



**City of Moorhead
City Council Meeting
Meeting Minutes
May 23, 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 May 23, 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 until 6:20 pm
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. [Historical and Cultural Society of Clay County Annual Report - Maureen Jonason](#)

Minutes: Maureen Jonason, Executive Director, provided a brief annual report on the Historical and Cultural Society of Clay County.

4. [Approve Minutes](#)

Motion to Approve made by Jim Haney and seconded by Mari Dailey
Motion to Approve All Minutes

Motion Passed
For: 8

- A. [May 9, 2016 City Council Meeting](#)
- B. [May 11, 2016 Special City Council Meeting](#)
- C. [May 16, 2016 Committee of the Whole Meeting](#)
- D. [May 16, 2016 Special City Council Meeting](#)

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

6. [Agenda Amendments](#)

Minutes: Council Member Haney recommended moving new business up on the agenda prior to public hearings.

Motion to Approve made by Jim Haney and seconded by Steve Gehrtz

Motion to Suspend the Robert's Rules of Order to reconsider the Resolution to Approve Actions Necessary to Recruit and Select a Temporary External Interim City Manager

Minutes: Sarah Wear, Assistant City Attorney, provided a brief overview of the actions to Suspend the Robert's Rules of Order.

Motion Passed

For: 6 - Mari Dailey, Jim Haney, Heidi Durand, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 2 - Nancy Otto, Mike Hulett

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

Motion to Reconsider the Motion to Approve Actions Necessary to Recruit and Select a Temporary External Interim City Manager

Minutes: Council Member Hulett and Council Member Otto expressed their concerns with recruiting an External Interim City Manager.

Motion Passed **Resolution 2016-0523-3**

For: 6 - Mari Dailey, Jim Haney, Heidi Durand, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 2 - Nancy Otto, Mike Hulett

7. [Consent Agenda](#)

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

Motion to Approve made by Brenda Elmer and seconded by Chuck Hendrickson

Motion to Approve Consent Agenda as Amended

Motion Passed

For: 8

Minutes: Mayor Williams briefly explained the modification on the purchase agreement for the Right of First Refusal between RCM LLP and the City of Moorhead for property located in the MCCARA 4th Addition, 3310 42nd St. S.

Item number 22 was pulled from the consent agenda.

8. Mayor and Council Appointments

Public Hearings (5:45 p.m.)

9. [Public Hearing for Proposed Special Assessments \(Unpaid Administrative Penalties - Property Maintenance & Code Enforcement\)](#)

Minutes: Public Hearing opened at 6:01 pm

Lisa Bode, Community Development Division Manager, briefly discussed the proposed Special Assessments. She stated that staff discovered an error in the notice of the special assessment hearing. At the City Attorney's advice, corrective notices were issued to the affected property owners, and a second advertising will appear in the FM Extra next week to publicize a revised hearing date of June 1, 2016. To reduce confusion for affected property owners, it is requested that the Mayor and Council open the hearing and continue the hearing to June 13, 2016 so that property owners may be heard at either meeting.

Keith Bozek, requested the removal of the assessment located at 1403 13 1/2 St. N.

Public Hearing will remain open until June 13, 2016.

A. [Resolution to Approve Special Assessments](#)

Minutes: Resolution to Approve Special Assessments remained open until June 13, 2016.

Economic Development

10. [*Resolution Authorizing the Mayor and Deputy City Manager to Enter into a Purchase Agreement with Dale and Tracie Wendt for property located in MCCARA 4th Addition\(3325 43RD ST S\)](#)
Resolution 2016-0523-A

11. [*Approve Actions Related to the Sale of Land to RCM LLP for Property Located in MCCARA Industrial Park](#)

- A. [*Resolution to Approve a Purchase Agreement between RCM LLP and the City of Moorhead for the Sale of Property Located in MCCARA 4th Addition\(3340 42nd St S and 3370 42nd St S\)](#)
Resolution 2016-0523-B

- B. [*Resolution to Approve a Right of First Refusal between RCM LLP and the City of Moorhead for Property Located in MCCARA 4th Addition \(3310 42nd St S\)](#)
Resolution 2016-0523-C

Planning and Neighborhood Services Department

12. [*Consider Actions Relating to Ordinance 2016-10: An Ordinance to Rezone Lots West of Hampton Place from TZ: Transitional to RLD-2: Residential Low Density - 2](#)

- A. [*Second Reading - Ordinance 2016-10](#)
Ordinance 2016-10

- B. [*Title and Summary - Ordinance 2016-10](#)
Resolution 2016-0523-D

13. [*Resolution to Approve Minor Subdivision - Azool Development Area](#)
Resolution 2016-0523-E

Engineering Department

14. [*Resolution to Award Bid for 40 Ave S Mill & Overlay Project \(River Oaks Circle to 9 St](#)

[S\). Eng. No. 16-A2-02](#)
Resolution 2016-0523-F

15. [*Resolution to Award Bid for Traffic Control Signal System Improvements. Eng. No. 16-A2-02B](#)
Resolution 2016-0523-G
16. [*Resolution to Award Bid for Angela's Area Mill & Overlay Project. Eng. No. 16-A2-07](#)
Resolution 2016-0523-H
17. [*Resolution to Approve Various Actions for Street & Underground Utility Improvements in a portion of Village Green 6th Addition. Eng. No. 16-A6-2](#)
Resolution 2016-0523-I
18. [*Resolution to Approve Budget Adjustment #16-030 for FASTLANE Grant Application.](#)
Resolution 2016-0523-J

Fire Department

19. [*Resolution to Enter Into Second Amended Hazardous Materials Team Contract \(Budget Adj #16-020\)](#)
Resolution 2016-0523-K

Administration

20. [Consider Action Related to Ordinance 2016-05: An Ordinance to Amend and Reenact Section 5-5A-1, 2-5A-3.1, 2-5A-7 and 3-11-3 of the Moorhead Municipal Code Relating to Tobacco Sales, Licensing and Usage Setback](#)

Minutes: Darius Endres, Fargo Shop Owner, spoke in favor of Masterpiece Vapors.

Jenny Hoban, Masterpiece Vapors owner, provided a brief summary of the proposed language that she provided to the Mayor and City Council.

Jack Meyer, Detroit Lakes resident, spoke in favor of Masterpiece Vapors.

Jason McCoy, Clay County Public Health, provided a brief overview of the proposed tobacco ordinance and expressed the health concerns with sampling.

David Ebinger, Police Chief, briefly discussed the Hopkins ordinance and possible changes that should be address such as sampling must be non-combustible, list reasons for denial, etc.

City Council directed the City Clerk and Police Chief to provide a newly revised ordinance to reflect the Hopkins tobacco ordinance at the June 13, 2016 City Council meeting for action.

Action was not taken on the second reading of Ordinance 2016-05 and Title and Summary.

- A. [Second Reading of Ordinance 2016-05](#)
- B. [Resolution to Approve Title and Summary for Ordinance 2016-05](#)

21. [Resolution to Approve an Interfund Loan from the General Fund to the 1st Avenue North Central Corridors Tax Increment Financing District](#)

Motion to Approve made by Heidi Durand and seconded by Jim Haney
Motion to Approve Resolution to Approve an Interfund Loan from the General Fund to the 1st Avenue North Central Corridors Tax Increment Financing District

Motion None
For: 8

Minutes: Wanda Wagner, Finance Director, provided a brief presentation on Tax Increment Financing.

22. [*Resolution in Support of the Clay County Jail/Joint Law Enforcement Center Project Using Local Sales Tax](#)

Motion to Approve made by Mike Hulett and seconded by Heidi Durand
Motion to Approve Resolution in Support of the Clay County Jail/Joint Law Enforcement Center Project Using Local Sales Tax

Motion Passed
For: 8

Minutes: Wanda Wagner, Finance Director, provided a brief overview of the funding for the Clay County Jail/Joint Law Enforcement Center.

23. [*Resolution to Approve Polling Locations for the Primary Election on August 9, 2016 and General Election November 8, 2016.](#)
Resolution 2016-0523-L

24. Approve Licenses - Permits

A. [*Resolution to Approve Sound Amplification Permits](#)
Resolution 2016-0523-M

B. [*Resolution to Approve Liquor License Renewals](#)
Resolution 2016-0523-N

C. [*Resolution to Approve New Liquor Licenses](#)
Resolution 2016-0523-O

25. [Mayor and Council Reports](#)

Minutes: Mayor Williams provided a brief legislative update.

Council Member Hulett thanked Scott Hutchins, Deputy City Manager, on all he has done with the legislature and thanked him for helping in the interim.

Meeting adjourned at 7:27 pm

APPROVED BY:



Del Rae Williams
Mayor

ATTEST:



Michelle French
City Clerk

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

Respectfully submitted by:
Michelle French, City Clerk