

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 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 Deputy City Auditor Sveum. Absent: City Administrator Fuchs.

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

- A. Minutes of the regular council meeting, August 6, 2007
- B. Minutes of the special council meeting, August 24, 2007
- C. Minutes of the committee meeting, August 21, 2007
- D. Minutes of the committee meeting, August 23, 2007

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

No bids were received for the sale of impounded and abandoned vehicles.

Council Member Grabinger moved to approve the following consent items:

- A. Resolution to approve the request from the Marcil Group for permission to place a portable sign in the city-owned parking lot at 1st Avenue North and 2nd Street NW for a period of one week prior to the grand opening of the Continental Bistro Italian Restaurant and Bar.
- B. Resolution to grant the request from Duck's Unlimited for a gaming site authorization at the Gladstone Inn on February 16, 2008.
- C. Resolution to grant the request from Duck's Unlimited for a gaming site authorization at the Gladstone Inn on May 16 & 17, 2008.
- D. Resolution to approve the request from Ted Kapp to move a 14' X 20' wood frame building from Courtenay to 1407 11th Avenue SW.
- E. Resolution to direct Interstate Engineering, Inc., to establish the height of the fencing for the Downtown Parking Lots & Streets Improvements Project #07-43 at 42 inches.
- F. Resolution to authorize entering into a Cost Participation and Maintenance Agreement with the NDDOT relative to the \$295,000.00 Transportation Enhancement Grant for the Downtown Parking Lots & Streets Improvement Project #07-43.
- G. Resolution to authorize entering into a license agreement with the North Dakota Buffalo Foundation to locate the buffalo fence on city right-of-way, approximately 3-4 feet from the north edge, on 21st Street SE, between 2nd and 3rd Avenue SE.
- H. Resolution to approve Estimate No. 2, to Classic Protective Coatings, Inc., for construction on the 500,000 Gallon Elevated Water Tank Coating, in the amount of \$114,337.70.
- I. Resolution to approve Estimate No. 4, to Lindberg Brothers, Inc., for construction on 2007 Sidewalk and Curb & Gutter District #07-11, in the amount of \$11,992.49.
- J. Resolution to approve Estimate No. 4, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #07-41, in the amount of \$400,460.88.
- K. Resolution to approve Estimate No. 7, to L.T.P. Enterprises, Inc., for construction on Phase I, Part A, Water Well Replacement, DWSRF No. 4700498-02, in the amount of \$2,800.00.
- L. Resolution to approve Estimate No. 7, to Swanberg Construction, Inc., for construction on Phase I, Part B, Raw Water Transmission Line, DWSRF No. 4700498-02, in the amount of \$1,756.00.
- M. Resolution to approve Estimate No. 13, to Advanced Engineering and Environmental Services, Inc., for services on the Wastewater Cost of Service and Rate Design Study, in the amount of \$4,539.50.
- N. Resolution to allow Estimate No. 15 & Final, to Interstate Engineering, Inc., on the Water, Sanitary Sewer, Storm Sewer, Lighting and Street Improvements on the I-94 Business Park Addition, in the amount of \$867.50.

O. 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.

P. Resolution to allow the August indebtedness in the amount of \$5,620,735.10 consisting of \$343,341.21 payroll and \$5,277,393.89 general obligations.

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

A public hearing was held concerning special assessments for Sanitary Sewer District #06-31.

Discussion was held relative to the telephone inquiry received by the City Administrator from Frank Clemens relative to special assessments on his property (Parcel 74-3461900). Upon initial review, the City Administrator notated to the Council that Mr. Clemens may have a legitimate case for an adjustment to the special assessments on his property. The City Administrator will review the situation later in the week.

The hearing was closed.

Council Member Grabinger moved a Resolution to accept and approve the special assessments for Sanitary Sewer District #06-31, as prepared by the Special Assessment Commission, in the amount of \$1,562,828.30, with the City Share to be \$156,282.79, with additional adjustments of \$24,972.25, and with a balance to assess against benefited properties in the amount of \$1,381,573.26, subject to a possible adjustment on Parcel 74-3461900. Seconded by Council Member Schulz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

City Assessor Wollan reviewed information with the City Council on the request from IRET for a property tax exemption for improvements to the Jamestown Business Center at 300 2nd Avenue NE.

Discussion was held concerning the current valuation of the property and the affect of that valuation should the property tax exemption for improvements be approved for five years.

Council Member Grabinger moved a Resolution to disapprove the request from IRET for a Property Tax Exemption for Improvements to Commercial Buildings on the Jamestown Business Center at 300 2nd Avenue NE. Seconded by Council Member Parisien. Roll Call No. 3 showed: 4 ayes (Liechty, Schulz, Grabinger and Parisien), 1 nay (Heinrich), 0 absent. Carried.

Discussion was held relative to the Civic Center/Convention Director's position as Nancy Allen has turned down the position at the Jamestown Civic Center.

Council Member Heinrich moved a Resolution to authorize the City Administrator to enter negotiations and offer the position of Civic Center/Convention Director to current Civic Center employee Pam Fosse with a six month trial period, which could be extended for an additional six months. Seconded by Council Member Schulz.

Discussion followed relative to the job description for the position.

Council Member Grabinger stated he would like to re-advertise for the Civic Center/Convention Director position.

Roll Call No. 4 on the Resolution showed: 3 ayes (Liechty, Heinrich and Schulz), 2 nays (Grabinger and Parisien), 0 absent. Carried.

Council Member Schulz moved to introduce the first reading of an ordinance to annex certain right-of-ways in Marjo First Addition, all within Section 30-143-63, Stutsman County, North Dakota.

Council Member Grabinger moved to introduce the first reading of an ordinance to amend and re-enact Sections 5-2.2 and 5-6 and to enact Sections 5-6.1 and 5-11.1 of the Code of the City of Jamestown, North Dakota, all pertaining to alcoholic beverages.

Council Member Grabinger moved to introduce the first reading of an ordinance to amend and re-enact Sections 21-03-16, 21-04-17, 21-09-02, 21-10-31, 21-10-42 and 21-16-14, and to enact Section 21-03-16.1 of the Code of the City of Jamestown, North Dakota, all pertaining to motor vehicles and traffic.

Council Member Grabinger moved to introduce the first reading of an ordinance to enact Sections 22-7.1, 22-7.2 and 22-7.3 and to amend and re-enact Section 22-46 of the Code of the City of Jamestown, North Dakota, all pertaining to offenses - miscellaneous.

Council Member Heinrich moved to introduce the first reading of an ordinance pertaining to the appropriation of the General and Special Funds for the fiscal year January 1, 2008, through December 31, 2008.

Council Member Heinrich moved to introduce the first reading of an ordinance pertaining to the appropriation of the Revenue and Special Funds for the fiscal year January 1, 2008, through December 31, 2008.

Council Member Grabinger moved a Resolution to award the bid for the sale of an abandoned and impounded 1978 Dodge, truck, VIN D14BB85217345, to Fred Brancio, in the amount of \$250.00. Seconded by Council Member Parisien. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to reject the bid from Keith Schumacher for the 1989 Pontiac as it did not meet the minimum bid requirement. Seconded by Council Member Heinrich. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved to appoint Harold Bensch to serve as a member of the Planning Commission for a term of five (5) years to expire August 2012. Seconded by Council Member Grabinger. Unanimous aye vote. Carried.

Council Member Grabinger moved a Resolution to approve the request from Healthy Lifestyle Coalition, to be recognized as an other public spirited organization, and to issue a permit to conduct a raffle on September 23, 2007. Seconded by Council Member Parisien. Roll Call No. 7 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:

JAY SVEUM, Deputy City Auditor

CLARICE LIECHTY, Mayor