

JAMESTOWN CITY COUNCIL
REGULAR MEETING, FEBRUARY 5, 2007
OFFICIAL MINUTES

The regular meeting of the City Council was called to order by Mayor Liechty at 5:00 P.M.

Roll Call showed the following members present: Mayor Liechty, Council Members Heinrich, Grabinger and Parisien, City Attorney Dalsted, City Engineer Horgan, and City Administrator Fuchs. Absent: Council Member Schulz.

Several members of Boy Scout Troop #163 were in attendance at the meeting.

Council Member Heinrich moved to approve the minutes of the regular meeting, January 8, 2007, as printed. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Schulz seated himself.

Council Member Heinrich moved to approve the minutes of the monthly committee meeting, January 23 and 25, 2007, as printed. Seconded by Council Member Schulz. Roll Call No. 1 showed: 4 ayes (Schulz, Heinrich, Grabinger and Parisien), 1 nay (Liechty), 0 absent. Carried.

A bid was received for the sale of an impounded and abandoned vehicle from Lulay Enterprises.

Council Member Heinrich moved to approve the following consent items:

- A. Resolution to re-establish the suggested selling price on city owned lots as prepared by city staff.
- B. Resolution to approve the job description for a Public Works Director/Assistant City Engineer and to authorize the filling of the position with the Salary Range of 46 (\$3,677-\$4,945).
- C. Resolution to grant an adjustment in the City Engineer salary from Range 52, Step 6 to Step 7, effective January 1, 2007.
- D. Resolution to approve and authorize the use of Volunteer Clubs for Concession Sales at the Civic Center on a trial basis for one year.
- E. Resolution to award the bid to Mark Curtis, for the "As-is" direct sale of a 2002 Honda Foreman Four Wheel ATV - Vector Control Utility, in the amount of \$3,029.00.
- F. Resolution to approve authorize the drilling of a Test Well at Location 6 and if the results are favorable, to proceed with the drilling of Well 6 and the necessary water transmission line to Well 3 as part of the Water Well Replacement Project.
- G. Resolution to approve and authorize Interstate Engineering, Inc., to do as necessary to drill a test hole at Location 7 to include a Test Well if feasible, and to research the potential for future water sites in the southeast area of the park on both sides of the river.
- H. Resolution to approve the agreement to provide landfill disposal for the City of Devils Lake.
- I. Resolution to approve and grant an alcoholic beverage license (Off-Sale - Class C) to Scott Bradley Anderson for the period ending June 30, 2007.
- J. Resolution to approve Estimate No. 2, to Swanberg Construction, Inc., for construction on Phase I, Part B, Raw Water Transmission Line, DWSRF No. 4700498-02, in the amount of \$50,662.68.
- K. Resolution to allow Payment No. 4 & Final, to the ND Department of Transportation, on the construction of the First Street West Bridge, Bridge District #03-43, Project No. SU-2-987(026)030, in the amount of \$26,906.53.
- L. Resolution to allow Payment No. 4, to Schumacher Construction, for construction on the Animal Control Building - Police Department, in the amount of \$9,000.00.
- M. Resolution to allow Payment No. 5 & Final, to Schumacher Construction, for construction on the Animal Control Building - Police Department, in the amount of \$7,989.50.
- N. Resolution to allow Payment No. 6, to Advanced Engineering and Environmental Services, Inc., for services on the Wastewater Cost of Service and Rate Design Study, in the amount of \$1,625.00.
- O. Resolution to allow Estimate No. 3, to Interstate Engineering,

Inc., for engineering services on Phase I, Part A, Water Well Replacement, Project No. 4700498-02, in the amount of \$9,047.46.

- P. Resolution to allow Estimate No. 6, to Interstate Engineering, Inc., for engineering services on Jamestown Sanitary Landfill, Cell 3A Development and Cell 1 Closure, in the amount of \$3,597.00.
- Q. Resolution to allow Estimate No. 6, to Interstate Engineering, Inc., for engineering services on the Southwest Sanitary Sewer Rehabilitation, Sanitary Sewer District #06-31, in the amount of \$5,703.81.
- R. Resolution to allow Estimate No. 22, to Interstate Engineering, Inc., for engineering services on Lift Station Replacement, Phase II, Master Lift Station, Sewer Improvement District #03-31, CWSRF No. 380808, in the amount of \$6,935.23.
- S. Resolution to allow Estimate No. 23, to Interstate Engineering, Inc., for engineering services on the Elevated Water Storage and Distribution System Improvements, PWS No. 4700498, in the amount of \$5,649.30.
- T. Motion to accept the reports of the Municipal Judge, Police Department, Fire Department, Public Works Departments, Inspection Department, Forestry Department, Promotion and Tourism Center, Central Valley Health Unit, Jamestown Safe Community Task Force, and financial status.
- U. Resolution to allow the January indebtedness in the amount of \$3,923,685.44 consisting of \$350,767.29 payroll and \$3,572,918.15 general obligations.

Seconded by Council Member Grabinger. Consent Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved a Resolution to disapprove the request for abatement from T. R. Trowbridge on Lots 20 & 21, Block 24, McGinnis 2nd Addition, for a reduction in true & full value, for the year 2006, from \$44,800.00 to \$25,138.00. Motion died for lack of a second.

