



MOORHEAD CITY COUNCIL MEETING AGENDA
July 20, 2009 - 5:30 PM
City Hall Council Chambers

Committee of the Whole Meeting

1. Discuss Metro Flood Management Work Group Appointments _____
2. 2008 Comprehensive Annual Financial Report Review - Eide Bailly
LLP _____
3. Review City Election Designation (Even Year / Odd Year) _____
4. City Manager Reports _____

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July 20, 2009

Page 1 of 2

SUBJECT: Discuss Metro Flood Management Work Group Appointments

RECOMMENDATION: It is respectfully requested that the Mayor and City Council discuss the appointment of two members from the elected body to the Metro Flood Management Work Group.

BACKGROUND: The Metro Flood Management Work Group is a newly formed subcommittee of the Four Board Flood Management Committee, which is comprised of the Moorhead City Council, Fargo City Commission, Clay County Commission, and the Cass County Commission.

The purpose of the Work Group will be to receive timely updates and information from the US Army Corps of Engineers and other partner agencies currently developing permanent flood control solutions for the Fargo-Moorhead metropolitan area. The Work Group is intended to function as a subcommittee of the larger Four Board Flood Management Committee and report updates and information back to other elected officials between meetings of the larger Four Board Flood Management Committee.

KEY ISSUES: The Metro Flood Management Work Group will consist of two representatives each from the City of Moorhead, City of Fargo, Cass County, and Clay County. Single representatives from the Buffalo-Red River Watershed District and the Southeast Cass Water Resource District will also be invited to participate. It is expected that the Work Group will meet later in August and again in late September/early October before the next full meeting of the Four Board Flood Management Committee.

POLICY CONSIDERATIONS: It is Mayor and Council policy to participate in joint studies and collaborative planning activities with other agencies. The Metro Flood Management Work Group will assist the governing bodies of Moorhead, Fargo, Clay County, and Cass County with sharing timely and relevant information with other elected officials from the various elected bodies.

FINANCIAL CONSIDERATIONS: None.

LEGAL CONSIDERATIONS: None.



Respectfully Submitted:



Michael J. Redlinger
City Manager

Department/Response Person: CMO/Redlinger
ENG/Zimmerman

Attachments: None

Agenda Item No. 1.



July 20, 2009

Page 1 of 1

SUBJECT: 2008 Comprehensive Annual Financial Report Review - Eide Bailly LLP

RECOMMENDATION: It is respectfully requested that the Mayor and Council receive a review of the financial results of the City's operations for 2008.

BACKGROUND: Each year a representative of the Eide Bailly audit firm has come before the City Council to summarize the results of the City's annual audit. This year's review of the 2008 Comprehensive Annual Financial Report (CAFR) will be presented by Brian Stavenger, CPA Audit Manager.

KEY ISSUES: That the audit was performed to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement and are fairly presented in accordance with accounting principles generally accepted in the United States of America.

POLICY CONSIDERATIONS: The annual presentation and/or review of the previous year's financial results of the City's operation is consistent with past practice and City policy.

FINANCIAL CONSIDERATIONS: There are no financial costs to the City relative to the Mayor and Council's receipt of information as presented by Brian Stavenger of Eide Bailly.

LEGAL CONSIDERATIONS: The Mayor and Council possess the legal authority to receive such information/reports.

Respectfully Submitted:



Michael J. Redlinger
City Manager

Department/Response Person: Harlyn Ault, Finance Director

Attachments: **None** (please bring your - 2008 Comprehensive Annual Financial Report, Management Letter, and Schedule of Expenditures of Federal Awards)



July 20, 2009

Page 1 of 2

SUBJECT: Review City Election Designation (Even Year / Odd Year)

RECOMMENDATION: It is respectfully requested that the Mayor and Council set aside time to review the designation for the conduct of City elections. Recognizing discussion has been scheduled regarding election issues, it was felt this may be timely to bring up the City's odd-numbered year election designation.

BACKGROUND: The City of Moorhead has been conducting its City elections in the odd-numbered years for a 'long time'. This too was the practice of Independent School District No. 152. However, after the 2005 joint City/School General Election, the Moorhead School Board, in an effort to reduce costs, reviewed and subsequently revised their designation to even-numbered years. The City of Moorhead continues to conduct its elections in the odd-numbered year cycle and is responsible for all costs.

As election costs continue to increase and new laws require the utilization of additional equipment, this may be worth reviewing to ascertain the respective thoughts and desires of the Mayor and Council. It is for this reason this subject was added to tonight's agenda.

KEY ISSUES: The designation of the City of Moorhead's election is specified in Section 4.01 of the Moorhead City Charter. A significant amount of time (8+ months) is required should the Mayor and Council decide to pursue a change in the election designation. This involves amending the Moorhead City Charter, which requires the review and recommendation of such by the Moorhead Charter Commission, followed by ordinance adoption by an affirmative vote of all members of the City Council. In addition to this, Minnesota State Election Law requires the adoption of an ordinance before June 1 of any year and that such is not effective until 240 days after passage and publication. The public would have 180 days after passage and publication to submit a petition requesting a referendum on the ordinance.

The apparent trend in Minnesota is to hold municipal elections in the even-numbered years as indicated in the information received from the Minnesota Secretary of State's Office.

- 1375 municipalities conduct even-numbered year elections;
- 124 cities/townships hold odd-numbered year elections.

POLICY CONSIDERATIONS: The historic practice is to conduct City elections in the odd-numbered years. However, as election laws change, the City is not only faced with increasing costs by additional costs to comply with new laws.

FINANCIAL CONSIDERATIONS: None at this particular time. The City is responsible for certain costs associated with even numbered years, but would be able to eliminate, or at a minimum reduce, the costs for ballots and equipment programming. Another savings would be the elimination of the costs for poll workers' compensation in odd-numbered years. A more definitive cost concerning the conduct of an odd-numbered year election would be available



following the November 3, 2009 Moorhead General Election as this will be the first year the City is required to utilize the AutoMark.

LEGAL CONSIDERATIONS: None at this time.

Respectfully Submitted:



Michael J. Redlinger
City Manager

Department/Response Person: Administration, Kaye Buchholz

**Attachments: Relevant Sections of the Moorhead City Charter and Minnesota State Law
Election Costs/Budget**

Agenda Item No. 3.



CITY OF MOORHEAD CHARTER

CHAPTER 4: ELECTIONS

Section 4.01. Regular Elections. The regular city election is held on the first Tuesday after the first Monday in November of each odd numbered year at the place or places designated by council resolution. The city clerk must publish a notice of the election at least 14 days prior to the election. Failure to publish the notice does not invalidate the election. (Ord. 95-1, 4-17-1995, eff. 7-17-1995)

Section 4.02. Special Elections. The council may by resolution order a special election as provided by law and establish the procedures for holding the election. The clerk must publish a notice of the special election at least 14 days prior to the election. Failure to publish the notice does not invalidate the election. The procedure at a special election must conform as nearly as possible to the procedure applying to other city elections. (Ord. 95-1, 4-17-1995, eff. 7-17-1995)

Section 4.03. Procedure At Elections. Subject to this charter and law the council may by ordinance further regulate the conduct of city elections. Except as otherwise provided by this charter and ordinance, state law applies to city elections. (Ord. 95-1, 4-17-1995, eff. 7-17-1995)

MINNESOTA STATUTES - Chapter 410 - CHARTERS

410.12 AMENDMENTS

Subd. 7. **Amendment by ordinance:** Upon recommendation of the charter commission the city council may enact a charter amendment by ordinance. Within one month of receiving a recommendation to amend the charter by ordinance, the city must publish notice of a public hearing on the proposal and the notice must contain the text of the proposed amendment. The city council must hold the public hearing on the proposed charter amendment at least two weeks but not more than one month after the notice is published. Within one month of the public hearing, the city council must vote on the proposed charter amendment ordinance. The ordinance is enacted if it receives an affirmative vote of all members of the city council and is approved by the mayor and published as in the case of other ordinances. An ordinance amending a city charter shall not become effective until 90 days after passage and publication or at such later date as is fixed in the ordinance. Within 60 days after passage and publication of such an ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. The petition must be signed by registered voters equal in number to at least five percent of the registered voters in the city or 2,000, whichever is less. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by the voters as in the case of charter amendments submitted by the charter commission, the council, or by petition of the voters, except that the council may submit the ordinance at any general or special election held at least 60 days after submission of the petition, or it may reconsider its action in adopting the ordinance. As far as practicable the requirements of subdivisions 1 to 3 apply to petitions submitted under this section, to an ordinance amending a charter, and to the filing of such ordinance when approved by the voters.

MINNESOTA STATUTES - Chapter 205 - ELECTIONS

205.07 CITY GENERAL ELECTION

Subdivision 1. **Date of election.** The municipal general election in each city shall be held on the first Tuesday after the first Monday in November in every even-numbered year. Notwithstanding any provision of law to the contrary and subject to the provisions of this section, the governing body of a city may, **by ordinance passed at a regular meeting held before June 1 of any year**, elect to hold the election on the first Tuesday after the first Monday in November in each odd-numbered year. **A city may hold elections in either the even-numbered year or the odd-numbered year, but not both.** When a city changes its elections from one year to another, and does not provide for the expiration of terms by ordinance, the term of an incumbent expiring at a time when no municipal election is held in the months immediately prior to expiration is extended until the date for taking office following the next scheduled municipal election. If the change results in having three council members to be elected at a succeeding election, the two individuals receiving the highest vote shall serve for terms of four years and the individual receiving the third highest number of votes shall serve for a term of two years. To provide an orderly transition to the odd or even year election plan, the governing body of the city may adopt supplementary ordinances regulating initial elections and officers to be chosen at the elections and shortening or lengthening the terms of incumbents and those elected at the initial election. The term of office for the mayor may be either two or four years. The term of office of council members is four years. Whenever the time of the municipal election is changed, the city clerk immediately shall notify in writing the county auditor and secretary of state of the change of date. Thereafter the municipal general election shall be held on the first Tuesday after the first Monday in November in each odd-numbered or even-numbered year until the ordinance is revoked and notification of the change is made.

Subd. 2. [Repealed, [1976 c 44 s 70](#)]

Subd. 3. **Effect of ordinance; referendum.** **An ordinance changing the year of the municipal election is effective 240 days after passage and publication** or at a later date fixed in the ordinance. Within 180 days after passage and publication of the ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. The petition shall be signed by eligible voters equal in number to ten percent of the total number of votes cast in the city at the last municipal general election. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by a majority of the voters voting on the question at a general or special election held at least 60 days after submission of the petition. If the petition is filed, the governing body may reconsider its action in adopting the ordinance.

City of Moorhead Election Costs

Description	2005 (Mayor/Council)	2007 (Council)	2009 Budget (Mayor/Council)
Office Supplies / Ballots / Programming	6,342.69	3,700.00	12,000.00
Professional Services (Election Judges)	8,269.13	7,800.00	10,900.00
Precinct Sites	600.00	700.00	1,150.00
Auto Mileage (delivery of absentee ballots)	4.37	8.00	20.00
Mach & Equip - Repair & Maintenance	3,875.50	Purchased new equipment in 2006	**
Total Cost	\$19,091.69	\$12,200.00	\$24,070.00

The total costs do not include the costs associated with staff time and incidental election costs (publications, candidate materials, filing, etc.)

** The City will be responsible for maintenance costs starting in 2010 - estimate unknown at this time

