



**City of Moorhead
City Council Meeting
Meeting Minutes
May 27, 2014 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 27, 2014, 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. [Biosolids Management Team and Wastewater Utility Recognition Day](#)

Minutes: Mayor Williams presented the Biosolids Management Team and Wastewater Utility Proclamation.

B. [VFW Poppy Promotion Day](#)

Minutes: Mayor Williams presented the Veterans of Foreign Wars the "Poppy Promotion Day" proclamation.

4. [Approve Minutes](#)

Motion to Approve made by Steve Gehrtz and seconded by Nancy Otto
Motion to Approve Minutes for May 12, 2014 and May 19, 2014

Motion Passed
For: 8

A. [May 12, 2014 City Council Meeting Minutes](#)

B. [May 19, 2014 Committee of the Whole Minutes](#)

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

Minutes: No citizens addressed the City Council.

6. [Agenda Amendments](#)

Minutes: Michael Redlinger, City Manager, requested that 10C be removed from the meeting agenda and 9A and 9B be removed from the Consent Agenda.

7. [Consent Agenda](#)

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

Motion to Approve made by Mari Dailey and seconded by Brenda Elmer
Motion to Approve Consent Agenda as Amended

Motion Passed
For: 8

Minutes: Item numbers 13, 16, and 24 were removed from the Consent Agenda.

8. Mayor and Council Appointments

Public Hearings (5:45 p.m.)

9. [Public Hearing to Consider Improvements on SE Main Ave from Oak Way to I-94. Eng. No. 14-A2-3 & 14-A2-4](#)

Minutes: Public Hearing Opened at 5:50 pm

Tom Trowbridge, Assistant City Engineer, provided a brief presentation on the SE Main Avenue from Oak Way to I-94 improvements.

Public Hearing Closed at 6:04 pm

A. [Resolution to Order Improvements and Declare Intent to Assess. Eng. No. 14-A2-3 & 14-A2-4](#)

Motion to Approve made by Mike Hulett and seconded by Jim Haney
Motion to Approve Resolution to Order Improvements and Declare Intent to Assess. Eng. No. 14-A2-3 & 14-A2-4

Motion Passed **Resolution 2014-0527-1**
For: 8

B. [Resolution to Award Bid. Eng. No. 14-A2-4](#)

Motion to Approve made by Nancy Otto and seconded by Mari Dailey
Motion to Approve Resolution to Award Bid. Eng. No. 14-A2-4

Motion Passed **Resolution 2014-0527-2**
For: 8

10. [Public Hearing to Consider the Enactment of a Cable Franchise Ordinance and Approval of Franchise Agreements with Midcontinent Communications and Cable One, Inc.](#)

Minutes: Public Hearing Opened at 6:06 pm

Sarah Nyhus-Wear, Ohnstad Twichell PC, provided a brief background on the Cable Franchise Ordinance and proposed agreements.

Public Hearing Closed at 6:26 pm

A. [Second Reading of Ordinance 2014-04 Relating to Regulation of Cable Communications](#)

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

Motion to Approve Second Reading of Ordinance 2014-04 Relating to Regulation of Cable Communications

Motion Passed

For: 8

B. [Title and Summary of Ordinance 2014-04](#)

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

Motion to Approve Title and Summary of Ordinance 2014-04

Motion Passed **Resolution 2014-0527-3**

For: 8

C. [Resolution to Approve Cable Franchise Agreement Between the City of Moorhead and Cable One](#)

Minutes: This item was removed from the agenda and will be considered at a future date.

D. [Resolution to Approve Franchise Agreement Between City of Moorhead and Midcontinent Communications](#)

Motion to Approve made by Nancy Otto and seconded by Chuck Hendrickson

Motion to Approve Resolution to Approve Franchise Agreement Between City of Moorhead and Midcontinent Communications

Motion Passed **Resolution 2014-0527-4**

For: 8

Planning and Neighborhood Services Department

11. [*Consider Actions Relating to Ordinance 2014-07 \(115 14th Street North\)](#)

A. [*Second Reading of Ordinance 2014-07: An Ordinance to Rezone from RMD-2: Residential Medium Density - 2 to MU-3: Commercial Mixed Use](#)

B. [*Title and Summary for Ordinance 2014-07](#)
Resolution 2014-0527-A

Engineering Department

12. [*Resolution to Award Bid for Internal Drainage Improvements - Area A. Eng. No. 11-A13-4A](#)
Resolution 2014-0527-B

13. [Resolution to Award Bid for Flood Mitigation Project Area 1A \(River Oaks Circle/40th Ave South\). Eng. No. 11-A13-5A](#)

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

Motion to Approve Resolution to Award Bid for Flood Mitigation Project Area 1A (River Oaks Circle/40th Ave South). Eng. No. 11-A13-5A

Motion Passed **Resolution 2014-0527-5**

For: 8

Minutes: Tom Trowbridge, Assistant City Engineer, provided a brief flood mitigation project update.

14. [*Wastewater Utility Odor & Corrosion Control Improvements. Eng. No. 14-6-1](#)

- A. [*Resolution to Award Bid](#)
Resolution 2014-0527-C

- B. [*Resolution to Amend Engineering Services Agreement with Apex Engineering Group](#)
Resolution 2014-0527-D

15. [*Resolution to Approve Various Actions for Azool 1st & 2nd Additions. Eng. No. 14-A6-3](#)

- A. [*Resolution to Receive Petitions and Order Report](#)
Resolution 2014-0527-E

- B. [*Resolution to Receive Report and Order Plans & Specifications](#)
Resolution 2014-0527-F

- C. [*Resolution to Approve Plans & Specifications and Authorize Advertisement for Bids](#)
Resolution 2014-0527-G

16. [Resolution to Approve Engineering Services Agreement for Implementation of Voyage Software & Timing Plans as part of the Downtown Signal Operations Improvements. Eng. No. 11-13-1](#)

Motion to Approve made by Brenda Elmer and seconded by Heidi Durand

Motion to Approve Resolution to Approve Engineering Services Agreement for Implementation of Voyage Software & Timing Plans as part of the Downtown Signal Operations Improvements. Eng. No. 11-13-1

Motion Passed **Resolution 2014-0527-6**

For: 8

Minutes: Tom Trowbridge, Assistant City Engineer, provided a brief update on the current signal improvements.

Public Works Department

17. [*Resolution to Authorize to Advertise for Bid to purchase a Single-Automated Side-Load Refuse Truck and a Dual-arm Semi-Automated Side-Load Refuse Truck](#)
Resolution 2014-0527-H
18. [*Resolution to Authorize to Advertise for Bid to Purchase Three \(3\) Auto-Loader Recycle Trucks](#)
Resolution 2014-0527-I

Moorhead Public Service

19. [*Approve Change Order No. 2 for Abatement and Demolition of the Moorhead Power Plant at Elm Street](#)
Resolution 2014-0527-J

Administration

20. [Consider Actions Relating to the Competitive Negotiated Sale of General Obligation Wastewater Revenue Bonds, Series 2014A and General Obligation Improvement Refunding Bonds, Series 2014B](#)

Minutes: Michael Redlinger, City Manager, provided a brief overview of the Wastewater Revenue Bonds, Series 2014A and General Obligation Improvement Refunding Bonds, Series 2014B.

- A. [Resolution Providing for the Competitive Negotiated Sale of \\$7,655,000 General Obligation Wastewater Revenue Bonds, Series 2014A](#)

Motion to Approve made by Mari Dailey and seconded by Mike Hulett

Motion to Approve Resolution Providing for the Competitive Negotiated Sale of \$7,655,000 General Obligation Wastewater Revenue Bonds, Series 2014A

Motion Passed **Resolution 2014-0527-7**

For: 8

- B. [Resolution Providing for the Competitive Negotiated Sale of \\$19,985,000 General Obligation Improvement Refunding Bonds, Series 2014B](#)

Motion to Approve made by Mike Hulett and seconded by Mari Dailey

Motion to Approve Resolution Providing for the Competitive Negotiated Sale of \$19,985,000 General Obligation Improvement Refunding Bonds, Series 2014B

Motion Passed **Resolution 2014-0527-8**

For: 8

21. [Resolution Authorizing Rights of Entry to Conduct Testing, Surveying and Boring in Connection with the F-M Diversion Project](#)

Minutes: John Shockley, City Attorney, provided a brief overview of the rights of entry process.

Motion to Approve made by Mike Hulett and seconded by Nancy Otto

Motion to Approve Resolution Authorizing Rights of Entry to Conduct Testing, Surveying

and Boring in Connection with the F-M Diversion Project

Motion Failed

For: 4 - Nancy Otto, Jim Haney, Mike Hulett, Steve Gehrtz

Against: 4 - Mari Dailey, Heidi Durand, Brenda Elmer, Chuck Hendrickson

Motion to Approve made by Brenda Elmer and seconded by Heidi Durand

Motion to Request the Watershed District to move forward with this Resolution.

Motion Passed

For: 6; Against: 2 - Nancy Otto, Mike Hulett

22. [*Resolution to Approve Amendment to NON-PROFIT LEASE between the City of Moorhead and Fargo Public School District](#)
Resolution 2014-0527-K

23. [*Resolution to Authorize Professional Services Contract with Moran, Stahl, and Boyer for Targeted Marketing Strategy for MCCARA Industrial Park](#)
Resolution 2014-0527-L

24. [*Consider Actions Relating to Ordinance 2014-06](#)

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

Motion to Approve Consider Actions Relating to Ordinance 2014-06

Motion Passed

For: 8

Minutes: David Ebinger, Police Chief, explained the Disruptive Intoxication Ordinance.

- A. [*Second Reading of Ordinance 2014-06: An Ordinance to Create and Enact Section 4-4-21 of the Moorhead Municipal Code Relating to Disruptive Intoxication](#)
- B. [*Title and Summary of Ordinance 2014-06](#)
Resolution 2014-0527-10
25. [*Consider Actions Relating to Ordinance 2014-08](#)
- A. [*Second Reading of Ordinance 2014-08: An Ordinance to Amend the 2014 Fee Schedule](#)
- B. [*Title & Summary of Ordinance 2014-08](#)
Resolution 2014-0527-M
26. [*Consider Approving the First Reading of Ordinance No. 2014-09: An Ordinance to Repeal Article of Chapter 2 of the Moorhead City Code Relating to Dances](#)
Ordinance 2014-09
27. [*Consider Approving the First Reading of Ordinance No. 2014-10: An Ordinance to Amend and Reenact Section 2-3-21 of the Moorhead City Code Relating to Liquor Control Penalty for Violations and to Create and Enact Section 2-3-22 of the Moorhead City Code Relating to Compliance Checks](#)
Ordinance 2014-10
28. Approve Licenses - Permits

A. [*Resolution to Approve the Sound Amplification Permits](#)
Resolution 2014-0527-N

29. [Mayor and Council Reports](#)

Minutes: Council Member Durand reminded Council and Staff of the Library Appreciation Event.

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

Minutes: Michael Redlinger, City Manager, provided a brief update on the E-cig ordinance and a proposed summer employee appreciation picnic.

Meeting Adjourned at 7:32 pm

APPROVED BY:

ATTEST:



Del Rae Williams
Mayor



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