

**City of Moorhead
City Council Meeting
Meeting Minutes
February 22, 2010 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 February 22, 2010, 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. [Approve Minutes](#)

Minutes: Council Member Stueland noted that the Minutes of December 7, 2009, item titled "2010 Operating and Capital Budget Discussion" (paragraph 3) should read "...the tax impact on a home with a market value of \$137,800 would likely see a (7.08%) total net levy **decrease** when factoring in all taxing jurisdictions..."

Council Member Otto asked for clarification on how motions are currently documented in the minutes. Jill Wenger, City Clerk, noted that all seconded motions are recorded.

Motion by Wray Williams, seconded by Hunt to **Approve the Minutes of December 7, 2009 as amended; January 11, 2010; January 19, 2010; January 25, 2010; and February 8, 2010**

Motion Passed: **Resolution #2010-0275 (1-5)**

For: 8 - Stueland, Otto, Wray Williams, Altenburg, Hunt, Elmer, Hintermeyer, Lemke

- A. [December 7, 2009](#)
Resolution #2010-0275-1
- B. [January 11, 2010](#)
Resolution #2010-0275-2
- C. [January 19, 2010](#)
Resolution #2010-0275-3
- D. [January 25, 2010](#)

Resolution #2010-0275-4

- E. [February 8, 2010](#)
Resolution #2010-0275-5

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

4. [Agenda Amendments](#)

Minutes: Michael Redlinger, City Manager, stated that item 8-A, "Resolution to Authorize Budget Adjustment for Potential Spring 2010 Flood Event Expenditures," has a revised dollar amount of \$550,000.

5. Consent Agenda

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

Minutes: Council Member Lemke asked that items #9 and #12 be removed from the Consent Agenda. Council Member Elmer asked that item #7 be removed.

Motion by Wray Williams, seconded by Otto to **Approve Consent Agenda as amended**

Motion Passed: **Resolution #2010-0276**

For: 8 - Stueland, Otto, Wray Williams, Altenburg, Hunt, Elmer, Hintermeyer, Lemke

6. [*Approve Licenses - Permits](#)

- A. [*License Renewals](#)
Resolution #2010-0276-A

- B. [*New License Applications](#)
Resolution #2010-0276-B

7. [Mayor and Council Appointments](#)

Motion by Stueland, seconded by Otto to **Approve Mayor and Council Appointments**

Motion Passed: *Resolution #'s noted below*

For: 8 - Stueland, Otto, Wray Williams, Altenburg, Hunt, Elmer, Hintermeyer, Lemke

- A. [Appointment to Planning Commission](#)
Resolution #2010-0277-1

- B. [Reappointment to Economic Development Authority](#)
Resolution #2010-0277-2

Minutes: Council Member Wray Williams announced that new carpeting is currently being installed at the library. She added that she recently received two anonymous letters regarding public safety concerns. She encouraged citizens to provide their contact information so Council Members can respond to their questions/comments. Individuals can still remain anonymous as Council Members seek information from City staff.

Council member Elmer asked for clarification regarding the Committee established to attend to the Oakport Annexation. Mayor Voxland stated that

the 1st Ward Council Members were appointed to this committee due to the fact that Oakport residents would be their future constituents.

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

Minutes: Michael Redlinger, City Manager, gave a PowerPoint presentation entitled, "2010 Flood Event Update #2". He clarified the following:

- The National Weather Service reports that current area conditions are wetter than normal. The Exceedance Probability Forecast of February 17, 2010 indicates there is a 50% - 90% chance of "Major Flooding" between March 31 and April 21. There is a 50% chance that the Fargo/Moorhead area will see a Flood Stage Level of 38.6 feet.
- The City of Moorhead has initiated a Sandbag Operations Plan in response to the National Weather Service Probability Forecast.
- Due to infrastructure improvements and property acquisitions, the City anticipates utilizing 1/3 fewer sandbags overall in 2010 compared to 2009. Clay levee systems will be used for acquired home sites.
- To protect the City to a 38-foot level, the City would require 300,000 sandbags. The City's goal is to create these sandbags ahead of a flood event.
- The City of Moorhead Public Works Facility (700 15th Avenue North) was selected as the site for this operation. Operation hours will be Monday – Saturday from 7 a.m. – 6 p.m. and Sunday from 12 – 6 p.m. Hours can be adjusted to meet volunteer needs. Volunteers will be required to register.
- The City has already started to publicize the need for community volunteers to start assembling these sandbags beginning March 1st. Temporary workers will be utilized if production levels are not met.
- The Joint Public Works Facility in the MCCARA Business Park (29th Avenue South) will be used for a 24x7 sandbag operation, if needed, for a flood event. Approximately 100 persons would be needed at this site for optimal operation (output of 10,000 bags per hour).
- Pre-filled sandbags will be delivered to residents, which is consistent with the City of Fargo. Residents may also order bulk sand and empty bags for residential delivery.
- Preparation meetings continue with partners and stakeholders.
- The City would like to request pre-authorization to utilize up to \$550,000 from the General Fund Reserves for this Plan
 - \$79,500 – Pre Event Sandbag Plan
 - \$360,800 – Event Sandbag Plan
 - \$100,000 – Potential Labor Needs

- Flood information can be found on the City's website, City Blog site, and on "Facebook". Citizens are encouraged to enroll in the City's CodeRED Emergency Communication System.

Chad Martin, Operations Director, spoke about the site plan at the Joint Public Works Facility. He stated the following:

- The City intends to construct a sandbag central pad at this site. The pad will serve as a long term investment at the site beyond this use.
- Equipment will be purchased and/or rented to provide a more timely and efficient sandbag operation.
- Tents and heaters will be utilized to provide wind protection and warmth for workers and volunteers.
- Delivery trucks will exit onto 29th Avenue. Workers and volunteers will be working safely apart from delivery trucks.
- There will be adequate parking at the site for vehicles and buses.
- The City continues to seek out a heated location to store filled sandbags.

A. [Resolution to Authorize Budget Adjustment for Potential Spring 2010 Flood Event Expenditures](#)

Motion by Altenburg, seconded by Elmer to approve **Resolution to Authorize Budget Adjustment for Potential Spring 2010 Flood Event Expenditures**

Motion Passed: **Resolution #2010-0278**

For: 8 - Stueland, Otto, Wray Williams, Altenburg, Hunt, Elmer, Hintermeyer, Lemke

Community Services Department

9. [Consider Actions Relative to Prairie Meadows 3rd Addition \(Unanimous Planning Commission Recommendation\)](#)

A. [*Ordinance No. 2010-2 - An Ordinance to Rezone Prairie Meadows Third Addition from TZ \(Transitional\) to RLD-3 \(Residential Low Density - 3\) - 1st Consideration](#)

B. [Resolution to Approve Preliminary Plat](#)

Minutes: Council Member Lemke asked for clarification regarding the park land dedication for this preliminary plat.

Kristie Leshovsky, City Planner, stated that the City would be asking for fees in lieu of park land dedication for 3rd addition. Land dedication would occur in further development stages.

Council Member Lemke indicated concern regarding the ability of City staff to maintain City parks or provide City services in new development areas

(i.e. snow removal, garbage pick-up, etc.) Lemke also noted that there are currently empty lots in new development areas in other parts of the City.

Council Member Hintermeyer asked for clarification regarding the builder's financial requirements.

Leshovsky stated that a letter of credit will be required after the engineer's preliminary estimate (valued at 30% of the project) or construction will not occur.

Motion by Otto, seconded by Hunt to approve **Resolution to Approve Preliminary Plat**
Motion Passed: **Resolution #2010-0279**

For: 8 - Stueland, Otto, Wray Williams, Altenburg, Hunt, Elmer, Hintermeyer, Lemke

10. [*Resolution Approving Amendment No. 3 to the Joint Powers Agreement with the City of Dilworth and Fargo Senior Services for Metro Senior Ride for 2010](#)
Resolution #2010-0276-C

11. [Resolution Approving Amendment No. 4 to the Joint Powers Agreement with the City of Dilworth and Fargo Senior Services for Expansion of Metro Senior Ride Service in 2010](#)

Minutes: Lori Van Beek, Transit Division Manager, stated that since Senior Ride Service began in January 2008 ridership has continued to increase. It is currently at capacity. It provides rides to Seniors (age 60 years or older) to locations in the Moorhead/Fargo/Dilworth area. The current budget adjustment will add a second van into service for 2010. Van Beek added that this was not originally included in the 2010 budget due to local fund restrictions and because the City was awaiting the announcement of funding allocation from Federal and State sources. The State of Minnesota provided a 3% increase or \$5,000 for "special transportation"; however, the Governor may decrease or retract this amount.

Van Beek introduced Fargo Senior Services Executive Director, Brian Arett. In response to Council member questions, Van Beek and Arett clarified the following:

- Current service charge of \$2.50 covers 40% of the total cost per ride.
- Doubling of ridership may not be fully met this year; however, the van will only operate if ridership is needed. Partial service will result in prorated expenses (i.e. hourly rate for driver, cost of fuel, etc.).
- Cost for the expansion is proposed at \$32,000. Local share is \$8,800 for the City of Moorhead.
- To be fully operational two vans could provide 16-24 rides per day. Currently 5-8 rides per day are turned down.

Jean Beutler (100 3rd Street North) spoke to the Mayor and Council on behalf of the Clay County Vision Impaired Support Group. She reminded Council of the petition that was brought before them in March 2009 and asked that they take it into consideration.

Council Member Stueland expressed his concerns regarding the cost share of this service and that expansion spending now could create a difficult financial situation for the City in the future.

Redlinger stated that General Fund Reserve usage is at the discretion of the Council. This type of request is not typical; however, the City sees a high benefit return for the cost.

Motion by Otto, seconded by Wray Williams to approve **Resolution Approving Amendment No. 4 to the Joint Powers Agreement with the City of Dilworth and Fargo Senior Services for Expansion of Metro Senior Ride Service in 2010**

Motion Passed: **Resolution #2010-0280**

For: 7 - Otto, Wray Williams, Altenburg, Hunt, Elmer, Hintermeyer, Lemke

Against: 1 - Stueland

Engineering - Wastewater Treatment

12. [Resolution to Approve and Engineering Services Agreement with Ulteig Engineers for Street and Underground Utility Improvements in Prairie Meadows 3rd Addition. Eng. No. 10-A6-2](#)

Minutes: Council Member Lemke asked for clarification regarding the Engineering Services Agreement with Ulteig.

Bob Zimmerman, City Engineer, stated that due to the current workload, City staff is unable to complete the engineering for this project. Ulteig has submitted a proposal of \$67,000 to provide these services. Normally the City would perform these services and receive the fee.

The project will be financed through the Permanent Improvement Revolving (PIR) Fund and the City will reimburse itself through the special assessment process for this project. Project construction is to be completed this year. Special assessment collection would not likely occur until 2012.

Brian Neugebauer, City Attorney, stated that the City will be reimbursed when the bond proceeds are realized.

Zimmerman added that every developer has an option to install public improvements with their own funds. In that case the plans would need to be approved by the City; however, this is very rarely done in this region.

Council Member Hintermeyer asked whether it would be a better investment to hire additional staff to conduct this work as opposed to hiring contractors. Zimmerman stated that current City staff specialize in this type of work. Clearly, if this was not a flood year the City would provide the engineering services for this project. Zimmerman added that it is too difficult to predict whether additional staff would provide a better cost-benefit to the City.

Council Member Stueland asked for clarification on letters of credit. Scott Hutchins, Community Services Director, stated that it is current City Ordinance for contractors provide a letter of credit for all new developments.

In only a few instances in the past, letters of credit were not received.

Neugebauer stated that as long as bond payments are completed, special assessment costs for developments without a letter of credit is not spread to other taxpayers. If properties from the development are returned to the City, they would be eligible for sale and the City would be able to sell them at a cost that would recoup the amount of delinquent specials.

Motion by Otto, seconded by Wray Williams to approve **Resolution to Approve and Engineering Services Agreement with Ulteig Engineers for Street and Underground Utility Improvements in Prairie Meadows 3rd Addition. Eng. No. 10-A6-2**

Motion Passed: **Resolution #2010-0281**

For: 8 - Stueland, Otto, Wray Williams, Altenburg, Hunt, Elmer, Hintermeyer, Lemke

13. [*Resolution to Approve and Engineering Services Agreement with Ulteig Engineers for the HHIC Flood Mitigation Project. Eng. No. 09-A13-2G](#)
Resolution #2010-0276-D
14. [*Resolution to Approve and Engineering Services Agreement with Ulteig Engineers for the 43rd Avenue Flood Mitigation Project. Eng. No. 09-A13-2F](#)
Resolution #2010-0276-E
15. [*Resolution to Approve Engineering Services Agreement with SRF Consulting Group for the SE Main Ave./20th/21st Street Grade Separation Project, Phase 1 Construction: Site Preparation. Eng. No. 02-2-2](#)
Resolution #2010-0276-F
16. [*Resolution to Approve an Amended Engineering Services Agreement with SRF Consulting Group for 1st Ave N Improvements. Eng. No. 08-A2-2](#)
Resolution #2010-0276-G
17. [*Resolution to Approve an Amended Engineering Services Agreement with SRF Consulting Group for the 34th St/I-94 Interchange Project, Phase 2 \(Street & Traffic Signal Improvements Adjacent to Otter Tail Valley Railroad Crossings\). Eng. No. 04-2-1B](#)
Resolution #2010-0276-H

Police Department

18. [*Resolutions to Authorize Department of Homeland Security Grant](#)
Resolution #2010-0276-I

City Manager Reports

Minutes: Redlinger provided the Mayor and Council with Legislative Updates:

- The Bonding Conference Committee met on February 21st. The conference report noted a compromise position of \$63.5 million dollars for flood mitigation projects across the state inclusive of some revised language that no diversion construction will occur without the completion of mitigation work. At the time of the City Council meeting, a vote on this issue is not yet known.

- The Bonding Conference Committee is also considering \$3.5 million allocation to the City of Moorhead for a regional sports facility.

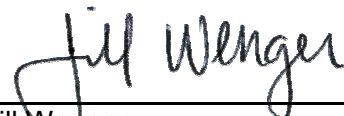
19. Reports - Updates
20. Executive Session (if needed)
21. New Business
22. Citizens Addressing the Council (continued, if necessary)

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