

JAMESTOWN CITY COUNCIL
REGULAR MEETING, FEBRUARY 2, 2009
OFFICIAL MINUTES

The regular meeting of the City Council was called to order by Mayor Liechty at 5:00 P.M.

The Pledge of Allegiance to the flag was recited.

Roll Call showed the following members present: Mayor Liechty, Council Members Kourajian, Nygaard, Parisien and Schulz, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs.

Council Member Parisien moved to approve the minutes of the following meetings, as printed: Minutes of the regular council meeting, January 5, 2009; Minutes of the committee meeting, January 20, 2009. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

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

Council Member Nygaard moved to approve the following consent items:

- A. Resolution to re-affirm pledges of deposit as follows: First Community Credit Union-\$3,369,000.00; Unison Bank-\$10,994,900.00; Wells Fargo Bank-\$6,951,272.00; USBank Jamestown-\$1,152,237.00
- B. Resolution to accept and approve a Cooperative Agreement between Otter Tail Power Company and Northern Plains Electric relative to service territories.
- C. Resolution to approve the established selling price for City owned lots.
- D. To approve the following Resolutions pertaining to Seal Coat, Patching, Construction & Reconstruction District #09-41:
 - 1) To set up and establish the district.
 - 2) To direct the City Engineer to prepare a report of the general nature, purpose and feasibility, and an estimate of costs for the district.
 - 3) To direct the City Engineer to prepare plans and specifications for the construction of the district.
 - 4) To accept and approve the plans and specifications, as prepared by the City Engineer, for the construction of the District.
 - 5) To declare it necessary to construct the district and to direct the City Administrator to publish notice of a public hearing concerning the district.
 - 6) To direct the City Administrator to advertise for bids for the construction of the district.
- E. Resolution to approve Payment No. 10, to Ulteig Engineers, for engineering services on the Project Concept Report and Preliminary Design for the East Business Loop Reconstruction Project No. SU-2-987(029)033, in the amount of \$5,723.77.
- F. Resolution to approve Payment No. 2 & Final, to Interstate Engineering, Inc., for engineering services on Louis L'Amour Elementary School, Safe Routes to School, Project SRU-2-987(030)034, in the amount of \$1,846.44.
- G. Resolution to approve Payment No. 3 & Final, to Interstate Engineering, Inc., for engineering services on Southwest Storm Sewer Improvement District #08-71, in the amount of \$686.00.
- H. Resolution to approve Payment No. 4, to Interstate Engineering, Inc., for engineering services on Transportation Enhancement for US Highway 281, Project No. S-TNU-2-281(033)066, in the amount of \$4,498.68.
- I. Resolution to approve Payment No. 14, to Interstate Engineering, Inc., for engineering services on Phase I, Part A, Water Well Replacement, Project No. 4700498-02, in the amount of \$4,216.85.
- J. Motion to accept the reports of the Municipal Judge, Police Department, Fire Department, Public Works Departments, Inspection Department, Forestry Department, Civic Center, Central Valley Health Unit, and financial status.
- K. Resolution to allow the January indebtedness in the amount of \$1,785,038.38 consisting of \$414,674.57 payroll and \$1,370,363.81 general obligations.

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

Mayor Liechty moved a Resolution to approve calling a special election relative to the petitions for an initiated ordinance providing for the establishment of a quiet zone for railroad traffic. Seconded by Council Member Schulz.

Mayor Liechty moved to amend the motion to set April 7, 2009, as the date for the special election. Seconded by Council Member Schulz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

Council Member Kourajian moved to introduce the first reading of an ordinance to amend and re-enact Section 2-6 of the City Code pertaining to competitive bidding on certain contracts.

Council Member Nygaard 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 all the land on the south side of Section 33, T140N, R64W, that is north of and adjacent to the I-94 R/W that is currently zoned C-2 (General Commercial District) including all of Auditor's Lot 33-1 and Lot 6, Glinz 4th Estates, from C-2 (General Commercial District) to C-1 (Local Commercial District), and a strip of land 380' in depth on the west side of the Hwy 281/52 Bypass in Section 33, from the south side of the BNSF R/W to the north line of Auditor's Lot 33-5, from A-1 (Agricultural District) to C-1 (Local Commercial District).

Council Member Schulz moved a Resolution to award the bid for a 2009 John Deere 770G Motor Grader for the Street Department to RDO Equipment, at the bid price of \$200,500.00, less \$95,400.00 on the trade in unit of a 2003 John Deere Motor Grader, for a net bid of \$105,100.00, and with a guaranteed buyback of \$120,000.00 and guaranteed maximum repairs 4500 hours or 6 years. Seconded by Council Member Parisien. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Parisien moved a Resolution to approve Payment No. 1, to Interstate Engineering, Inc., for Sanitary Sewer District #08-31 (100 Block of 4th Avenue SW) in the amount of \$1,855.00. Seconded by Council Member Nygaard. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve Payment No. 11, to Interstate Engineering, Inc., for engineering services on City Department Consultations, in the amount of \$875.00. Seconded by Council Member Parisien. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved a Resolution to recognize the Duratech (Tinkerbelle) Relay for Life Team as an other public spirited group and to authorize the issuance of a raffle permit with the drawing to be held June 20, 2009. Seconded by Council Member Kourajian. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Nygaard moved a Resolution to approve the request from Ducks Unlimited, Inc., for a site authorization to conduct gaming at the Gladstone Inn & Suites on February 28, 2009. Seconded by Council Member Schulz. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Nygaard moved a Resolution to authorize entering into a Memorandum of Understanding between the cities of Jamestown, Fargo and Grand Forks regarding a ND Department of Emergency Services Grant to purchase an armored tactical intervention vehicle. Seconded by Council Member Parisien. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ralph Friebel, Renaissance Recycling, appeared before the City Council with questions relative to future recycling businesses and subsidies in the city.

Jon Newman appeared before the City Council to convey his interest in recycling and the possible purchase of the 4Rs Recycling business.

The recycling situation was referred to the February Public Works Committee meeting.

Mayor Liechty moved to appoint Rod Johnson to serve as a member of the Fire Code Board of Appeals to fill the unexpired term of John Dardis (November 2010). Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Tim Nill to serve as a member of the Fire Code Board of Appeals for a three (3) year term to expire November 2011. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint John Grabinger to serve as a member of the Special Assessment Commission to fill the unexpired term of John Dardis (April 2009). Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Harvey Schuh to serve as a member of the Board of Adjustment for three (3) year terms to expire January 2012. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Deb Lee, Harley Trefz, Scott Hare, and Alden Kollman, to serve as members of the Buffalo City Tourism Foundation for three (3) year terms to expire February 2012. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

It was reported that the City Council would be holding a special meeting with the Stutsman County Commission relative to the joint public library on Tuesday, February 10, 2009, at 4:00 PM, at City Hall.

Discussion was held concerning the request from NDDOT to concur with finalizing the US HWY 281 South Reconstruction Project #07-42, NDDOT Project#AC-HPU-NHU-2-281(030)066. Council consensus was to refer this to the February Public Works Committee.

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

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor