

**City of Moorhead
City Council Meeting
Meeting Minutes
September 24, 2012 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 September 24, 2012, at 5:30 PM.

Roll call of the members was made as follows:

1st Ward Council Member:	Luther Stueland	Present until 7:44 p.m.
1st Ward Council Member:	Nancy Otto	Present
2nd Ward Council Member:	Heidi Durand	Present
2nd Ward Council Member:	Mark Altenburg	Present
Mayor:	Mark Voxland	Present
3rd Ward Council Member:	Mike Hulett	Present
3rd Ward Council Member:	Brenda Elmer	Present
4th Ward Council Member:	Mark Hintermeyer	Present
4th Ward Council Member:	Steve Gehrtz	Present

City Council Meeting

1. [Call to Order and Roll Call](#)
2. Citizens Addressing the Council (Time Reserved: 15 Minutes)
3. [Agenda Amendments](#)
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.

Motion to Approve made by Nancy Otto and seconded by Brenda Elmer

Motion to Approve the Consent Agenda as Amended

Motion Passed

For: 8

Minutes: The following items were removed from the Consent Agenda:

- #8 – Resolution Awarding a Contract for Construction of Passenger Shelter Improvements for Area Colleges to Key Contracting
- #16b - Resolution to Revoke Taxicab/Limousine License

Public Hearings (5:45 p.m.)

5. [Public Hearing to Consider Adoption of Special Assessment for Public Improvements for Various Construction Projects](#)

Minutes: Michael Redlinger, City Manager, and Bob Zimmerman, City Engineer, provided a report on the proposed assessments and the following was a clarified response to Mayor and Council questions:

- 9,618 notices were mailed for various projects
- A matrix of the calls received were provided to the City Council showing that the majority of calls were regarding the proposed flood mitigation assessment
- 20% of the local cost for flood mitigation improvements will be collected through special assessments.
- Assessments can be paid off in full before November 15th without interest.

Lloyd Gunderson, Moorhead Resident, addressed the Mayor and Council regarding his concerns on the assessment calculation.

Mark Vanyo, Moorhead Resident, addressed the Mayor and Council regarding his concerns regarding how commercial property was calculated.

Leslie Samuelson, Moorhead Resident, addressed the Mayor and Council regarding his sanitary sewer and water repair assessment for \$14,700.00. He felt that he should only be assessed what the City paid to get the property fixed. Bob Zimmerman, City Engineer, will follow-up on this assessment.

A. [Resolution to Adopt Assessments](#)

Motion to Approve made by Mark Altenburg and seconded by Heidi Durand
Resolution to Adopt Special Assessments for Public Improvements for Various Construction Projects

Motion Passed: **Resolution 2012-0924-1**
 For: 7; Against: 1 - Luther Stueland

Community Services Department

6. [Resolution Approving the Sale of City-Owned Property Located at 2301 25 St S \(formerly Tire Depot\)](#)

Motion to Approve made by Brenda Elmer and seconded by Mark Altenburg
Motion to Approve a Resolution Approving the Sale of City-Owned Property Located at 2301 25 St S (formerly Tire Depot)

Motion Passed: **Resolution 2012-0924-2**
 For: 8

Minutes: Michael Redlinger, City Manager, and Scott Hutchins, Community Services Director, provided a report on the proposed sale and the following was a clarified response to Mayor and Council questions:

- Provides an opportunity for businesses to expand and relocate.
- Funds related to this activity were provided by EDA and would recommend giving the funds back to EDA.

Council Member Elmer provided a report on the EDA meeting regarding the vacant properties. She stated that three businesses would be expanding on this site with the total project netting approximately \$38,000.

7. [Resolution to Enter into an Interim Agreement with Real Estate Recycling \(aka Honey Badger Acquisitions Inc.\) for the Redevelopment of a 5-Acre City-Owned Site Located at 1515, 1619, 1625, 1725 1st Avenue North \(formerly Aggregate Industries et. al.\)](#)

Motion to Approve made by Mark Altenburg and seconded by Mike Hulett

Motion to Approve a Resolution to Enter into an Interim Agreement with Real Estate Recycling (aka Honey Badger Acquisitions Inc.) for the Redevelopment of a 5-Acre City-Owned Site Located at 1515, 1619, 1625, 1725 1st Avenue North (formerly Aggregate Industries et. al.)

Motion Passed: **Resolution 2012-0924-3**

For: 8

Minutes: Michael Redlinger, City Manager, and Scott Hutchins, Community Services Director, provided a report on the proposed agreement and introduced Paul Hyde with Real Estate Recycling. The following was a clarified response to Mayor and Council questions:

- Entering into an Interim Agreement with Real Estate Recycling (RER) for the redevelopment of a 5-acre, City owned site located at 1515, 1619, 1625, 1725 1st Avenue North, formerly Aggregate Industries.
- Paul Hyde, RER Development, gave a brief history on past projects.
- Discussion occurred regarding the start of this project possibly beginning in the fall.
- Project is intended to be appealing with affordable rent, and to provide commercial space.
- Discussion occurred regarding the Salvation Army site.
- The agreement with RER does not include the “easement area” south of the Salvation Army facility.

8. [Resolution Awarding a Contract for Construction of Passenger Shelter Improvements for Area Colleges to Key Contracting](#)

Motion to Approve made by Heidi Durand and seconded by Nancy Otto

Motion to Approve a Resolution Awarding a Contract for Construction of Passenger Shelter Improvements for Area Colleges to Key Contracting

Motion Passed: **Resolution 2012-0924-4**

For: 7: Against: 1 - Luther Stueland

Minutes: Council Member Stueland expressed his concern on why the user won't pay for the service therefore it's hard to make everyone pay. The City needs to determine where the demand is and scale the service to fit the demand.

Engineering - Wastewater Treatment

9. [*Resolution to Approve Cooperative Construction Agreement with Concordia College for the TH 10/TH 75 Reconstruction Project](#)
Resolution 2012-0924-A
10. [*Resolution to Approve the Relocation of Utilities for the Horizon Shores Regional Pond, Phase 2. Eng. No. 12-A5-1](#)

Resolution 2012-0924-B

11. [*Resolution to Accept Petition for Water and Electrical Services at 1102 28th Ave S](#)
Resolution 2012-0924-C

Police Department

12. [*Resolution Approving the Renewal of the Multi-Agency Law Enforcement Joint Powers Agreement with the Minnesota Internet Crimes Against Children Task Force \("ICAC"\)](#)
Resolution 2012-0924-D

Moorhead Public Service

13. [*Award Bid for Replacement of 230kV Circuit Breaker at the Moorhead DOE Tap Substation](#)
Resolution 2012-0924-E

Administration

14. [City Council Update: Moorhead Public Service Water Rate Study and Proposed Rate Recommendations](#)

Minutes: Jill Wenger, Assistant City Manager, and Wanda Wagner, Finance Director, provided a report on the memo and the following was a clarified response to Mayor and Council questions:

- June 13, 2011 – the City Council held a public hearing on the proposed ordinance and asked that City staff provide the Mayor and Council with a briefing memo following discussion with Moorhead Public Service (MPS) regarding the revised hydrant fees.
- The proposal is if the \$40 hydrant fee was removed from the charter - MPS would then charge the city the proposed hydrant fee.
- In order for the Charter to be changed, it requires a unanimous vote by the Council and Mayor.

Council Member Otto suggested an agreement with MPS before changing the Charter.

Discussion occurred regarding the fee schedule and the maintenance of all utilities. Bill Schwandt, General Manager of Moorhead Public Service, explained the study and how the fees were calculated.

Mayor Voxland asked City staff to provide a background on the Charter issues and what types of items need to be changed, ask MPS to put together how they would handle the street lighting and hydrant fees, and look at budget ramifications if this were changed.

15. [*Resolution to Authorize Agent of Record for Employee Life and Long Term Disability Insurance Programs](#)
Resolution 2012-0924-F

16. *Approve Licenses - Permits

- A. [*Resolution to Approve Licenses - Permits](#)
Resolution 2012-0924-G

B. [*Resolution to Revoke Taxicab/Limousine License](#)

Motion to Amend made by Mark Altenburg and seconded by Heidi Durand
Amend Resolution to Suspend the Taxicab/Limousine License for 45 days

Motion to Amend Failed

For: 3; Against: Nancy Otto; Mike Hulett; Brenda Elmer; Mark Hintermeyer; and Steve Gehrtz

Motion to Approve made by Mark Altenburg and seconded by Nancy Otto
Motion to Approve a Resolution to Revoke Taxicab/Limousine License

Motion Passed: **Resolution 2012-0924-5**

For: 5; Against: Luther Stueland; Heidi Durand; and Mark Altenburg

Minutes: Jill Wenger, Assistant City Manager, provided an overview of the license and clarified the following in response to Mayor and Council questions:

- License is issued to the business and they list each vehicle that is listed under the business.
- The driver cannot drive without a license or insurance by law.
- John Shockley, City Attorney, stated that this issue is to revoke or suspend. The driver's license has been suspended. There is an appeal process in place and can take to the court of appeals. He can reapply if revoked if he provides proper insurance and driver's license.

Council Member Otto stated that citizens are not protected when a taxi cab driver is not licensed or insured.

Council Member Hintermeyer informed the City Council that standards are issued routinely, and that this is a second violation.

17. [Mayor and Council Reports](#)

Minutes: Council Member Gehrtz reported that MnDOT and the Metropolitan Council of Governments have rebid the Main Avenue project in Moorhead and are comfortable with the new bids.

Council Member Otto provided a report on a recent meeting of the Flood Diversion Authority.

Council Member Altenburg provided a report on a recent meeting of the Human Rights Committee.

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

A. Discuss October 29th Town Hall Meeting #2

Minutes: The Mayor and Council determined that a Town Hall Meeting will be scheduled on the 5th Monday in October to provide citizens an opportunity to provide input into the Council's budget process. The meeting will take place in the Council Chambers with department presentations to follow.

Discussion occurred regarding a possible Council Retreat.

19. Executive Session - Labor Negotiations Update

Minutes: The Mayor recommended providing the resolution in the Council Packet for Executive Sessions. The Mayor allowed Citizens to address the Council prior to the Executive Session.

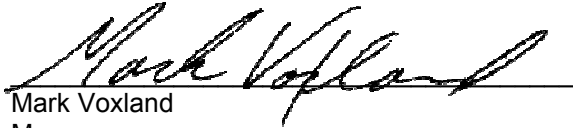
20. [Citizens Addressing the Council \(continued, if necessary\)](#)

Minutes: Bruce Bekkrus, A1 Automotive and Vice-President of the Moorhead Business Association, gave an update on the ramps. Start a celebration to open the ramps.

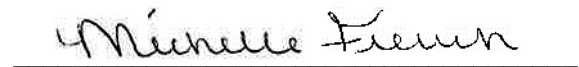
Michael Redlinger gave a brief update on the future development of the Horizon Shores Pond for future business expansion.

Meeting adjourned at 8:01 p.m

APPROVED BY:


Mark Voxland
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