

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, JUNE 4, 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 Schulz, Heinrich, Grabinger and Parisien, City Attorney Dalsted, City Engineer Horgan, and City Administrator Fuchs.

Council Member Parisien moved to approve the minutes of the following meetings, as printed:

- A. Minutes of the regular council meeting, May 7, 2007
- B. Minutes of the special council meeting, May 14, 2007
- C. Minutes of the special council meeting, May 24, 2007
- D. Minutes of the committee meeting, May 22, 2007
- E. Minutes of the committee meeting, May 24, 2007

Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Council Member Parisien moved to approve the following consent items:

- A. Resolution to approve amending the 2007 JSDC Budget to add \$12,154.00 for the payment of real estate taxes and special assessments with the City Share to be \$9,723.20 and paid from the City Sales Tax Fund.
- B. Resolution to grant the request of the Wonder Bar for a permit to conduct a street dance on 2nd Street SW on Friday, July 20, 2007.
- C. Resolution to approve the request from Richard Lord, Northland Estates, to lease a 50' X 150' section of City right-of-way adjacent to Northland Estates, for an annual fee of \$100.00.
- D. Resolution approve the plat of Diamond Acres Fifth Addition.
- E. Resolution to approve the plat of Nikita Estates.
- F. Resolution to approve the plat of Leapaldt Second Addition.
- G. Resolution to approve the Request for Proposals for Full Management Services at the Civic Center, as amended.
- H. Resolution to approve the City Attorney and City Engineer drafting a license agreement to allow John Kukowski, 1106 7th Avenue SW to construct a storm drain system from his property to a City storm drain.
- I. Resolution to approve Change Orders No. 1, 2 and 4, to Northern Improvement Company, for the US HWY 281 Reconstruction District #07-42 (16th Street to 37th Avenue), NDDOT Project No. AC-HPU-NHU-2-281(030)066.
- J. Resolution to approve the Adopt a Roadway Program.
- K. Resolution to allow Estimate No. 1, to Lindberg Brothers, Inc., for construction on Sidewalk and Curb & Gutter District #07-11, in the amount of \$2,772.50.
- L. Resolution to allow Estimate No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #07-41, in the amount of \$64,386.85.
- M. Resolution to approve Estimate No. 4, to Swanberg Construction, Inc., for construction on Phase I, Part B, Raw Water Transmission Line, DWSRF No. 4700498-02, in the amount of \$241,562.17.
- N. Resolution to allow Payment No. 10, to Advanced Engineering and Environmental Services, Inc., for services on the Wastewater Cost of Service and Rate Design Study, in the amount of \$1,064.50.
- O. Resolution to allow Payment No. 2, to Interstate Engineering, Inc., for engineering services on the 500,000 Gallon Elevated Water Tank Coating, in the amount of \$2,339.00.
- P. Resolution to allow Payment No. 3, to Interstate Engineering, Inc., for Preliminary Engineering and Project Concept Report for the Downtown Railroad Parking Lots, in the amount of \$3,583.84.
- Q. Resolution to allow Estimate No. 4, to Interstate Engineering, Inc., for engineering services on Phase I, Part B, Water Well Replacement, Project No. 4700498-02, in the amount of \$11,346.92.

- R. Resolution to allow Estimate No. 6, to Interstate Engineering, Inc., for engineering services on Phase I, Part A, Water Well Replacement, Project No. 4700498-02, in the amount of \$9,984.08.
- S. 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.
- T. Resolution to allow the May indebtedness in the amount of \$1,539,805.46 consisting of \$338,434.79 payroll and \$1,201,370.67 general obligations.

Seconded by Council Member Schulz. Consent Roll Call No. 1 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved to table to the June Building, Planning & Zoning Committee the item relative to authorizing the Mayor appoint a seven member committee to prepare a five (5) year and ten (10) year Long Range Plan for the City of Jamestown, with a Final Report to be delivered to the City Council by May 1, 2008. Seconded by Council Member Heinrich. Unanimous aye vote. Carried.

A public hearing was held concerning the request to vacate the alley adjacent to Lots 1 thru 7, Block 1, Dunstan's 2nd Addition, all to the City of Jamestown, Stutsman County, North Dakota. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Grabinger moved a Resolution to approve the request to vacate the alley adjacent to Lots 1 thru 7, Block 1, Dunstan's 2nd Addition, all to the City of Jamestown, Stutsman County, North Dakota. Seconded by Council Member Parisien. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Heinrich moved a Resolution to approve authorization of a Debt Subordination Agreement for Ringdahl, Inc., on behalf of Security State Bank of Fergus Falls. Seconded by Council Member Parisien.

Council Member Heinrich moved to amend the motion to include subject to City Attorney review of final documents. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Roll Call No. 3 on the Resolution, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Parisien moved a Resolution to approve for the Buffalo City Tourism Foundation to proceed with the refurbishment process for the World's Largest Buffalo through the use of the Hampton Grant. Seconded by Council Member Schulz. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1322, introduced by Council Member Grabinger, to amend and re-enact Sections 5-1, 5-3, 5-9 and 5-10 of the City Code pertaining to the sampling of malt beverages in an off-sale establishment, had its second reading. Seconded by Council Member Schulz. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved to appoint Mike Bergquist to serve as a member of the Planning Commission to fill the unexpired term of Carol Schmeichel (August 2009). Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Council Member Parisien moved a Resolution to approve and authorize the City Administrator to issue city payments, to Northern Improvement Company, upon receipt of Pay Requests, which have been reviewed and approved by the ND Department of Transportation, for the US HWY 281 Reconstruction District #07-42, NDDOT Project No. AC-HPU-NHU-2-281(030)066 (16th Street SW to 37th Avenue). Seconded by Council Member Grabinger. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve submitting a grant application to the ND Department of Transportation for a Traffic Safety Contract and to authorize entering into a Traffic Safety Contract (Safe Communities Program) with the North Dakota Department of Transportation for the period 10/1/07 - 9/30/08, and to enter into an agreement with Bruce Judd to serve as Safe Communities Coordinator for the same period. Seconded by Council Member Heinrich. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve submitting a grant application to the ND Department of Transportation for a Traffic Safety Contract and to authorize entering into a Traffic Safety Contract (Alcohol Incentive Program) with the ND Department of Transportation for the period ending September 30, 2008. Seconded by Council Member Heinrich. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Parisien moved a Resolution to approve the request from 5NE Lions of North Dakota, to be recognized as an other public spirited organization, and to issue a permit to conduct a raffle on October 27, 2007. Seconded by Council Member Schulz. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve the request of the Brass Rail for a permit to conduct a street dance on 2nd Street NW, Saturday, June 9, 2007. Seconded by

Council Member Parisien. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve Change Order No. 5, to Northern Improvement Company, for the US HWY 281 Reconstruction District #07-42 (16th Street to 37th Avenue), NDDOT Project No. AC-HPU-NHU-2-281(030)066, relative to redesign of the 25th Street SW Intersection, subject to approval by Wal-Mart Stores. Seconded by Council Member Parisien. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Heinrich moved to consent and approve of Ms. Jodi Bass to act as Council of Record pursuant to the Limited Practice of Law by Students Rule of the North Dakota Supreme Court per request from City Attorney Dalsted. Seconded by Council Member Grabinger. Unanimous aye vote. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor