Brenda Elmer	Present
4th Ward Council Member:	Steve Gehrtz	Present
4th Ward Council Member:	Chuck Hendrickson	Present

City Council Meeting

1. [Call to Order and Roll Call](#)
2. Pledge of Allegiance
3. Recognitions - Presentations
 - A. [Proclamation: Moorhead Economic Development Authority Small Business Saturday presented to Cindy Graffeo, Economic Development Director](#)
4. [Approve Minutes](#)

Motion to Approve made by Jim Haney and seconded by Nancy Otto
Motion to Approve Minutes

Motion Passed
For: 8

 - A. [October 11, 2016 City Council Meeting](#)
 - B. [October 24, 2016 City Council Meeting](#)
5. [Citizens Addressing the Council \(Time Reserved: 15 Minutes\)](#)
6. [Agenda Amendments](#)

Minutes: Mayor Del Rae Williams requested Item 21 be moved to the January 9 City Council

Meeting.

Interim City Manager, David Schmidt, asked Items 24, 27, and 35 be removed from consent agenda.

Council Member Mari Dailey asked that the 1st Ward Mayor and Council Appointment be tabled until January.

Motion to Approve made by Mari Dailey and seconded by Jim Haney
Motion to Approve Agenda Amendments

Motion Passed
For: 8

7. Consent Agenda

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

Motion to Approve made by Heidi Durand and seconded by Chuck Hendrickson
Motion to Approve the Consent Agenda as Amended

Motion Passed
For: 8

8. Mayor and Council Appointments

- A. [*Resolution to Approve Mayor and City Council Board/Commission Appointments Resolution 2016-1114-A](#)

Public Hearings (5:45 p.m.)

9. [Public Hearing for Community Development Block Grant \(CDBG\): 2017 Action Plan & Budget](#)

Minutes: Public Hearing opened at 5:49 pm

Lisa Bode, Community Development Manager, shared details relating to the Community Development Block Grant (CDBG) program. Council Member Heidi Durand inquired about additional uses of CDBG funds. Council Member Nancy Otto asked about length of backlog. Council Member Steve Gehrtz requested additional details on the Central Cultural building demolition. Council Member Chuck Hendrickson inquired about Dorothy Day updates.

Public Hearing closed at 6:02 pm

10. [Public Hearing to Consider 2016 Enterprise Zone Program](#)

Minutes: Public Hearing opened at 6:02 pm

Cindy Graffeo, Economic Development Director, briefed the Council on the 2016 Enterprise Zone Program. Council Member Heidi Durand asked about surveying businesses regarding the program. Mayor Del Rae Williams shared additional details on the program. Council Member Brenda Elmer inquired about workers comp discrepancies between Minnesota and North Dakota and lobbying efforts.

Public Hearing closed at 6:08 pm

A. [Resolution to Approve the 2016 Enterprise Zone Program](#)
Resolution 2016-1114-1

Motion to Approve made by Mike Hulett and seconded by Brenda Elmer
Motion to Approve Resolution to Approve the 2016 Enterprise Zone Program

Motion Passed
For: 8

Economic Development

11. [*Resolution to Approve the First Amendment of the 115kV Transmission Line Easement with MPS in MCCARA Industrial Park for 3310 42nd St S \(58.423.0020\) and 3305 43rd St S \(58.423.0090\)](#)
Resolution 2016-1114-B

Planning and Neighborhood Services Department

12. [*Establish Fire Escrow Account Pursuant to MN Statute 65A.50](#)
Resolution 2016-1114-C
13. [*Consider Actions Relating to Ordinance 2016-18: An Ordinance Amending the City Code Relating to Motor/Recreational Vehicles](#)
- A. [*Second Reading](#)
Ordinance 2016-18
- B. [*Title and Summary](#)
Resolution 2016-1114-D
14. [*Consider Actions Relating to Ordinance 2016-19: An Ordinance Rezoning Lots in Evergreen Meadows 3rd Addn to Residential Low Density-2](#)
- A. [*Second Reading](#)
Ordinance 2016-19
- B. [*Title and Summary](#)
Resolution 2016-1114-E
15. [*Consider Actions Relating to Ordinance 2016-20: An Ordinance Amending the Zoning of 3401 8th St S from Residential Low Density-1 to Community Commercial](#)
- A. [*Second Reading](#)
Ordinance 2016-20
- B. [*Title and Summary](#)
Resolution 2016-1114-F
16. [*First Reading of Ordinance 2016-21: An Ordinance to Amend Various Sections of Moorhead City Code](#)
Ordinance 2016-21
17. [*First Reading of Ordinance 2016-23: An Ordinance to Rezone Block 7 of Bergquist's](#)

First Addition from Residential Low Density - 2 to Institutional Ordinance 2016-23

18. *Right of First Refusal on Affordable Rental Housing/Fieldcrest Townhomes - 3204 18 Ave S
Resolution 2016-1114-G

Engineering Department

19. *Resolution to Approve Pedestrian Safety Improvements at 21 St & 2 Ave S.
- A. *Resolution to Approve Installation
Resolution 2016-1114-H
20. *Resolution to Approve Temporary Traffic Signal at 11 St & 15 Ave N. Eng. No. 16-13-8
- A. *Resolution to Approve Installation
Resolution 2016-1114-I
21. Resolution to Approve Engineering Services Agreement with SRF for Final Design for the SE Main Ave/20 St/21 St Railroad Grade Separation Project. Eng. No. 02-2-2E
- A. Resolution to Approve Engineering Services Agreement
22. *Resolution to Approve an Agreement with Clay County for the 12 Ave S Street Improvements. Eng. No. 16-A2-06
- A. *Resolution to Approve Agreement
Resolution 2016-1114-J
23. *Resolution to Approve Utility Location Agreement with RRVCPA for the 12 Ave S & 45 St S Street & Underground Utility Improvements. Eng. No. 16-A2-06
- A. *Resolution to Approve Utility Relocation Agreement
Resolution 2016-1114-K
24. Resolution to Approve Various Actions for Miscellaneous Sanitary Sewer and Water Service Installations and Repairs. Eng. No. 16-A6-01
- A. Resolution to Accept Petitions, Order and Receive Report, Order and Approve Plans & Specifications and Order Improvements
Resolution 2016-1114-2

Minutes: Bob Zimmerman, City Engineer, briefed the Council on sanitary sewer and water service installations and repairs.

Motion to Approve made by Heidi Durand and seconded by Mike Hulett
Motion to Approve Resolution to Approve Various Actions for Miscellaneous Sanitary Sewer and Water Service Installations and Repairs. Eng. No. 16-A6-01

Motion Passed
For: 8

25. *Resolution to Approve an Engineering Services Agreement with LJA for Prairie

Meadows 6th Addition. Eng. No. 16-A6-04

- A. *Resolution to Approve Engineering Services Agreement
Resolution 2016-1114-L
- 26. *Resolution to Approve Change Order No. 2 for the 2 Ave S Flood Mitigation Project.
Eng. No. 11-A13-05C
- A. *Resolution to Approve Change Order No. 2
Resolution 2016-1114-M
- 27. Resolution to Approve Stormwater Utility Budget Adjustment for Golf Course Pond Bank Stabilization & Repairs, Phase 1. Eng. No. 16-13-7A&B.
- A. Resolution to Approve Budget Adjustment
Resolution 2016-1114-3

Minutes: Bob Zimmerman, City Engineer, briefly shared plans for golf course pond bank stabilization and repairs. Council Member Steve Gehrtz shared additional information and proposed future considerations. Council Member Chuck Hendrickson inquired about the life span of the updates.

Motion to Approve made by Steve Gehrtz and seconded by Chuck Hendrickson
Motion to Approve Resolution to Approve Stormwater Utility Budget Adjustment for Golf Course Pond Bank Stabilization & Repairs, Phase 1. Eng. No. 16-13-7A&B.

Motion Passed
For: 8

- 28. *Resolution to Approve Stormwater Maintenance Agreement for 1655 and 1675 Main Ave SE
- A. *Resolution to Approve Stormwater Maintenance Agreement
Resolution 2016-1114-N

Parks and Recreation Department

- 29. *Approve Budget Adjustment to Repair Mechanical Equipment at the Hjemkomst Center
Resolution 2016-1114-O
- 30. *Resolution to Approve a Budget Adjustment for a Commercial Coffee Maker at the Hjemkomst Center
Resolution 2016-1114-P

Police Department

- 31. *Resolution to Approve the Transfer of State Drug Seizure Funds to Police Patrol Training.
Resolution 2016-1114-Q

Administration

- 32. *Consider Actions Relating to Ordinance 2016-22: An Ordinance Adopting the 2017 Fee

Schedule

- A. *Second Reading
Ordinance 2016-22
- B. *Title and Summary
Resolution 2016-1114-R
- 33. *Resolution to Waive Bonding Requirements and Authorize Issuance of Replacement Check
Resolution 2016-1114-S
- 34. *Resolution to Approve Annual Agreement with Moorhead Community Access Media (MCAM)
Resolution 2016-1114-T
- 35. Resolution to Approve Commercial Lease Agreement with Clay County for the New Joint Law Enforcement Center

Minutes: Council Member Steve Gehrtz inquired about the terms of the lease agreement. David Ebinger, Chief of Police, shared additional details on the joint law enforcement center. Mayor Del Rae Williams quipped that it is hard to find someone against the sales tax increase to pay for the new center. Wanda Wagner, Finance Director, clarified the square footage change in the lease agreement.

A motion was made to table until the next meeting.

Motion to Table made by Steve Gehrtz and seconded by Heidi Durand
Motion to Table Resolution to Approve Commercial Lease Agreement with Clay County for the New Joint Law Enforcement Center

Motion Passed
For: 8

- 36. *Resolution to Approve Minutes Policy
Resolution 2016-1114-U
- 37. Approve Licenses - Permits
 - A. *Resolution to Approve Liquor Licenses
Resolution 2016-1114-V
- 38. *Resolution to Canvass Results for the November 8, 2016 City Election
Resolution 2016-1114-W
- 39. Mayor and Council Reports

Minutes: Council Member Durand shared an update on food waste compost programs.

Council Member Otto updated the Council on the Flood Diversion Board Meeting.

Minutes: Mayor Williams read Council Member Haney's resignation from the City Council due to his recent election to the Clay County Commission.

Council Members and John Shockley, City Attorney, discussed next steps for filling the vacant Ward 2 Council Seat.

Motion to Approve made by Steve Gehrtz and seconded by Heidi Durand
Motion to Accept the Resignation and Declare the Seat Vacant as of 12/31/2016 at 11:59 pm

Motion Passed
For: 8

40. City Manager Reports - Updates

41. [Executive Session](#)

A. [Attorney-Client Update Pursuant to Minnesota Statute 13D.05 Subd. 3 Regarding the Litigation Matter of Gust Johanson v. City of Moorhead](#)


Motion to Move Into Executive Session made by Brenda Elmer and seconded by Chuck Hendrickson
Motion to Approve Attorney-Client Update Pursuant to Minnesota Statute 13D.05 Subd. 3 Regarding the Litigation Matter of Gust Johanson v. City of Moorhead

Motion Passed
For: 8

42. New Business


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

APPROVED BY:



Del Rae Williams
Mayor

ATTEST:



Stephanie J. M. Maier
Deputy City Clerk

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

Respectfully submitted by:
Stephanie J. M. Maier, Deputy City Clerk