



**City of Moorhead
City Council Meeting
Meeting Minutes
August 13, 2018 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 August 13, 2018, at 5:31 PM.

Roll call of the members was made as follows:

1st Ward Council Member:	Mari Dailey	Present
1st Ward Council Member:	Sara Watson Curry	Present
2nd Ward Council Member:	Melissa Fabian	Present
2nd Ward Council Member:	Heidi Durand	Present
Mayor:	Del Rae Williams	Present
3rd Ward Council Member:	Joel Paulsen	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. Agenda Amendments

Minutes: Make Moorhead Home Property Tax Rebate Program was moved ahead in the agenda, and will follow the Public Hearing.

4. [Consent Agenda](#)

All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in accordance with the "Council Rules of Procedure". In such event, the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

Motion to Approve made by Joel Paulsen and seconded by Brenda Elmer
Motion to Approve the Consent Agenda

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

5. [Recognitions - Presentations](#)

A. [Change of Command - Police Dept.](#)

Minutes: Police Capt. Jacobson recounted the accomplishments of retiring Chief David Ebinger, and noted that he has 40 years in law enforcement, 12 years as Chief and has served on the MN Chief of Police Board. He also recounted the accomplishments of new Chief Shannon Monroe. The Police Department guidon was passed from retired Police Chief Ebinger to Mayor Williams to Police Chief Monroe, passing the command of the Police Department to Chief Monroe. Chief Ebinger spoke and thanked the members of the Police Dept. and public for their years of support. Chief Monroe spoke and thanked Chief Ebinger, and thanked the Council and leadership of the City for the opportunity to serve as Chief. Chief Monroe stated that he is looking forward to serving the citizens of Moorhead as their next Police Chief.

5. Other

Minutes: Mayor Williams noted that this is the last meeting for Council member Fabian, and acknowledged her work representing the Citizens of Ward 2. Mayor Williams presented Council Member Fabian a gift from the Council members, and City leadership.

6. Approve Minutes

A. [Minutes of July 23, 2018](#)

Motion to Approve made by Joel Paulsen and seconded by Sara Watson Curry
Motion to Approve the Minutes of July 23, 2018

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

7. [Citizens Addressing the Council](#)

Minutes: A resident addressed the Council regarding work done at the Southside Regional park, and safety at the crosswalks and streets near the park. A resident addressed the Council regarding safety issues in the Southside Regional park, and about neighborhood input in the planning process. A resident addressed the Council regarding lack of public input and information about Southside Regional park development, safety at the intersections, and other options for path placement. A resident addressed the Council regarding safety at crosswalks in the development at the Southside Regional park, reviewed safety concerns by neighbors of the park, and presented a petition asking the City to suspend action of development of a walking and bike path until the neighborhood residents can have more input. City Manager Chris Volkens noted that the bid has been awarded for this project and work is soon to begin. She reviewed the Council's options for reviewing this project. City Traffic Engineer Jon Atkins explained the proposed crosswalk safety enhancements. Engineer Tom Trowbridge reviewed the options for park development, other trails in the park plan, the placement of the path in question, and reviewed options for having a change order to this project. He also gave information

about the intersections and crosswalks in this area, and about midblock pedestrian crossings. Parks and Recreation Director Holly Heitkamp noted that there were public input meetings in 2005 and 2006 regarding this project and the plans for the path in question. Council member Elmer reviewed the comments she has received about safety in these crosswalks and the speed of vehicles on these streets, and inquired about having more recent public input since the 2005 and 2006 public input meetings. Council member Paulsen reviewed the history of this issue, inquired about getting vehicle speed studies done in this project, and having ongoing neighborhood input regarding safety issues in this area. Council member Paulsen further reviewed the park development plan, public notification of the aspects of this plan, and inquired about the timeline of this project. Council member Gehrtz inquired about reconfiguring a walking path and street crosswalk, in order to make the area safer for pedestrians, inquired about options to change the plans and move the path that residents are concerned about. Council member Hendrickson inquired about having a blinking crosswalk light in this area, about the percentage of residents of this area who signed this petition, and about the ramifications of changing, delaying or cancelling a project that has already been awarded. Council member Durand inquired about the placement of the path in question, and giving an opportunity for neighborhood input. Council member Dailey inquired about moving a crosswalk to a safer location. Council member Watson Curry discussed safety issues and use of this, and other parks in the City. City Manager Chris Volkens stated that the project has been in the master plan for some time.

Motion made by Steve Gehrtz and seconded by Chuck Hendrickson to review options to possibly reroute a walking / biking path in the Southside Regional Park Development Plan.

Motion to possibly reroute a walking/biking path in the Southside Regional Park Development Plan.

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

8. Mayor and Council Appointments

A. [*Resolution to Approve Appointment to the EDA](#)

B. [*Resolution for Board / Committee Appointments](#)

9. [Public Hearing Regarding Completed Public Improvement Projects Funded with Special Assessments](#)

Motion to Open Public Hearing made by Melissa Fabian and seconded by Chuck Hendrickson

Motion to Open Public Hearing

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Brenda Elmer, Brenda Elmer, Steve Gehrtz, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

Minutes: Engineer Tom Trowbridge reviewed the history of this project, and noted that the

land owner challenged the 2016 special assessment of the extension of 31st Street S., and the court determined that the description of the project was not precise enough and set aside that portion of the assessment that was related to this landowner's property. It was noted that a new special assessment has been proposed, that on July 9, 2018, the Council adopted a resolution declaring costs to be assessed for various infrastructure construction projects, including this project, ordered the preparation of the proposed assessments and called for an assessment hearing on this date. It was noted that on July 12 the Assessment Hearing notice was mailed to the one affected land owner, and two weeks published notice was provided, and that this special assessment has been reviewed by the attorney. The Council reviewed a letter from the developer of the affected property objecting to the assessment. Council member Gehrtz inquired about the history of bidding this project. Mayor Williams gave three calls for public comment, and none were given.

Motion to Close Public Hearing made by Brenda Elmer and seconded by Heidi Durand

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

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

Motion to Approve made by Heidi Durand and seconded by Melissa Fabian

Motion to Approve a Resolution to Order Special Assessments

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

20. [Make Moorhead Home Property Tax Rebate Program - Extend Program to 12/31/2020](#)

Minutes: Assistant City Manager Dan Mahli presented information about the Make Moorhead Home Property Tax Rebate Program, in the place of Lisa Bode who is presenting the same proposal to the school board at the same time. He noted that this program is only approved until the end of this year, and presented a proposal to extend this program until the end of 2020. It was noted that in the last six years, nearly 800 homes have been built using this program, with a combined tax value of over \$200 million, generating tax revenues of approximately \$2.5 million annually. Council member Elmer noted the success of this program in the past six years, and inquired about the feedback of the resident surveys, and the results of the Make Moorhead Home program.

Motion to Approve made by Heidi Durand and seconded by Joel Paulsen

Motion to Approve the Make Moorhead Home Property Tax Rebate Program – Extending the Program to 12/31/2020

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Brenda Elmer, Brenda Elmer, Steve Gehrtz, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)
Absent: 0 - (None)
Recused: 0 - (None)

Engineering Department

10. [Flood Mitigation Update and Related Actions. Eng. No. 18-13-8](#)

Minutes: Engineer Robert Zimmerman presented the updated Flood Mitigation Plan, including acquisitions, project plans, funding options and local matching funds. Mr. Zimmerman noted that aspects of the plan exceed the 100 year flood level. Council member Durand commented about leaving low priority acquisition properties in the plan. Council member Paulsen agreed with leaving low priority acquisition properties in the plan until a diversion plan is finalized. Council member Elmer inquired about helping homeowners in the flood areas to sell and acquire property in other parts of the City, the FEMA requirements for accreditation, local matching funds and the source of funds, the timeframe of flood mitigation projects, and public input in the Plan. It was noted that the City has only used voluntary buyouts for property acquisition. Council member Durand inquired about the standard for the river flood level noted in the Plan.

A. [Resolution to Support a Request for Flood Damage Reduction Grant Assistance](#)

Motion to Approve made by Joel Paulsen and seconded by Brenda Elmer

Motion to Approve a Resolution to Support a Request for Flood Damage Reduction Grant Assistance

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 0 -

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

B. [Resolution to Approve Revised Plan and Authorize Acquisitions](#)

Motion to Approve made by Joel Paulsen and seconded by Chuck Hendrickson, with a revision to keep the Group C properties listed in the Plan as a low priority.

Motion to Approve a Resolution to Approve Revised Plan and Authorize Acquisitions

Motion Passed

For: 6 -, Sara Watson Curry, Melissa Fabian, , Joel Paulsen, Brenda Elmer, Steve Gehrtz, Chuck Hendrickson

Against: 2 - Mari Dailey, Heidi Durand

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

11. [*Resolution to Approve Various Actions for Homestead Pedestrian Trail. Eng. No. 17-13-03](#)

A. [*Resolution to Award Bid](#)

B. [*Resolution to Approve Permanent Easement](#)

12. [*Resolution to Award Bid for Downtown Pedestrian Trail. Eng. No. 18-13-02](#)

13. [*Resolution to Approve Acquisition of Temporary Easement\(s\) and Permanent Right of Way for the SE Main Ave/20 St/21 St Railroad Grade Separation Project. Eng. No. 02-2-2F](#)
14. [*Resolution to Approve an Access Agreement with Ames Construction, Inc. for the SE Main Ave/20 St/21 St Railroad Grade Separation Project. Eng. No. 02-02-02G](#)
15. [*Resolution to Approve Task Order #3 with Stantec Consulting Services Inc. for Sanitary Lift #14 Replacement. Eng. No. 19-06-01](#)
16. [*Resolutions to Approve Cooperative Construction Agreement No.1031423 with MnDOT and Authorize Advertisement for Bids for Traffic Signal Improvements along TH 10 at 32nd St and 34th St. Eng. No. 18-13-05](#)
 - A. [*Resolution to Approve Cooperative Construction Agreement #1031423 with MnDOT](#)
 - B. [*Resolution to Authorize Advertisement for Bids](#)
17. [*Resolution to Approve Master Legal and Legislative Services Agreement for Activities Related to Wastewater Treatment Facility Permit Limits for Phosphorus](#)

Planning and Neighborhood Services Department

18. [*Resolution to Approve Conditional Use Permit - 2055 Main Ave SE](#)

Administration

19. [*Resolution to Appoint Election Judges for the August 14, 2018 Primary Election](#)
21. [First Reading of Ordinance 2018-11: An Ordinance to Amend Moorhead City Code Title 1, Chapter 6, Subsection 1: City Departments and Other Officers](#)

Minutes: City Manager Chris Volkens reviewed the City Department Restructuring Plan that was approved on July 23, 2018, and noted the changes that are needed to the City Code Title 1, Chapter 6, subsection 1, in order to implement this plan.

Motion to Approve made by Heidi Durand and seconded by Melissa Fabian

Motion to Approve the First Reading of Ordinance 2018-11: An Ordinance to Amend Moorhead City Code Title 1, Chapter 6, Subsection 1: City Departments and Other Officers

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Steve Gehertz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

22. [*Resolution to Approve Budget Adjustment #18-025 Using EDA Tax Levy Fund Reserves to Fund Executive Director Severance Package](#)

Other

23. [Mayor and Council Reports](#)

Minutes: Council member Watson Curry reported on the Human Rights Commission having booth at Pride in the Park. Council members Watson Curry and Hendrickson reported on the Solid Waste Advisory Committee meeting, and discussed solid waste issues, and City Manager Chris Volkens noted that a new transfer station is on the list of 2019 legislative priorities. Council member Paulsen reported on the 20/21 street / Main railroad underpass project, and noted that updates are given on the City web site and via e-notification every Thursday. Council member Elmer reviewed the comments she has received about the funding and special assessments for the railroad underpass project.

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

Minutes: City Manager Chris Volkens referenced the discussion from the July 23, 2018 Council meeting regarding a temporary lease for lots in the MCCARA business park, and gave information about the possible sale of these lots.

25. [Executive Closed Session, Pursuant to Minn. Stat. § 13D.05, subd. 3, to discuss the possible sale of Clay County Parcel No. 58.980.1701 also known as the former American Legion Building property](#)

Motion to Enter Closed Session made by Mari Dailey and seconded by Joel Paulsen
Motion to Enter Closed Session

Motion Passed

For: 8 - Mari Dailey, Sara Watson Curry, Melissa Fabian, Heidi Durand, Joel Paulsen, Brenda Elmer, Brenda Elmer, Brenda Elmer, Steve Gehrtz, Steve Gehrtz, Chuck Hendrickson

Against: 0 - (None)

Abstain: 0 - (None)

Absent: 0 - (None)

Recused: 0 - (None)

The Council went into closed executive session from 8:01 p.m. until 8:16 p.m.

26. New Business

27. Citizens Addressing the Council

Mayor Williams adjourned the meeting at 8:16 p.m.

APPROVED BY:

ATTEST:

Del Rae Williams
Mayor

Lance Beachem
City Clerk

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

Respectfully submitted by:
Lance Beachem, City Clerk