

**MINUTES OF THE MEETING OF THE CITY COUNCIL  
OF THE CITY OF MOORHEAD, MINNESOTA  
September 14, 2009**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Moorhead, Clay County, Minnesota, was duly held in the Council Chambers, City Hall, September 14, 2009, at 5:30 PM.

The following were present for roll call:

|                          |                     |         |
|--------------------------|---------------------|---------|
| 1st Ward Council Member: | Nancy Otto          | Present |
| 1st Ward Council Member: | Dan Bohmer          | Absent  |
| 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](#)
2. [Recognitions/Presentations/Introductions](#)
  - A. [Proclamation - "Forget Me Not Week", September 17-24, 2009](#)

**Minutes:** Mayor Voxland announced a joint proclamation was issued declaring the week of September 17-24, 2009 as "Forget Me Not Week". **5:30 PM**

3. [Approve Minutes of August 17 and 24, 2009](#)

**Motion made to Approve** made by Diane Wray Williams and seconded by Nancy Otto **5:31 PM**  
**Motion to Approve Minutes of August 17 and 24, 2009**  
**Passed For: 7; Against: 0; Abstain: 0; Absent: 1**

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

**Minutes:** No one wished to speak at this time. **5:31 PM**

5. [Agenda Amendments](#)

**Motion made to Approve** made by Nancy Otto and seconded by Diane Wray Williams **5:32 PM**  
**Motion to Amend the Agenda**

**Passed For: 7; Against: 0; Abstain: 0; Absent: 1**

**Minutes:** The following items were added to the agenda: **5:33 PM**

- Approve Standard Lease Agreement between the City of Moorhead and Moorhead Youth Hockey Association;
- Resolution Authorizing the Sale of One 2003

**Paratransit Mini-bus to Central Lakes College.**

6. [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 made to Approve made by Dan Hunt and seconded by Lauri Winterfeldt 5:34 PM**

**Motion to Approve Consent Agenda**

**Passed For: 7; Against: 0; Abstain: 0; Absent: 1**

**Minutes: The consent agenda was amended by removing the following items: 5:34 PM**

- Resolution to Award Bid for Building Demolition at 1026 1st Avenue North Eng No. 09-13-7;
  - Resolution Requesting Tax Relief for Damaged Properties Due to 2009 Spring Flood;
  - Resolution to Approve Engineering Services Agreement with Ulteig Engineers for the TH 75 (8th St)/40th Ave S Pedestrian Underpass Project. Eng. No. 09-2-1;
  - Resolution to Affirm Issuance of a Special Event Liquor License - Speak Easy (NDSU Epsilon Sigma Phi National Conference Opening Reception at Hjemkomst Center); and
- by adding the following item:
- Resolution Authorizing the Sale of One 2003 Paratransit Mini-bus to Central Lakes College.

7. [\\*Approve Licenses - Bonds](#)

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

**Minutes: No reports were made. 5:34 PM**

A. [Committee Appointment - Moorhead Human Rights Commission](#)

**Motion made to Approve made by Diane Wray Williams and seconded by Nancy Otto 5:35 PM**

**Motion to Approve Committee Appointment - Moorhead Human Rights Commission**

**Passed For: 7; Against: 0; Abstain: 0; Absent: 1**

**Minutes: Resolution #2009-902 5:29 PM**

9. [Truth and Taxation Public Hearing \(Hearing must be held at or after 6:00 p.m.\)](#)

**Minutes:** Mayor Voxland announced, in accordance with State law, the City of Moorhead could not open the truth and taxation hearing before 6:00 p.m. He also read aloud the following statement: "A meeting for public input will be held on December 7, 2009 at 6:00 p.m. in the City Hall Council Chambers for discussion of the 2009 Tax Levy and 2010 Budget. Final adoption of the 2009 Tax Levy and 2010 Budget will be at the City Council meeting on December 14, 2009 at the same location." **6:06 PM**

Council Member Otto moved, seconded by Council Member Wray Williams, to open the truth and Taxation public hearing, which motion passed by unanimous vote.

No one wished to speak regarding this hearing. Council Member Otto moved, seconded by Council Member Winterfeldt, to close the public hearing, which motion passed by unanimous vote.

A. [Resolution to Approve Proposed 2009 City Tax Levy Payable 2010](#)

**Motion made to Approve** made by John Rowell and seconded by Diane Wray Williams **6:06 PM**  
**Motion to Approve the Proposed 2009 City Tax Levy Payable 2010**  
**Passed For: 6; Against: 1; Abstain: 0; Absent: 1**  
**Minutes:** Resolution #2009-908 **5:29 PM**

B. [Resolution to Adopt Proposed 2010 City Budget](#)

**Motion made to Approve** made by John Rowell and seconded by Dan Hunt **6:09 PM**  
**Motion to Adopt Proposed 2010 City Budget**  
**Passed For: 6; Against: 1; Abstain: 0; Absent: 1**  
**Minutes:** Resolution #2009-909 **5:29 PM**

C. [Resolution to Approve Proposed 2009 EDA Tax Levy Payable 2010](#)

**Motion made to Approve** made by John Rowell and seconded by Lauri Winterfeldt **6:12 PM**  
**Motion to Approve Proposed 2009 EDA Tax Levy Payable 2010**  
**Passed For: 6; Against: 1; Abstain: 0; Absent: 1**  
**Minutes:** Resolution #2009-910 **5:29 PM**

D. [Resolution to Adopt Proposed 2010 EDA Budget](#)

**Motion made to Approve** made by John Rowell and seconded by Lauri Winterfeldt **6:12 PM**  
**Motion to Adopt Proposed 2010 EDA Budget**  
**Passed For: 6; Against: 1; Abstain: 0; Absent: 1**  
**Minutes:** Resolution #2009-911 **5:29 PM**

Community Services Department

10. [\\*Consider Actions Relative to Prairie Meadows Second Addition \(Unanimous Planning Commission Recommendation\)](#)

A. [\\*Ordinance No. 2009-9 - An Ordinance to Rezone Prairie Meadows Second Addition from TZ, Transitional, to RLD-3, Residential Low Density-3 - 2nd Consideration](#)

B. [\\*Resolution to Approve Title and Summary](#)

Minutes: Resolution #2009-901-A 5:29 PM

C. [\\*Resolution to Approve Final Plat \(Unanimous Planning Commission Recommendation\)](#)

Minutes: Resolution #2009-901-B 5:29 PM

D. [\\*Resolution to Approve Developer's Agreement](#)

Minutes: Resolution #2009-901-C 5:29 PM

11. [\\*Resolution to Award Bid for Building Demolition at 1026 1st Avenue North Eng No. 09-13-7](#)

Motion made to Approve made by Mark Hintermeyer and seconded by John Rowell 5:36 PM

Motion to Award Bid for Building Demolition at 1026 1st Avenue North Eng No. 09-13-7

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Minutes: Resolution #2009-903 5:29 PM

12. [\\*Resolution to Approve Amendment 18 to the Oakport Joint Powers Agreement](#)

Minutes: Resolution #2009-901-D 5:29 PM

13. [\\*Resolution Requesting Tax Relief for Damaged Properties Due to 2009 Spring Flood](#)

Motion made to Approve made by John Rowell and seconded by Lauri Winterfeldt 5:39 PM

Motion to Request Tax Relief for Damaged Properties Due to 2009 Spring Flood

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Minutes: Resolution #2009-904 5:29 PM

14. [\\*Temporary Use Agreement between the City of Moorhead and Sterling Development Group Four LLC for use of Downtown Parking Lot](#)

Minutes: Resolution #2009-901-E 5:29 PM

15. [\\*Resolution to Cancel Request for Proposals for Mass Transit Operational Services and Authorize Negotiation of One-Year Contract Extension with First Transit](#)

Minutes: Resolution #2009-901-F 5:29 PM

16. \*Resolution Authorizing the Sale of One 2003 Pararansit Mini-bus to Central Lakes College

Minutes: Resolution #2009-901-M 5:29 PM

17. [\\*Resolution to Approve Standard Lease Agreement between the City of Moorhead and Moorhead Youth Hockey Association](#)

Motion made to Approve made by Dan Hunt and seconded by John Rowell 5:59 PM

Motion to Approve Standard Lease Agreement between the City of Moorhead and Moorhead Youth Hockey Association

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Minutes: Resolution #2009-907 5:29 PM

#### Engineering - Wastewater Treatment

18. [\\*Resolution to Authorize the Mayor and City Manager to Enter into Agreements for Environmental Testing/Remediation, Demolition, and the Disposition of Property Acquired under Moorhead's Flood Risk Property Acquisition Program](#)

Minutes: Resolution #2009-901-G 5:29 PM

19. [\\*Resolution to Approve Engineering Services Agreement with Ulteig Engineers for the TH 75 \(8th St\)/40th Ave S Pedestrian Underpass Project. Eng. No. 09-2-1](#)

Motion made to Approve made by Lauri Winterfeldt and seconded by John Rowell 5:41 PM

Motion to Approve Engineering Services Agreement with Ulteig Engineers for the TH 75 (8th St)/40th Ave S Pedestrian Underpass Project. Eng. No. 09-2-1

Passed For: 7; Against: 0; Abstain: 0; Absent: 1

Minutes: Resolution #2009-905 5:29 PM

20. [\\*Resolution to Awards Bids for the Center/NP Avenue Bridge Rehabilitation Project. Eng. No. 09-13-3](#)

Minutes: Resolution #2009-901-H 5:29 PM

#### Fire Department

21. No Items Scheduled

#### Operations Department

22. No Items Scheduled

**Police Department**

23. [\\*Resolution to Approve Issuance of Special Event Liquor License - Mick's Office \(Wedding Reception at Hjemkomst Center on 10/3/09\)](#)

**Minutes: Resolution #2009-901-I 5:29 PM**

24. [\\*Resolution to Approve Issuance of Special Event Liquor License - Speak Easy \(Wedding Reception at Hjemkomst Center on 10/31/09\)](#)

**Minutes: Resolution #2009-901-J 5:29 PM**

25. [\\*Resolution to Affirm Issuance of a Special Event Liquor License - Speak Easy \(NDSU Epsilon Sigma Phi National Conference Opening Reception at Hjemkomst Center\)](#)

**Motion made to Approve made by John Rowell and seconded 5:46 PM  
by Diane Wray Williams**

**Motion to Affirm Issuance of a Special Event Liquor License - Speak Easy  
(NDSU Epsilon Sigma Phi National Conference Opening Reception at  
Hjemkomst Center)**

**Passed For: 7; Against: 0; Abstain: 0; Absent: 1**

**Minutes: Resolution #2009-906 5:29 PM**

26. [\\*Resolution to Approve Budget Adjustment - Police Department Drug and Alcohol Abuse Prevention Program](#)

**Minutes: Resolution #2009-901-K 5:29 PM**

**Moorhead Public Service**

27. [\\*Resolution to Authorize Advertisement for Bids for Tree Trimming](#)

**Minutes: Resolution #2009-901-L 5:29 PM**

**City Attorney Reports**

28. No Items Scheduled

**City Manager Reports**

29. [Reports - Updates](#)

**Minutes: Michael Redlinger, City Manager, provided the following announcements/reports: 5:55 PM**

- The Moorhead Charter Commission will be meeting tomorrow morning (Sept. 15th).
- Midcontinent Communications has returned to working in the field with cable installation. He noted they've scaled back to approximately 12 crews and have taken steps to employ safe drilling

practices.

- The City has advertised for the upcoming City Clerk vacancy and has received 117 applications for such.

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

30. [Executive Session to Discuss Labor Negotiation Strategies](#)

**Motion made to Approve made by John Rowell and seconded 6:00 PM  
by Dan Hunt**

**Motion to Adjourn to Executive Session to Discuss Labor Negotiation  
Strategies**

**Passed For: 7; Against: 0; Abstain: 0; Absent: 1**

31. Other Reports

32. New Business

33. [Citizens Addressing the Council \(continued, if necessary\)](#)

**Minutes: Discussion took place regarding the proposed tax 6:40 PM  
levy and preliminary budget approved tonight.  
Several members shared their perspective  
regarding such and how they intend to vote  
following the hearing in December.**

**Meeting adjourned to executive session to discuss  
labor negotiation strategies.**

The proceedings of this meeting are digitally recorded and said electronic file is available for public review.

APPROVED:

\_\_\_\_\_  
MARK VOXLAND, Mayor

ATTEST:

\_\_\_\_\_  
KAYE BUCHHOLZ, City Clerk