

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, JULY 2, 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 Heinrich moved to approve the minutes of the following meetings, as printed:

- A. Minutes of the regular council meeting, June 4, 2007
- B. Minutes of the special council meeting, June 14, 2007
- C. Minutes of the special council meeting, June 19, 2007
- D. Minutes of the committee meeting, June 21, 2007

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

Council Member Parisien moved to approved the minutes of the committee meeting, June 19, 2007, as printed. Seconded by Council Member Schulz. Voice vote showed: 4 ayes (Schulz, Heinrich, Grabinger and Parisien), 1 nay (Liechty). Carried.

Council Member Heinrich moved to approve the following consent items:

- A. To re-affirm pledges of deposit as follows: First Community Credit Union - \$6,548,610.00; Unison Bank - \$5,309,805.69; USBank Jamestown - \$833,304.63; Wells Fargo Bank - \$6,748,572.06
- B. Resolution to approve and authorize out-of-grade pay in the amount of 2.5% for Civic Center Administrative Assistant Pam Fosse who has been fulfilling the majority of the managerial responsibilities in the absence of a Civic Center Manager.
- C. Resolution to approve the plat of Madsen Second Addition.
- D. Resolution to approve the proposal from SRF Consulting relative to performing a Jamestown Quiet Zone Assessment.
- E. Resolution to approve the request of Thomas R. and Mary Lou Wells to move a single family ranch style home from Robinson, North Dakota, to 303 16th St. N.E. (Lot 4, Block 1, Country Estates Addition.
- F. Resolution to grant the request of Central Business Systems, Inc., 2514 Hwy 281 South, Lot 3, Block 7, Lowry's Subdivision, for a variance in driveway separations relating to the US Hwy 281 South Reconstruction Project #07-42, NDDOT Project No. AC-HPU-NHU-2-281(030)066.
- G. To approve the following Resolutions pertaining to the Downtown Railroad Parking Lots & Streets Improvement District #07-43:
  1. To set up and establish the district.
  2. To direct Interstate Engineering, Inc., to prepare a report of the general nature, purpose and feasibility, and an estimate of costs for the district.
  3. To direct Interstate Engineering, Inc., to prepare plans and specifications for the construction of the district.
  4. To declare it necessary to construct the district and to direct the City Administrator to publish notice of a public hearing concerning the district.
- H. Resolution to approve Change Order No. 1, to Lindberg Brothers, Inc., for construction on 2007 Sidewalk, Curb & Gutter District #07-11, relative to storm sewer inlet repairs in Lot 1, Block 1, Beverly Hills Sixth Addition, for an increase in the contract price of \$17,150.82.
- I. Resolution to approve Change Order No. 2 & Final, to CB&I Constructors, Inc., for construction on the Section II, Elevated Water Storage and Distribution System Improvements, PWS No. 4700498, final balancing quantities, for a decrease in the contract price of \$11,235.71.
- J. Resolution to approve Estimate No. 2, to Lindberg Brothers, Inc., for construction on 2007 Sidewalk and Curb & Gutter District #07-11, in the amount of \$24,037.52.
- K. Resolution to approve Estimate No. 2, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #07-41, in the amount of \$362,118.14.

- L. Resolution to approve Estimate No. 5 (Partial), to Swanberg Construction, Inc., for construction on Phase I, Part B, Raw Water Transmission Line, DWSRF No. 4700498-02, in the amount of \$72,096.31.
- M. Resolution to approve Payment No. 11, to Advanced Engineering and Environmental Services, Inc., for services on the Wastewater Cost of Service and Rate Design Study, in the amount of \$3,025.00.
- N. Resolution to allow Estimate No. 15 & Final, to CB&I Constructors, Inc., for construction on Section II, Elevated Water Storage & Distribution System Improvements, PWS No. 4700498, in the amount of \$39,928.73.
- O. Resolution to approve Estimate No. 3, to Interstate Engineering, Inc., for engineering services on the 500,000 Gallon Elevated Water Tank Coating, in the amount of \$23,570.75.
- P. Resolution to approve Estimate No. 5, to Interstate Engineering, Inc., for engineering services on Phase I, Part B, Water Well Replacement, Project No. 4700498-02, in the amount of \$3,732.47.
- Q. Resolution to approve Estimate No. 7, to Interstate Engineering, Inc., for engineering services on Phase I, Part A, Water Well Replacement, Project No. 4700498-02, in the amount of \$4,579.49.
- R. Resolution to allow Estimate No. 8, to Interstate Engineering, Inc., for engineering services on the Southwest Sanitary Sewer Rehabilitation, Sanitary Sewer District #06-31, in the amount of \$3,085.96.
- S. Resolution to allow Estimate No. 24, 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 \$590.36.
- T. Resolution to allow Estimate No. 25, to Interstate Engineering, Inc., for engineering services on the Elevated Water Storage and Distribution System Improvements, PWS No. 4700498, in the amount of \$3,832.94.
- U. 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.
- V. Resolution to allow the June indebtedness in the amount of \$4,079,246.28 consisting of \$353,132.15 payroll and \$3,726,114.13 general obligations.

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

Council Member Heinrich moved a Resolution to support the establishment of a School Resource Officer Program and to direct the City Attorney to prepare a draft Memorandum of Understanding between the City of Jamestown and the Jamestown Public School District. Seconded by Council Member Parisien.

Joe Sykora, Business Manager, Jamestown Public School District, spoke in support of establishing this program.

Roll Call No. 2 showed: 4 ayes (Schulz, Heinrich, Grabinger and Parisien), 1 nay (Liechty), 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve Estimate No. 5 (Partial), to L.T.P. Enterprises, Inc., for construction on Phase I, Part A, Water Well Replacement, DWSRF No. 4700498-02, in the amount of \$343,133.63. Seconded by Council Member Parisien. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve the documents and authorize the issuance and sale of College Facility Refunding Revenue Bonds (Jamestown College Project) Series 2007, in an amount not to exceed \$2,500,000.00. Seconded by Council Member Heinrich. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved to introduce the first reading of an ordinance to annex 8th Avenue SW, from the City Limits line southerly to 37th R. St.; 25th Street SW from the City Limits line west to 11th Avenue SW; 28th Street SW from the City Limits line west to 11th Avenue SW; and 11th Avenue SW between 25th Street and 28th Street SW, all within Woodbury Township, Section 2-139-64, Stutsman County, North Dakota.

Mayor Liechty moved to appoint Colleen Lebahn to serve as a member of the Civil Service Commission to fill the unexpired term of Janice Spriggs (January 2010). Seconded by Council Member Grabinger. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Elaine Hegland to serve as a member of the Library Board with a term to expire July 2010. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Travis Dillman, representative of Interstate Engineering, Inc., gave a summary report on various options available for the Downtown Railroad Parking Lots Improvement Project.

Council Member Heinrich moved a Resolution to approve the parking lot option on Sheet 2 and the fence layout option on Sheet 3 utilizing new fencing **for the Downtown Railroad Parking Lots Improvement District #07-43**. Seconded by Council Member Parisien.

Council Member Schulz moved to approve the design on the fence to be a locomotive only. Motion died for lack of a second.

Roll Call No. 5 on the original motion showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty reported to the Council on various issues and concerns that the Council should address in the near future: Adopt-a-Roadway; Main Lift Fats, Oil and Grease Study; Civic Center needs; Frontier Village; Committee Chair Re-assignments; Additional Renaissance Zone Property; Louis L'Amour; Wastewater Study, Next Phase for the Water Treatment Plant; City Library Needs; Pension Plan; Jamestown/Stutsman Development Corporation Policies & Procedures; Buffalo City Tourism Foundation; Parking Lots; Infrastructure Audit and the Gerdau-Ameristeel Railroad Spur.

Council Member Heinrich moved a Resolution to approve the request from the Wonder Bar Sports Bar to conduct a street dance on Friday, July 6, 2007. Seconded by Council Member Schulz.

Police Chief Donegan addressed the Council with concerns in providing security with such limited notice of the event.

Council Member Heinrich moved to amend the motion to approve the request subject to the Police Chief securing adequate security for the event. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Roll Call No. 6 on the Resolution, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Heinrich moved a Resolution to approve the request from the Brass Rail to conduct a street dance on Friday, July 27, 2007. Seconded by Council Member Parisien. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve the request from Progress Enterprises for a gaming site authorization to conduct gaming at Shady's for the period July 1, 2007 to June 30, 2008. Seconded by Council Member Parisien. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor