

JAMESTOWN CITY COUNCIL
REGULAR MEETING, NOVEMBER 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 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, October 1, 2007
- B. Minutes of the special council meeting, October 15, 2007
- C. Minutes of the special council meeting, October 26, 2007
- D. Minutes of the committee meeting, October 10, 2007
- E. Minutes of the committee meeting, October 23, 2007
- F. Minutes of the committee meeting, October 25, 2007

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

A bid was received for the sale of an impounded and abandoned vehicle from Myron Peterson.

Council Member Heinrich moved to approve the following consent items:

- A. Resolution to approve the request from the Jamestown Regional Airport for \$9,000.00 from Economic Development Funds with the City Share to be \$7,200.00 and paid from the City Sales Tax Fund.
- B. Resolution to authorize a total expenditure of \$35,000.00 in funding from the Visitor's Promotion Capital Construction Fund, to be used toward the development of a green space downtown, as proposed by the Jamestown Fine Arts Association, subject to the Arts Association obtaining other commitments to the project in the amount of \$175,000.00, with the City's commitment to expire on December 31, 2008.
- C. Resolution to approve the SAFETEA-LU Urban Projects list, as submitted by the Planning Commission, for submission to the NDDOT, subject to Priority 3 being moved to 2013.
- D. Resolution to approve and authorize entering into a grant agreement with the North Dakota Forest Service for funding to purchase tree inventory software and services from ArborPRO, Inc., for the Forestry Department.
- E. Resolution to approve and authorize the purchase of a roll-off truck and hoist for the Sanitation Department from Sanitation Products, Inc., in the amount of \$109,066.00, through the use of a State Bid.
- F. Resolution to approve Change Order No. 12, to Northern Improvement Company of Fargo, for the US Hwy 281 South Reconstruction Project #07-42 (16th Street SW to 37th Avenue), for a net increase in the contract price of \$5,649.97.
- G. Resolution to approve Change Order No. 3, to Swanberg Construction, Inc., for construction on Sanitary Sewer District #06-31, CWSRF No. 380808-03, CDBG No. 16980CD-0204-PF-S, balancing quantities, for a net decrease in the contract price of \$21,361.52.
- H. Resolution to approve Estimate No. 2, to SRF Consulting Group, Inc., for professional services on the Jamestown Quiet Zone Assessment, in the amount of \$2,969.43.
- I. Resolution to approve Estimate No. 6, to Lindberg Brothers, Inc., for construction on 2007 Sidewalk and Curb & Gutter District #07-11, in the amount of \$8,720.85.
- J. Resolution to approve Estimate No. 6 & Pre-Final, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #07-41, in the amount of \$2,638.65.
- K. Resolution to approve Estimate No. 8, to Swanberg Construction, Inc., for construction on Phase I, Part B, Raw Water Transmission Line, DWSRF No. 4700498-02, in the amount of \$117,615.80.
- L. Resolution to approve Estimate No. 9, to L.T.P. Enterprises, Inc., for construction on Phase I, Part A, Water Well Replacement, DWSRF No. 4700498-02, in the amount of \$20,541.50.

- M. Resolution to approve Estimate No. 5 & Final, to Swanberg Construction, Inc., for construction on Sanitary Sewer District #06-31, CWSRF No. 380808-03, CDBG No. 1698-CD-0204-PF-S, in the amount of \$36,908.03.
- N. Resolution to approve Estimate No. 15, to Advanced Engineering and Environmental Services, Inc., for services on the Wastewater Cost of Service and Rate Design Study, in the amount of \$2,908.35.
- O. Resolution to approve Estimate No. 6 & Final, to Interstate Engineering, Inc., for engineering services on the 500,000 Gallon Elevated Water Tank Coating, in the amount of \$300.00.
- P. Resolution to approve Estimate No. 8, to Interstate Engineering, Inc., for engineering services on Phase I, Part B, Water Well Replacement, Project No. 4700498-02, in the amount of \$5,987.23.
- Q. Resolution to approve Estimate No. 10, to Interstate Engineering, Inc., for engineering services on Phase I, Part A, Water Well Replacement, Project No. 4700498-02, in the amount of \$1,867.10.
- R. 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.
- S. Resolution to allow the October indebtedness in the amount of \$2,147,583.96 consisting of \$335,158.03 payroll and \$1,812,425.93 general obligations.

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

Mayor Liechty moved to refer the item relative to the homelessness plan to the November Finance & Legal Committee for further discussion. Seconded by Council Member Parisien. Voice vote: 4 ayes (Liechty, Schulz, Grabinger & Parisien), 1 nay (Heinrich), 0 absent. Carried.

A public hearing was held to hear and determine the sufficiency of protests concerning the Downtown Railroad Parking Lots & Streets Improvement District #07-43. No one appeared to object and no written protests were received. The hearing was closed.

Mayor Liechty moved a Resolution that the protests have been found to be insufficient to bar proceeding with Downtown Railroad Parking Lots & Streets Improvement District #07-43. Seconded by Council Member Parisien. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

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 a parcel of land 883 feet by 2,711 feet in the E.½ of Section 34-140-64, lying outside the city limits and adjacent to 17th Avenue SW, from R-M (Residential Mobile Home District) to R-1 (One Family Residential District).

Council Member Grabinger moved a Resolution to award the bid for the sale of a 1989 Plymouth, Sundance, (VIN: 1P3BP48J2KN653783) to Myron Peterson, in the amount of \$187.00. Seconded by Council Member Schulz. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Heinrich moved to appoint Jodi Bass as an Assistant City Attorney and Assistant City Prosecutor. Seconded by Council Member Grabinger. Unanimous aye vote. Carried.

Mayor Liechty announced the committee re-assignments as follows:

- Finance & Legal Committee - Council Member Heinrich;
- Building, Planning & Zoning Committee - Mayor Liechty;
- Civic Center & Promotion Committee - Council Member Schulz;
- Public Works Committee - Council Member Grabinger; and
- Police & Fire Committee - Council Member Parisien

Council Member Grabinger moved a Resolution to approve the request from ND Buffalo Foundation, Inc., for a gaming site authorization to conduct gaming at the Vets Club, for the period December 1, 2007, through June 30, 2008. Seconded by Council Member Parisien. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve the request from Trinity Lutheran Church to be recognized as an other public spirited organization, and to issue a permit to conduct a raffle on December 2, 2007. Seconded by Council Member Heinrich. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Parisien moved a Resolution to accept the affidavit from McKenzie Young that Check No. 5790, dated August 31, 2007, in the amount of \$150.00, has been either lost or destroyed and to authorize the issuance of a duplicate thereof. Seconded by Council Member Schulz. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve estimates relative to the Fire Department equipment damaged or destroyed during the fire at the storage building, and to authorize the following expenditures: Ultimate Transportation, in the amount of \$7,853.40, for repair of the Haz-Mat Trailer; and Angel Guard, in the amount of \$3,300.92, for purchase of an Ice Sled. Seconded by Council Member Schulz. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Consensus of the Council was to discuss replacement of other necessary Fire Department items damaged or destroyed by the fire at the storage building.

Council Member Parisien moved a Resolution to approve and authorize expenditures for other necessary items damaged or destroyed by the fire as follows: Repairs to 1983 Chevrolet, 1 ton, in the amount of \$5,411.25; Repairs to 2005 Ford, F-350, in the amount of \$6,827.40; Purchase of a Snow Plow Attachment, in the amount of \$4,400.00; and Purchase of a 12 HP Snowblower, in the amount of \$1,900.00. Seconded by Council Member Schulz. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor