

**City of Moorhead
City Council Meeting
Meeting Minutes
March 28, 2011 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 March 28, 2011, at 5:30 PM.

Roll call of the members was made as follows:

1st Ward Council Member:	Luther Stueland	Present
1st Ward Council Member:	Nancy Otto	Present
2nd Ward Council Member:	Diane Wray Williams	Present
2nd Ward Council Member:	Mark Altenburg	Absent
3rd Ward Council Member:	Dan Hunt	Absent
3rd Ward Council Member:	Brenda Elmer	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

A. [Proclamation: Undergraduate Research Week](#)

Minutes: Mayor Voxland presented representatives of Concordia College with a proclamation recognizing Undergraduate Research Week.

3. [Citizens Addressing the Council](#)

Minutes: No citizens addressed the Mayor and Council.

4. [Agenda Amendments](#)

Minutes: No agenda amendments were noted.

5. [Consent Agenda](#)

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

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

- #16 – Resolution to Approve a Joint Powers Agreement with the City of Dilworth and Valley Senior Services for Operation of Metro Senior Ride for 2011
- #20 – Resolution to Approve Local Government Renewable Energy Grant Agreement with State of Minnesota Department of Commerce

Motion to Approve made by Diane Wray Williams and seconded by Nancy Otto

Approve Consent Agenda

Motion Passed

For: 6; Absent: 2 – Mark Altenburg, Dan Hunt

6. Mayor and Council Appointments

Minutes: No appointments were noted.

7. [Mayor and Council Reports](#)

Minutes: Council Member Wray Williams spoke briefly about several events hosted by the Lake Agassiz Regional Library, made available through Legacy Grant funding.

Council Member Elmer provided a brief report on an event hosted by the Home Builders Association.

Council Member Hintermeyer thanked City staff for declining an invitation to a meeting when it became apparent that North Dakota public officials were in discussions regarding permanent flood protection without media present.

8. [Permanent Flood Protection Discussion/Update](#)

Minutes: Michael Redlinger, City Manager provided the following updates:

- On Friday, April 1, general sandbag deployment will begin and the Volunteer Center at MSU-Moorhead will open. Private property owners should be ready to receive sandbags on this date and build to a top elevation of 43 feet. Limited sandbag delivery will be available on Thursday for those that make arrangements through the City's Call Center.
- Clay levees are being installed around some primary areas of protection to reduce sandbags needs. Secondary clay levees will be built following sandbag dike construction, if river levels are forecast to reach 40 feet or above.

City staff clarified the following in response to Mayor and Council questions:

- It is expected to take seven total days to construct all sandbag dikes and clay levees throughout the City. These seven days may not be consecutive, due to weather conditions.
- The City is seeking the best windows of time to deploy sandbags so as to not incur frozen sandbag prior to placement or to put volunteers at risk.
- The more work the City can accomplish well in advance of the flood, the more calm and orderly the work will be conducted.
- Clay levees could be built to a top elevation of 45 feet, if necessary.
- Neighborhood Coordination Plans are still being received by the City. Zone Leaders continue to communicate with residents in Flood Zones.

- Walkways will be provided over contingency clay levees within reasonable distances to homes, if constructed.
- A map of contingency clay levee locations will be posted to the City's Flood website.

Michael Hokanson, Moorhead resident, requested information regarding delivery of sandbags. City staff stated that sandbag deployment will be conducted by roll off containers, as it would take up to five times longer to deliver by pallets. Sandbags were palletized to more efficiently store sandbags in available heated storage facilities.

Public Hearings

Minutes: Michael Redlinger, City Manager, stated that several resolutions on the agenda require seven affirmative votes of the City Council. City staff recommends these items be adjourned to April 4, 2011 given that two City Council Members are absent.

9. [Public Hearing to Consider Submittal of a Grant Application to the Federal Transit Administration for 2011 Transit Operating, Planning, and Capital Assistance](#)

A. [Authorization to File Application with the Federal Transit Administration for Receipt of 2011 Federal Operating, Planning, and Capital Assistance](#)

Minutes: Public Hearing opened at 6:08 p.m.

Lori Van Beek, Transit Manager, provided a brief report regarding the application with the Federal Transit Administration.

No citizens addressed the Mayor and Council.

Public hearing closed at 6:10 p.m.

Motion to Approve made by Mark Hintermeyer and seconded by Brenda Elmer
Authorization to File Application with the Federal Transit Administration for Receipt of 2011 Federal Operating, Planning, and Capital Assistance

Motion Passed: **Resolution 2011-0328-1**

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

10. [Public Hearing to Consider the Final Bituminous Overlay Project. Eng. No. 11-A2-1](#)

Minutes: Public hearing opened at 6:11 p.m.

Jody Bertrand, Senior Engineer, provided a brief overview of the project and clarified the following in response to Mayor and Council questions:

- Delay of the project may incur the possibility of accumulative damage to the road and may result in a more expensive repair project in the future.
- Oil prices for asphalt may be significantly more expensive beyond 2011.

John Hough, JV Hough Inc., addressed the Mayor and Council Members regarding his interest in builders/developers providing more input into Developer's Agreements. Hough also requested that the engineering fees be discounted for this project.

Public Hearing closed at 6:30 p.m.

A. [Resolution to Order Improvement](#)

B. [Resolution to Award Bid](#)

Minutes: The Mayor and Council Members stated the following:

- It is preferred that the City consider ways for builders/developers to provide more input into Developer's Agreements.
- A discount of engineering fees could be considered.
- It may be preferred that the project exclude specific neighborhoods within newer developments that are largely unfilled.
- Connectivity within neighborhoods has been incorporated into Developer's Agreements as a policy of the City Council.

The Mayor and Council Members directed staff to provide the percentage of developed properties in each of the newer subdivisions impacted by the project and any impact on the bid currently submitted by the contractor if some neighborhoods are excluded from the project.

Motion to Approve made by Luther Stueland and seconded by Diane Wray Williams
Resolution to Order Improvement and Award Bid for the Final Bituminous Overlay Project. Eng. No. 11-A2-1

Motion to Table made by Nancy Otto and seconded by Diane Wray Williams

Motion to Table Passed

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

11. [Public Hearing to Consider the Rehabilitation of 19th St from 8th to 12th Ave S. Eng. No. 11-A2-3](#)

Minutes: Public Hearing opened at 6:40 p.m.

Jody Bertrand provided a brief report on the project. He stated that access to the Moorhead Municipal Pool will be provided throughout the project.

No citizens addressed the Mayor and Council.

Public Hearing closed at 6:45 p.m.

A. [Resolution to Order Improvement](#)

B. [Resolution to Award Bid](#)

Minutes: The Mayor and Council Members stated the following:

- All construction projects should be prioritized based on need and

should be carefully considered by the Council prior to incurring additional public debt.

- It is apparent that 19th Street is in need of repair.

City staff clarified the following in response to Mayor and Council questions:

- City staff continues to survey conditions of City streets. Additional time is needed to analyze this data and incorporate it into the City's financial plan.

Motion to Approve made by Nancy Otto and seconded by Diane Wray Williams
Resolution to Order Improvement and Award Bid for the Rehabilitation of 19th St from 8th to 12th Ave S. Eng. No. 11-A2-3

Motion to Table made by Diane Wray Williams and seconded by Luther Stueland
Motion to Table Passed

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

12. [Public Hearing to Consider Rehabilitation and Mill & Overlay on 11th St from 24th to 28th Ave S, 24th Ave S from 8th to 10th St & Village Green Area, Phase 2. Eng. No. 11-A2-2](#)

Minutes: Public Hearing opened at 6:52 p.m.

Jim Schultz, Senior Engineer provided a brief report on the project.

No citizens addressed the Mayor and Council.

Public Hearing closed at 6:58 p.m.

A. [Resolution to Order Improvement](#)

B. [Resolution to Award Bid](#)

Motion to Approve made by Luther Stueland and seconded by Nancy Otto
Resolution to Order Improvement and Award Bid for the Mill & Overlay on 11th St from 24th to 28th Ave S, 24th Ave S from 8th to 10th St & Village Green Area, Phase 2. Eng. No. 11-A2-2

Motion to Table made by Luther Stueland and seconded by Nancy Otto
Motion to Table Passed

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

13. [Public Hearing to Consider the City-Wide Sidewalk Project. Eng. No. 11-A7-1](#)

Minutes: Public Hearing opened at 6:59 p.m.

Jim Schultz, Senior Engineer provided a brief report on the project. He stated that the assessed cost varies by lot.

No citizens addressed the Mayor and Council.

Public Hearing closed at 7:03 p.m. Council Member Elmer voting against closing the public hearing.

- A. [Resolution to Order Improvement](#)
- B. [Resolution to Award Bid](#)

Minutes: The Mayor and Council Members stated the following:

- It is preferred that the City consider ways for builders/developers to provide more input into Developer's Agreements.
- It may be preferred that the project exclude specific neighborhoods within newer developments that are largely unfilled.
- Sidewalk installation following neighborhood establishment may cause issues to costly sprinkler system realignment or repairs.

The Mayor and Council Members directed staff to provide the percentage of developed properties in each of the newer subdivisions impacted by the project and any impact on the bid currently submitted by the contractor if some neighborhoods are excluded from the project.

Motion to Approve made by Nancy Otto and seconded by Diane Wray Williams
Resolution to Order Improvement and Award Bid for the City-Wide Sidewalk Project. Eng. No. 11-A7-1

Motion to Table made by Luther Stueland and seconded by Nancy Otto

Motion to Table Passed

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

- 14. [Public Hearing to Amend of Enabling Resolution of the Economic Development Authority](#)

Minutes: Public Hearing opened at 7:09 p.m.

Redlinger stated that the Economic Development Authority (EDA) was originally created by special legislation and requires a public hearing for any change to its Bylaws. The current recommendation of the EDA is to transition four existing membership positions to Ward based appointments. The Mayor would also retain some appointments to the EDA. It was noted that the Bylaws must be consistent with the enabling resolution.

The Mayor and Council Members directed staff to provide additional information and materials as presented to the EDA.

Public Hearing continued to April 4, 2011.

Community Services Department

- 15. [*Consider Actions Related to Archland Addition](#)
 - A. [*Approve Second Reading of Ordinance 2011-2: An Ordinance to Rezone Lot 1, Block 1 of Archland Addition from MU-1 - Downtown Mixed Use and RLD-3 - Residential Low Density-3 to CC - Community Commercial](#)
Resolution 2011-0328-A

B. [Approve Title and Summary](#)

Minutes: It was noted that there is Minnesota State Statute requirement that approval of Title and Summary of an Ordinance requires an affirmative vote of seven Council Members.

Motion to Approve made by Luther Stueland and seconded by Nancy Otto

Resolution to Approve Title and Summary

Motion to Table made by Luther Stueland and seconded by Nancy Otto

Motion to Table Passed

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

16. [Resolution to Approve a Joint Powers Agreement with the City of Dilworth and Valley Senior Services for Operation of Metro Senior Ride for 2011](#)

Minutes: The Mayor and Council Members stated the following:

- Concern was noted regarding the rising cost of Metro Senior Ride and the amount of subsidy incurred to general City taxpayers to sustain this service.
- Metro Senior Ride is viewed as an essential service for seniors.

Motion to Approve made by Greg Lemke and seconded by Brenda Elmer

Resolution to Approve a Joint Powers Agreement with the City of Dilworth and Valley Senior Services for Operation of Metro Senior Ride for 2011

Motion to Table made by Nancy Otto and seconded by Diane Wray Williams

Motion to Table Passed

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

Engineering - Wastewater Treatment

17. [*Resolution to Request a Variance from Minnesota Rules for State Aid Operations for the Pedestrian Underpass at 20th St. & 40th Ave S. Eng. No. 11-2-1](#)
Resolution 2011-0328-B

Fire Department

18. [*Resolution to Accept Grant Award for FY 2010 Assistance to Firefighters Grant - Operations and Safety Program and Approve Budget Adjustment for Grant Match](#)
Resolution 2011-0328-C

Police Department

19. [*Resolution Authorizing Extension of Police Towing Contract](#)
Resolution 2011-0328-D

Moorhead Public Service

20. [Resolution to Approve Local Government Renewable Energy Grant Agreement with State of Minnesota Department of Commerce](#)

Minutes: Bill Schwandt, Moorhead Public Service, provided a brief report on the

renewable energy program.

Schwandt clarified the following in response to Mayor and Council questions:

- The Capture the Wind program was financed primarily by elective participants and incentives. The estimated payback for proposed energy projects could be similar.
- Solar projects would be small in scale.

Motion to Approve made by Greg Lemke and seconded by Mark Hintermeyer
Resolution to Approve Local Government Renewable Energy Grant Agreement with State of Minnesota Department of Commerce

Motion Passed: **Resolution 2011-0328-2**

For: 6; Absent: 2 - Mark Altenburg, Dan Hunt

Administration

21. [*Approve First Reading of Ordinance 2011-4: An Ordinance to Amend the City's Fee Schedule](#)
Resolution 2011-0328-E
22. City Manager Reports - Updates
 - A. [I-94 & SE Main Ave. Interchange West Ramps Update](#)

Minutes: Michael Redlinger, City Manager, stated that there is currently no new information to report on the I-94 & SE Main Avenue west interchange ramps.

Mayor Voxland stated that Senator Klobuchar's Office was briefed on the Mayor's meetings with the Federal Highway Administration.

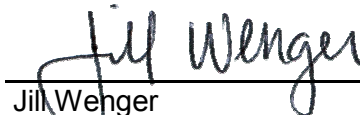
This meeting was adjourned to April 4, 2011 at 5:30 p.m.
Meeting adjourned at 7:57 p.m.

APPROVED BY:

ATTEST:



Mark Voxland
Mayor



Jill Wenger
City Clerk

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

Respectfully submitted by:
Jill Wenger, City Clerk