

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JANUARY 4, 2010
OFFICIAL MINUTES

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

The Pledge of Allegiance to the flag was recited.

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

Council Member Schulz moved to approve the following: Minutes of the regular council meeting, December 7, 2009; Minutes of the special council meeting, December 9, 2009; Minutes of the special council meeting, December 22, 2009; and Minutes of the committee meeting, December 22, 2009. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

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

Council Member Parisien moved to approve the following consent items:

- A. Resolution to re-affirm pledges of deposit as follows:

First Community Credit Union	\$ 4,077,250.00
Unison Bank	\$14,818,836.47
Wells Fargo Bank	\$ 499,482.94
USBank Jamestown	\$ 970,405.58

- B. Resolution to approve the request from Jamestown/Stutsman Development Corporation for funding from Economic Development Funds to provide \$9,600 to continue its internship program, with the City Share to be \$7,680 and paid from the City Sales Tax Fund.

- C. Resolution to authorize filling the position of Utility Operations Director based on the job description approved May 2007.

- D. Resolution to not endorse the proposal received from Dale Marks, Stutsman County Commissioner, relative to a proposed 1% County Sales Tax, with $\frac{1}{2}$ of the proceeds to be used for county roads and $\frac{1}{2}$ of the proceeds dedicated to city infrastructure improvements.

- E. Resolution to approve the request from Ducks Unlimited, Inc., for a gaming site authorization on January 16, 2010, at Shady's (Conference Rooms 1-3).

- F. Resolution to authorize Buffalo City Tourism Foundation to conduct a World's Largest Buffalo naming contest.

- G. Resolution to allow the City Engineer to enter into an agreement with South Central Regional Council for up to 50 hours @ \$70.00 per hour for services related to pursuing alternative sources of funding for non-FEMA eligible projects in the City of Jamestown.

- H. Resolution to authorize entering into a one (1) year agreement with Renaissance Recycling, LLC, for recycling services within the City of Jamestown at the monthly rate of \$2,500.00 per month, and providing an additional subsidy of \$2,500.00 per month for the first six months.

- I. Resolution to approve the Stutsman County - City of Jamestown Agreement on joint maintenance of shared streets and sharing of equipment.

- J. Resolution to authorize proceeding with a city wide storm sewer study as per Interstate Engineering's proposal.

- K. Resolution to approve Estimate No. 2, to Border States Paving, Inc., for construction on FEMA Flood Road Repairs, in the amount of \$134,448.70.
- L. Resolution to approve Estimate No. 6 & Final, to Lindberg Brothers, Inc., for construction on 2009 Sidewalk and Curb & Gutter District #09-11, in the amount of \$30,433.34.
- M. 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.
- N. Resolution to allow the December indebtedness in the amount of \$1,832,925.36 consisting of \$386,841.33 payroll and \$1,446,084.03 general obligations.

Seconded by Council Member Schulz. Consent Roll Call No. 1 showed: 4 ayes, 0 nays, 1 absent. Carried.

City Attorney Dalsted informed the City Council that he has reviewed the Jamestown/Stutsman Development Corporation files concerning the PACE interest buy down for Dean Hafner/Allen Enterprises LLC, and stated that documentation was complete and, if necessary, JSDC would be able to enforce collection on either Dean Hafner/Allen Enterprises LLC or Kevin Thoele.

Council Member Schulz moved a Resolution to re-affirm the Resolution concerning the PACE interest buy down for Dean Hafner/Allen Enterprises LLC, and to clarify that the City Council's resolution, dated September 8, 2009, did not require any additional documentation. Seconded by Council Member Parisien. Roll Call No. 2 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Kourajian moved to table to the January Finance & Legal Committee meeting the motion concerning the amendment of the City Administrator job description. Seconded by Council Member Nygaard. Voice vote showed: 3 ayes, 1 nay (Schulz), 1 absent. Carried.

Consensus of the Council was to use procedures followed in the development of the community COPS Plan for development of a City Comprehensive Plan, and that a City Council/City Committee SWOT Analysis be completed for comparison with the SWOT Analysis which would be requested to be completed by the Local Government Advisory Committee.

Council Member Schulz moved a Resolution to place on the January Building, Planning & Zoning Committee meeting agenda the selection of a facilitator for the City's strategic planning process. Seconded by Council Member Parisien. Roll Call No. 3 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Nygaard moved to appoint Mike Williams to serve as a member of the Local Government Advisory Study Committee with a term to expire July 2010. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Schulz moved a Resolution to award the bid for Phase II, Water Systems Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, to PKG Contracting, Inc., in the amount of \$4,646,900.00. Seconded by Council Member Kourajian. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

Max Wetz and Dave Peske, Partnership Specialists with the U.S. Census Bureau, appeared before the City Council regarding the 2010 Federal Census and requested that the City Council consider appointing a Complete Count Committee.

Consensus of the City Council was to bring names of individuals for consideration to the January Finance & Legal Committee meeting. The Stutsman County Commission would be requested to consider appointing individuals to this committee also.

Council Member Nygaard moved a Resolution to approve the request from Buffalo City Radio Control Squadron to be recognized as an other public spirited organization, and to issue a permit to conduct a raffle on February 27, 2010. Seconded by Council Member Kourajian. Roll Call No. 6 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Parisien moved a Resolution to declare a City Snow Emergency existed from December 23, 2009, Midnight to Midnight December 30, 2009, and to authorize submission of necessary documentation to the ND Department of Emergency Services in order to seek federal or state financial assistance. Seconded by Council Member Schulz. Roll Call No. 7 showed: 4 ayes, 0 nays, 1 absent. Carried.

The request from KIPP, LLC, for an on-sale alcoholic beverage license for the period ending June 30, 2010, was withdrawn.

Council Member Kourajian moved to approve the following Resolutions pertaining to Seal Coat, Patching, Construction & Reconstruction District #10-41:

- 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.

Seconded by Council Member Parisien. Roll Call No. 8 showed: 4 ayes, 0 nays, 1 absent. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS
City Administrator

PATRICK NYGAARD
President of the Council