Council Member Grabinger moved a Resolution to approve the request for abatement from T. R. Trowbridge on Lots 20 & 21, Block 24, McGinnis 2nd Addition, for a reduction in true & full value, for the year 2006, from \$44,800.00 to \$25,138.00. Seconded by Council Member Parisien. Roll Call No. 3 showed: 4 ayes (Schulz, Heinrich, Grabinger and Parisien), 1 nay (Liechty), 0 absent. Carried.

Council Member Heinrich moved a Resolution to approve and authorize submission of the 2008 SAFETEA-LU Projects Report to the ND Department of Transportation. Seconded by Council Member Parisien. Roll Call No. 4 showed: 4 ayes (Schulz, Heinrich, Grabinger and Parisien), 1 nay (Liechty), 0 absent. Carried.

Council Member Grabinger moved to table to February committee meeting the plat of Glinz Commerce Addition. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Grabinger moved a Resolution to approve Option 1 of the speed study recommendations for 17th Street SW and US HWY 281, as prepared by ND Department of Transportation. Seconded by Council Member Heinrich.

After discussion, Council Member Grabinger moved to amend the speed limit west of 12th Avenue SW to increase to 40 mph. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Roll Call No. 5 on the Resolution, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the request to vacate the alley right-of-way adjacent to Lots 1-12, Block 5, Atkinson & Pannell Addition.

Richard Geigle, owner of majority of property, appeared before the Council to support the vacation of the alley.

The hearing was closed.

Council Member Heinrich moved a Resolution to approve the request to vacate the alley right-of-way adjacent to Lots 1-12, Block 5, Atkinson & Pannell Addition. Seconded by Council Member Schulz. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Parisien moved a Resolution to award the bid to Butler Machinery Company for the purchase of a New 4 CY Wheel Drive Loader - Solid Waste Department, in the amount of \$195,656.00, with a guaranteed buyback of \$98,000.00 after 5 years or 7500 hours, and to authorize the purchase of a Hydraulic Quick Coupler for \$6,687.00. Seconded by Council Member Heinrich. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved to introduce the first reading of an ordinance to annex Block 13, Lowry's Subdivision; except Lots 1-3, Docktor Subdivision; and except Lots 1-3, Glinz 2nd Addition, and part of the SW Quarter of Section 2, T139N, R64W.

Council Member Schulz moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Block 13, Lowry's Subdivision; except Lots 1-3, Docktor Subdivision; and except Lots 1-3, Glinz 2nd Addition, and part of the SW Quarter of Section 2, T139N, R64W, from A-1 (Agricultural District) to C-2 (General Commercial District).

Mayor Liechty moved to appoint Merle Bingham to serve as a member of the Jamestown Regional Airport Authority for a four year term to expire December 2010. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Schulz moved to appoint Pam Phillips, Kevin Sortland, Bob Lulay, and Frank Jensen to serve as members of the Buffalo City Tourism Foundation for three (3) year terms to expire February 2010. Seconded by Council Member Heinrich. Voice vote: 4 ayes (Liechty, Schulz, Heinrich and Parisien), 1 nay (Grabinger). Carried.

Mayor Liechty moved to appoint Lisa Motacek, Darrell Losing, and Harold Bensch (Alternate) to serve as member of the Board of Adjustments for three (3) year terms to expire January 2010. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Council Member Parisien moved a Resolution to award the bid for the sale of an abandoned and impounded 1988 Lincoln, Mark V, (VIN: 1LNBM93EQJY652155) to Lulay Enterprises, in the amount of \$144.00. Seconded by Council Member Grabinger. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Kevin Arthaud, representing Special Olympics North Dakota, appeared before the City Council to request use of a FEMA Trailer for warming purposes with their Polar Plunge Event.

Council Member Schulz moved a Resolution to allow the Special Olympics North Dakota use of a FEMA Trailer for warming purposes with their Polar Plunge Event on February 17, 2007, at the Jamestown Reservoir, subject to City receiving insurance certificate with the City of Jamestown listed as an additional insured. Seconded by Council Member Grabinger. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to authorize the City Administrator to send a letter to the ND Department of Transportation requesting the design for the US Hwy 281 South/25th Street SW intersection for anticipated lane changes to 25th Street and that the cost of design be shared in the same percentage as the cost participation for the US Hwy 281 South Reconstruction Project No. HPU-2-281(030)066. Seconded by Council Member Parisien. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved to have the City Council enter into executive session pursuant to ND Century Code Section 44-04-19.1(2)(4) for the purpose of attorney consultation relative to the Charles Strankowski lawsuit. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

The Council entered executive session at 6:35 P.M. with the following present: Mayor Liechty, Council Members Schulz, Heinrich, Grabinger, and Parisien, City Attorney Dalsted, and City Administrator Fuchs.

Council Member Heinrich moved to return to regular session at 6:58 P.M. Seconded by Council Member Grabinger. Unanimous aye vote. Carried.

Council Member Schulz moved to adjourn. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor