

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, DECEMBER 3, 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, November 5, 2007
- B. Minutes of the committee meeting, November 20, 2007

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

Council Member Grabinger moved to approve the following consent items:

- A. Resolution to reject the recommendation from the JSDC to delete Community Development Projects from consideration for Economic Development Fund funding in the JSDC Policies and Procedures, and to accept the recommendation that "each specific project require legal documentation setting forth the terms and conditions of funding".
- B. To approve the following relative to the homelessness plan:
  - 1) Approve a Resolution to adopt "A Plan to Eliminate Homelessness in Jamestown, North Dakota".
  - 2) Submit a letter to the North Dakota Homeless Coalition, Inc., with a copy of the approved Resolution.
  - 3) Appoint the South Central Homeless Coalition to implement the "10 Year Plan" with the requirement of the submission of an annual report on status to be filed with the City in January of each year.
  - 4) Authorize City staff to notify the South Central Homeless Coalition of any potential funding sources that may assist in the implementation of the "10 Year plan".
- C. Resolution to authorize entering into a one (1) year agreement with 4Rs Recycling of Carrington, Inc., for the recycling of materials in Jamestown.
- D. Resolution to approve and accept the 2006 City Audit as prepared by Schauer & Associates, P.C.
- E. Resolution to approve an adjustment to wastewater utility rates effective January 1, 2008, as proposed in the Wastewater Cost of Service and Rate Design Study prepared by AE2S, as follows:
  - Single family residential - \$4.50 flat rate per month plus \$1.27 per 100 CF of water used to a maximum of 1200 CF per month.
  - Multi-family residential - \$2.25 flat rate per unit per month plus \$1.27 per 100 CF of water used per month.
  - Commercial - \$4.50 flat rate per month plus \$1.27 per 100 CF of water used per month.
- F. Resolution to approve the 2009 SAFETEA-LU Projects Report for submission to the NDDOT.
- G. Resolution to enter into proposed agreements with Interstate Engineering, Inc., to provide engineering services, to complete Solid Waste Permit Renewal applications for submission to the State Health Department, on the Jamestown Municipal Landfill and the Jamestown Baler Facility.
- H. Resolution to waive the irregularity of no separate bid bond envelope attached to the outside of the bids submitted from Central Sales, for the purchase of a new tractor for the Street Department, and to open and read the bids if the bid bond is found to be included.
- I. Resolution to approve Change Order No. 14, to Northern Improvement Company of Fargo, relating to the US HWY 281 South Reconstruction Project #07-42, NDDOT Project #AC-HPU-NHU-2-281(030)066, for a net increase in the contract price of \$4,858.01.
- J. Resolution to approve Change Order No. 15, to Northern Improvement Company of Fargo, relating to the US HWY 281 South Reconstruction Project #07-42, NDDOT Project#AC-HPU-NHU-2-281(030)066, for a net

increase in the contract price of \$2,426.86.

- K. Resolution to approve Estimate No. 7 & Final, to Lindberg Brothers, Inc., for construction on 2007 Sidewalk and Curb & Gutter District #07-11, in the amount of \$5,567.67.
- L. Resolution to approve Estimate No. 16, to Advanced Engineering and Environmental Services, Inc., for services on the Wastewater Cost of Service and Rate Design Study, in the amount of \$2,479.11.
- M. 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.
- N. Resolution to allow the November indebtedness in the amount of \$1,521,510.13 consisting of \$338,365.97 payroll and \$1,183,144.16 general obligations.

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

Council Member Grabinger moved a Resolution to approve the issue of entering into a license agreement with Maple Acres Condo Association to allow connection to the City storm sewer system to drain surface water from the common area. Seconded by Council Member Parisien.

Mayor Liechty declared a conflict of interest.

Council Member Heinrich moved to allow Mayor Liechty to vote on the motion. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Grabinger moved to amend the motion to include subject to Maple Acres Condominium Association obtaining an easement from Jamestown College. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

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

Council Member Heinrich moved a Resolution to approve the report from the Stanton Group relative to ongoing contribution costs of the City Retirement program and to change the City Employee Retirement program to the NDPERS, effective January 1, 2008. Seconded by Council Member Schulz. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve Change Order No. 2, to Border States Paving, Inc., for Seal Coat, Patching Construction and Reconstruction District #07-41, for a net increase in the contract price of \$91,108.35. Seconded by Council Member Heinrich. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Grabinger moved a Resolution to approve Estimate No. 7 & Final, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #07-41, in the amount of \$72,791.58. Seconded by Council Member Heinrich. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Parisien 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 Lots 1 - 6, Block 1, Meidinger 4th Addition, from R-M-I-A (Residential Mobile Independent Alternate District) to R-2-A (One to Twelve Family Residential District).

Council Member Heinrich 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 Lots 18 thru 41, Witzig's 2nd Addition, Lots 18 thru 33, Dement's Addition, Lot 2, Block 5, Lots 3 & 4, Block 4, and Lots 3 & 4, Block 3, Diamond Acres 2nd Addition, from C-2 (General Commercial District) to M-1 (Limited Industrial and Manufacturing District).

Council Member Grabinger moved to introduce the first reading of an ordinance to amend and re-enact Sections 9-40 and 9-41 of the City Code pertaining to the housing codes.

Council Member Grabinger moved to introduce the first reading of an ordinance to amend and re-enact Sections 14-1 of the City Code pertaining to the electrical code.

Council Member Parisien moved to introduce the first reading of an ordinance to amend and re-enact Section 25-10 of the City Code pertaining to snow and ice removal from city sidewalks.

Council Member Schulz moved to introduce the first reading of an ordinance to amend and re-enact Section 25-10.1 of the City Code pertaining to depositing of snow on streets and alleys.

A public hearing was held concerning 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 2711 feet in the E.1/2 of Section 34, T140N, R64W, lying outside the City limits and adjacent to 17th Ave SW, from R-M (Residential Mobile Home District) to R-1 (One Family Residential District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1330, introduced by Council Member Schulz, 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.1/2 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), had its second reading. Seconded by Council Member Grabinger. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

The bids submitted from Central Sales for the purchase of a new tractor for the Street Department were opened, did included proper bid bonds, and the bids were read. City staff will review the bids and make a recommendation for award.

Mayor Liechty moved to appoint Dwaine Heinrich to serve as a member of the Law Enforcement Center Governing Board for a four (4) year term to expire December 2011. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint James Boyd to serve as a member of the Jamestown Regional Airport Authority for a five (5) year term to expire December 2012. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Jim Dodd to serve as a member of the Jamestown Regional Airport Authority to fill the unexpired term of Merle Bingham (December 2010). Seconded by Council Member Heinrich. Unanimous aye vote. Carried.

Appointments to the Renaissance Zone Authority were postponed.

Mayor Liechty moved to appoint John Dardis and Larry Hopland to serve as members of the Fire Code Board of Appeals for three (3) year terms to expire November 2010. Seconded by Council Member Heinrich. Unanimous aye vote. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor