

**City of Moorhead
City Council Meeting
Meeting Minutes
September 26, 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 September 26, 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	Present
3rd Ward Council Member:	Dan Hunt	Present
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. [Presentation of the Moorhead Human Rights Award to Tom Figliuzzi](#)

Minutes: Mayor Voxland and Michael Carbone, Chair of the Human Rights Commission, presented Tom Figliuzzi with a Moorhead Human Rights Award for his work as a Clay County Veteran Service Officer.

3. [Citizens Addressing the Council](#)

Minutes: No citizens addressed the Mayor and Council.

4. [Agenda Amendments](#)

Minutes: The following item was removed from the agenda:

- #10.A – Resolution to Adopt Assessments

The following items were added to the agenda:

- #15 – Resolution to Award Bid for Tree Trimming
- #16 – Resolution to Award Bid for Furnishing a Supervisory Control and Data Acquisition (SCADA) System

Motion to Approve made by Brenda Elmer and seconded by Dan Hunt

Agenda Amendments

Motion Passed

For: 8

5. Consent Agenda

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

Minutes: The following items were added to the consent agenda:

- #14.B – Approve Title and Summary of Ordinance 2011-14
- #15 – Resolution to Award Bid for Tree Trimming
- #16 – Resolution to Award Bid for Furnishing a Supervisory Control and Data Acquisition (SCADA) System

Motion to Approve made by Brenda Elmer and seconded by Dan Hunt

Agenda Amendments

Motion Passed

For: 8

6. Mayor and Council Appointments

Minutes: No appointments were presented by the Mayor and Council.

7. [Mayor and Council Reports](#)

Minutes: Council Member Wray Williams provided a report on a recent meeting convened by Sanford Health to discuss severe weather emergency preparedness for the homeless population.

Council Member Hintermeyer restated his ongoing concern regarding the Interstate 94 and SE Main Avenue interchange ramp issue. The City intends to challenge the decision if the ramp reconstruction is not approved by the Federal Highway Administration.

Council Member Otto provided a report on Moorhead Community Access Media and a recent meeting of the Solid Waste Advisory Committee.

Council Member Elmer provided a report on a recent meeting of the Economic Development Authority (EDA).

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

Minutes: Michael Redlinger, City Manager, reported that the Design Agreement has been fully executed by the F-M Diversion Project sponsors, City of Moorhead and City of Fargo.

Mayor Voxland reported that City staff met with members of the Congressional Delegation and the USACE Civil Works Review Board last week in Washington, DC. There is strong support for the F-M Diversion Project. It is anticipated that discussions will begin in early 2012 regarding Congressional authorization.

Public Hearings (5:45 p.m.)

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

Minutes: Public hearing opened at 6:04 p.m.

Jay Sandt, Moorhead resident, addressed the Mayor and Council regarding his concerns over the quality of work along 12 Street S. City staff noted that the pavement and manhole concerns raised by Mr. Sandt do not present a safety hazard, but will be addressed.

A correction was noted in the assessed cost of Eng. Project 10-A2-8, Mill and Overlay and Pavement Rehabilitation in Village Green Area – Phase 1. The total assessed cost was changed from \$437,510.33 to \$436,738.37.

Public hearing closed at 6:09 p.m.

A. [Resolution to Adopt Assessments](#)

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

Resolution to Adopt Assessments

Motion Passed: **2011-0926-1**

For: 7; Against: 1 - Brenda Elmer

10. [Set Public Hearing to Consider Adoption of Proposed Assessments for Various Projects-Nuisance & Rental](#)
2011-0926-A

Engineering - Wastewater Treatment

11. [Resolution to Receive the Phase 2 Summary Report for the Preliminary Feasibility Analysis for a Riverfront Property Flood Mitigation Program and Approve a Riverfront Property Flood Mitigation Program.](#)

Motion to Approve made by Brenda Elmer and seconded by Mark Altenburg

Resolution to Receive the Phase 2 Summary Report for the Preliminary Feasibility Analysis for a Riverfront Property Flood Mitigation Program and Approve a Riverfront Property Flood Mitigation Program.

Motion Passed: **2011-0926-2**

For: 8

Minutes: Bob Zimmerman, City Engineer, provided a summary of the, "Phase 2 Summary Report: Preliminary Feasibility Analysis for a Riverfront Property Flood Mitigation Program" completed by Houston Engineering Inc. and detailed the City's proposed Riverfront Property Flood Mitigation Program (hereafter referred as Program).

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

- Within the Program the City will work individually with property owners to determine the most appropriate, feasible, and desired flood mitigation option.

- The Program is intended to work in coordination with voluntary home acquisitions to offer property owners a variety of options that can meet their individual needs and desires.
- The Program's proposed City cost-share ranges from 50%-95% depending on the construction standard, top of levee (river stage protection), and type of flood protection.
- Properties that have been identified as "unlikely feasible" may challenge this determination by requesting site specific geotechnical analysis. The City would provide a 50% cost-share (to a maximum City cost-share of \$3,000) for this work. This cost would become part of the project if it becomes feasible.
- The City fully supports backyard mitigation where technically feasible.
- It may not be possible to get every property to a protection level of 44 feet. In these cases, property acquisition may be preferred.
- The Program encourages homeowners to choose a higher construction standard by increasing the City's cost-share.
- The proposed Program and property acquisitions are completely voluntary. Property owners continue to reserve the right to choose either or neither option. The City intends to retain the voluntary nature of all flood mitigation projects throughout the City.
- 2008 LIDAR data was used to categorize properties for the Program. It is the most recent and best data available. While some residents may have designed flood control measures on private property since 2009, it will not likely make a dramatic impact on the overall analysis of property categorization.
- There may be carryover in funds from project to project; however, the amount of carryover would not be able to complete the scope of work in the subsequent project area.
- The Department of Natural Resources (DNR) is processing a grant amendment for Moorhead to access \$12M of the up to \$16.5M in additional Flood Damage Reduction grant funds authorized for the City.
- In order to meet local match requirements, a 20% special assessment is necessary for a General Obligation Improvement Bond.
- The most cost-effective financing option for the Program is utilizing a G.O. Improvement Bond as compared to a combined G.O. Improvement Bond and Revenue Bond.
- The Base Project does not include funding specifically for backyard mitigation. It includes acquisition of 54 properties and completion of previously identified City infrastructure projects.
- By funding the Base Project and Projects A-C, it is likely that the City will be able to extend mitigation efforts to Projects D-F.
- City staff would like to conduct additional analysis on removable floodwalls as a realistic flood mitigation option. The City's proposed cost-share for this option is currently at 50%. Pending the results of

analysis the City cost-share could be increased.

- It was noted that bond interest rates are currently low which could work in the City's favor.
- An elevation-based assessment model could be developed and utilized for special assessments on all properties within the west side sanitary sewer system. Rates would be based on the property's level of flood protection:
 - 0-39 ft. – Below 100-yr flood level
 - 39-40.5 ft. – City's flood record
 - 41-42 ft. – USACE 100-yr flood level
 - 42.5-44 ft. – Level of protection for City infrastructure
- The City Council may conduct the project hearing based on the elevation assessment model methodology; however, actual assessment rates could be adjusted after receipt of 2011 LIDAR data.

Keith Miller, Moorhead resident, addressed the Mayor and Council regarding his support for the Riverfront Property Flood Mitigation Program and use of a removable floodwall mitigation option.

The Mayor and Council Members stated the following:

- Street damage due to placement and removal of temporary flood control measures results in a cost to the entire City.
- It was noted that preserving riverfront properties through backyard mitigation efforts is preferred as opposed to property acquisitions. Preserving properties would retain the City's share of taxable market value.
- Concern was noted on the level of cost-share required by property owners seeking to challenge the City's "unlikely feasible" categorization.
- Concern was noted over the amount of funding required to complete all proposed flood mitigation projects.
- If a backyard flood mitigation measure can be feasibly constructed on a property, it is preferred that the home not be available for property acquisition.
- It was noted that funding only the Base Project will leave many property owners with continued uncertainty on whether any flood mitigation efforts will become available for their opportunity.
- It was noted that the City must reduce its need for temporary flood control measures as it is a large financial burden.
- Concern was noted on removable floodwall mitigation options related to property easements and infrastructure storage/maintenance.
- Concern was noted regarding use of an elevation based assessment model as riverfront property owners have already incurred significant

hardship and expense. It is preferred that the cost be spread evenly throughout the community.

- It was noted that an elevation based assessment model would be preferred.
- It was noted that it is preferred that homes be available for purchase and moved within the community instead of demolition whenever possible.

12. [*Resolution to Approve/Deny Changes in Traffic Control](#)
2011-0926-B

13. [*Resolutions in Support of Metro COG Transportation Planning and Programming](#)

A. [*Resolution in Support of the Metropolitan Planning Program for the FM Metropolitan Area](#)
2011-0926-C

B. [*Resolution to Adopt the 2011 Metropolitan Bicycle and Pedestrian Plan](#)
2011-0926-D

Police Department

14. [*Second Reading of Ordinance 2011-14: An Ordinance to Repeal Section 5-1-4 of the Moorhead Municipal Code Relating to U-Turns](#)

A. [*Approve Second Reading of Ordinance No. 2011-14: An Ordinance to Repeal Section 5-1-4 of the Moorhead Municipal Code Relating to U-Turns](#)
Ordinance 2011-14

B. [*Approve Title and Summary](#)
2011-0926-E

Moorhead Public Service

15. *Resolution to Award Bid for Tree Trimming
2011-0926-F

16. *Resolution to Award Bid for Furnishing a Supervisory Control and Data Acquisition (SCADA) System
2011-0926-G

Administration

17. [*Resolution Authorizing Addendum to City Manager Employment Agreement](#)
2011-0926-H

18. [*Resolution to Authorize Joining the Houston-Galveston Area Council purchasing cooperative](#)
2011-0926-I

19. *Approve Licenses - Permits

A. [*Resolution to Approve Licenses – Permits](#)
2011-0926-J

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

Minutes: Michael Redlinger, City Manager, announced the following in order to comply with the Truth-In-Taxation law:

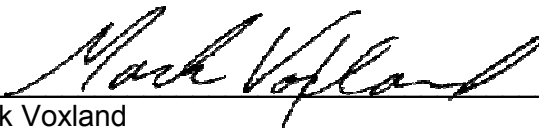
“A meeting for public input will be held on December 5, 2011 at 6:00 p.m. in the City Hall Council Chambers for discussion of the 2011 Tax Levy and 2012 Budget. Final adoption of the 2011 Tax Levy and 2012 Budget will be at the City Council meeting on December 12, 2011 at the same location. Citizens may contact the City Finance Department at 299-5311 or by mail at P.O. Box 779 Moorhead, MN 56560 with questions on the Tax Levy or 2012 Budget.”

It was noted that the vacant Moorhead Fire Chief position will be discussed as part of 2012 budget planning.

This meeting was adjourned to October 3, 2011.

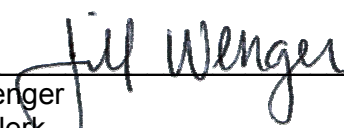
Meeting adjourned at 9:14 p.m.

APPROVED BY:



Mark Voxland
Mayor

ATTEST:



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