

**City of Moorhead  
Oakport Joint Powers Board**

**Meeting Agenda  
August 25, 2010 at 7:30 AM  
1st Floor - Chambers**

		<u>REMARKS</u>
1.	Call meeting to Order/Roll Call	_____
2.	Approval of Minutes	_____
	A July 28, 2010	_____
3.	Citizens To Be Heard	_____
4.	Agenda Amendments	_____
5.	Old Business	_____
6.	New Business	_____
	A Tract 2 Annexation Discussion - Michael Redlinger, City Manager	_____
7.	Adjournment	_____

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**City of Moorhead  
Oakport Joint Powers Board  
Meeting Minutes  
July 28, 2010 at 7:30 AM  
Basement East Conference Room, Moorhead City Hall**

Pursuant to due call and notice thereof, a regular meeting of the Oakport Joint Powers Board was held in the Basement East Conference Room, Moorhead City Hall, on July 28, 2010, at 7:30 AM.

**Roll call of the members was made as follows:**

Board Member:	Greg Anderson	Present
Board Member:	Kevin Campbell	Present
Board Member:	Carolyn Kastella	Present
1st Ward Council Member:	Nancy Otto	Present
1st Ward Council Member:	Luther Stueland	Present
Board Member:	Grant Weyland	Absent

**Others Present:**

Kristie Leshovsky, City Planner  
Mary Schmitt, Office Specialist  
Kris Carlson, Ulteig Engineers, Inc  
Ryan Erkenbrack, Oakport Resident

**1. Call meeting to Order/Roll Call**

**2. Approval of Minutes**

A February 24, 2010

**Motion to Approve made by Greg Anderson and seconded by Luther Stueland**

Approval of Minutes with a correction on page 2 of 3

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**3. Citizens To Be Heard**

Minutes: There were no citizens to be heard.

**4. Agenda Amendments**

Minutes: There were no agenda amendments.

**5. Public Hearing**

A Request of Buffalo-Red River Watershed District for a Conditional Use Permit to construct a ring dike at 716 Wall Street Avenue North.

**Motion to Open Public Hearing made by Greg Anderson and seconded by Nancy Otto**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

Minutes: Staff explained the request of applicant for a CUP to construct the ring dike. Applicant is the Buffalo-Red River Watershed District and they are proposing the dike at this address to attach to a 40 foot water stage. The dike is approximately 800 linear feet and will be between 2 ½ to 4 feet tall. After reviewing the request, staff believes it meets the requirements of CUP. There are some recommended suggested actions staff would like the board to consider.

1. Ring Dike and floodway shall be remapped through the Letter of Map Revision (LOMR) process concurrently with the Oakport Dike thereby removing the floodway designation from the dike footprint.
2. Applicant receives all required federal, state and local permits.

Campbell questioned who would be responsible for the Letter of Map Revision. It would be the responsibility of the Watershed District.

**Motion to Close Public Hearing made by Greg Anderson and seconded by Nancy Otto**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**Motion to Approve made by Greg Anderson and seconded by Nancy Otto**

Motion to approve request of Buffalo-Red River Watershed District for a Conditional Use Permit to construct a ring dike at 716 Wall Street Avenue North, with the following conditions:

1. Ring Dike and floodway shall be remapped through the Letter of Map Revision (LOMR) process concurrently with the Oakport Dike thereby removing the floodway designation from the dike footprint.
2. Applicant receives all required federal, state and local permits.

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

B Requests of Duane Egge to allow the construction of a 24 foot by 32 foot accessory building at 6008 Broadway Street NW

**Motion to Open Public Hearing made by Carolyn Kastella and seconded by Greg Anderson**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

i Request for a variance to Section 10-18-3-B3 to exceed the number of allowed accessory buildings

Minutes: Staff gave a background on the property, provided a description of the impact of the former Egge residence from the Oakport dike, and pointed out various accessory buildings on the new and former Egge sites. The applicant will be moving a new home to the new lot not impacted by the dike. There is an existing accessory structure on the new lot and the house has an attached garage. The code allows a maximum of two accessory buildings, including attached or detached garages. The applicant wishes to construct a third accessory structure. In the past, the board has approved CUP requests to exceed code requirements for accessory building footprints, but has kept within the two structure limit. Staff does not believe that hardship has been demonstrated and recommends denial of the variance.

The Board discussed the impact of the Oakport dike on the property. The Board recommended adding a condition that no commercial business be permitted on the property.

The Board made a finding that the requested action is unique in that the property owner lost accessory building space as a direct result of the buyout of his property for the Oakport dike project and the proposed accessory building is a reasonable use of the property.

**Motion to Close Public Hearing made by Nancy Otto and seconded by Greg Anderson**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**Motion to Approve made by Greg Anderson and seconded by Luther Stueland**

Motion to approve request for a variance to Section 10-18-3-B3 to exceed the number of allowed accessory buildings.

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

- ii Request for a Conditional Use Permit to exceed the limit on square footage established in Sections 10-18-3-B2

**Motion to Approve made by Greg Anderson and seconded by Carolyn Kastella**

Motion to approve request for a Conditional Use Permit to exceed the limit on square footage established in Sections 10-18-3-B2, with the following conditions:

1. Maximum accessory structure size shall be 770 square feet.
2. Structure shall be constructed according to Title 10, Chapter 17, of the Moorhead City Code (Floodway and Flood Fringe Overlay Districts).
3. The structure shall not be used for business or living purposes.
4. Building shall be no taller than the house.
5. All required local, state and federal permits must be obtained.

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 1*

**6. Old Business**

Minutes: The Board discussed the tract 2 annexation timeline and requested an annexation group meeting at the next scheduled Oakport Joint Powers Board meeting August 25, 2010 in the 1<sup>st</sup> Floor Boardroom.

Anderson thanked Kristie for her hard work.

**7. New Business**

Minutes: There was no new business.

**8. Adjournment**

Minutes: Meeting adjourned at 8:40.

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

*Respectfully submitted by:*  
*Mary L. Schmitt, Community Services*





## Memorandum

To: Chair Campbell and Members of the Oakport Joint Powers Board

From: Michael J. Redlinger, City Manager

Date: August 24, 2010

**RE: City of Moorhead Preparations for the Annexation of Oakport Township Tract 2**

In approximately four years and four months, Tract 2 of Oakport Township will become a part of the City of Moorhead. Currently, Tract 2 represents an area of approximately 1,600 acres, consisting of 540 single family residences and 1,300 persons (2000 Census). This profile is similar to many neighborhoods throughout the City of Moorhead. Since 2005, the City of Moorhead has added over 2,000 residential units, which represents approximately four "Tract 2's", in terms of housing units and population.

The City of Moorhead Mayor and Council, upon recommendation from the City Manager and City staff, has balanced and allocated the resources necessary to accommodate the community's needs, including those areas represented by additional citizens. The City looks forward to, and will indeed be obligated, to provide the same for the new Moorhead residents who reside in Oakport Tract 2 upon annexation.

I am interested in discussing with the Oakport Joint Powers Board a process to identify global issues which, by their nature require inter-jurisdictional discussion and may take an extended period of time to resolve in the years leading up to annexation. Day-to-day operational considerations and the delivery of municipal services to this new neighborhood will be the domain of the Mayor and City Council.

In advance of annexation, there will be a strong commitment on the part of the City's elected officials and staff to communicate with the residents of Tract 2. Communication such as this is crucial to ascertain the opinions of the residents and to provide important information related to the nature, extent, and service options available to them. To this end, City staff has already begun gathering information on specific finance, taxation, elected representation, and other matters. I have also requested that the City's department directors familiarize themselves with the Oakport Annexation Agreement and related documents. They will advise me of their suggestions with regard to future service delivery. This is an important staff function that will serve as a precursor to my future and timely recommendations to the Mayor and City Council on service matters related to Oakport.

I look forward to opening a dialogue with the Oakport Joint Powers Board on global issues that should be identified at this time. While these will generally be of a non-operational nature, they are areas where Clay County, Oakport Township, and the City of Moorhead share a mutual interest.

Thank you for the opportunity to meet with you at the Joint Powers Board meeting on Wednesday morning.

