

JAMESTOWN CITY COUNCIL
REGULAR MEETING, FEBRUARY 1, 2010
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 Engineer Schwartzkopf and City Administrator Fuchs.
Absent: City Attorney Dalsted.

Council Member Schulz moved to approve the minutes of the regular council meeting, January 4, 2010. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Mayor Liechty moved to delay approval of minutes for the committee meeting, January 19, 2010, until researched with recorded version relative to the Land Use & Transportation Plan motion. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Parisien moved to approve the minutes of the committee meeting, January 20, 2010. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

Council Member Schulz moved to approve the following consent items:

- A. Resolution to re-approve the established selling price for City owned lots.
- B. To adopt the following Resolutions pertaining to 2010 Sidewalk, Curb & Gutter District #10-11:
 - 1) To set up and establish the district.
 - 2) To direct the City Engineer to prepare plans and specifications for the district.
 - 3) To accept and approve the plans and specifications, as prepared by the City Engineer.
 - 4) To direct the City Administrator to advertise for bids for the construction of the district.
- C. Resolution to approve the payment of sewer back-up claims as submitted by various homeowners in the 5th Avenue & 15th Street NW area and to have the property owners sign a waiver of City liability and settlement of claim affidavit.
- D. Resolution to approve a certification of community support to the Jamestown Regional Airport in support of a passenger terminal expansion project.
- E. Resolution to approve Payment No. 16, 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 \$22,156.37.
- F. Resolution to approve Payment No. 1 (Inv No. 3218), to Interstate Engineering, Inc., for preliminary engineering services on the expansion of existing Sanitary Landfill, in the amount of \$17,575.00.
- G. Resolution to approve Payment No. 1 (Inv No. 3219), to Interstate Engineering, Inc., for preliminary engineering services on the expansion of the existing Inert Landfill, in the amount of \$6,125.00.
- H. Resolution to approve Payment No. 1 (Inv No. 3215Final), to Interstate Engineering, Inc., for engineering services on Water and Sewer Easement in Mayer Subdivision, in the amount of \$446.45.
- I. Resolution to approve Payment No. 1 (Inv No. 3150), to Interstate Engineering, Inc., for design engineering services on Facility

Plans for Water System Improvement, Treated Water Transmission Line and Water Plant Improvements, Phase II, DWSRF Project 4700498-03, in the amount of \$150,066.06.

- J. Resolution to approve Payment No. 5 (Inv No. 3217Final), to Interstate Engineering, Inc., for engineering services on the Solid Waste Permit Renewal #0213, Municipal Solid Waste Landfill, in the amount of \$1,159.00.
- K. 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.
- L. Resolution to allow the January indebtedness in the amount of \$1,789,943.95 consisting of \$417,689.14 payroll and \$1,372,254.81 general obligations.

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

Discussion was held on the request for funding from Economic Development Funds to provide a Flex PACE Interest buy down for Custom Contracting LLC, for up to \$16,000, with the City Share to be \$12,800 and paid from the City Sales Tax Fund.

Mayor Liechty stated the County should the pay 80% share as the business is currently outside City Limits.

Lindsay Larson, JSDC Marketing/Business Development Specialist, stated the business has indicated they are currently researching and planning to locate in Jamestown within 18 months.

Council Member Schulz moved a Resolution to approve the request for funding from Economic Development Funds to provide a Flex PACE Interest buy down for Custom Contracting LLC, for up to \$16,000, with the City Share to be \$12,800 and paid from the City Sales Tax Fund. Seconded by Council Member Parisien. Roll Call No. 2 showed: 4 ayes, 1 nay (Liechty), 0 absent. Carried.

City Attorney Dalsted seated himself.

Mayor Liechty moved a Resolution to remove from the agenda the item relative to developing a new Land Use and Transportation Plan for the City of Jamestown with the City paying a local share of 20% (approximately \$55,000) of the cost of the project. Seconded by Council Member Kourajian.

After discussion, Mayor Liechty moved to amend the Resolution to remove and place the above item on the February Public Works agenda. Seconded by Council Kourajian. Unanimous aye vote. Carried.

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

Mayor Liechty moved a Resolution to approve Payment No. 4 (Inv No. 3104), to Interstate Engineering, Inc., for construction engineering services on 3rd Street East Mill and Overlay from BNSF tracks to 87th Avenue, STM-SU-2-987(031)035, in the amount of \$7,786.86. Seconded by Council Member Parisien. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Merlin Steele, 1221 4th Ave NW, stated his concerns with the city depositing snow on the boulevard, and questioned the City Council relative to an informal letter he submitted previously to the City requesting alley maintenance with gravel and snow removal.

Lyndon Schmidt, 413 6th Ave NE, expressed his view on the 48 hour parking ordinance and had concerns with the snow removal process in place.

Chad Steele, 1511 7th Ave NE, appeared before the City Council with concerns relative to the snow removal ordinances.

Dale Redinger, S & R Truck Plaza, stated his concerns to the City Council with the snow removal letter he received from the City.

Harold Newman questioned the City Council regarding flood damage claims.

Council Member Schulz moved a Resolution to approve entering into a Cost Participation, Construction and Maintenance Agreement with the ND Department of Transportation for Urban Federal Aid Project No. CER-2-987(034)038, CER-2-987(035)039, CER-2-987(036)040, and CER-2-987(037)041. Seconded by Council Member Parisien. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to approve the request from Rocky Mountain Elk Foundation MinnDak Inc., Jamestown Chapter, for a site authorization to conduct gaming at the Gladstone Inn & Suites on March 13, 2010. Seconded by Council Member Nygaard. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty declared a conflict of interest in discussing flood related damage to private property because her property received damage to driveway.

Council Member Kourajian moved to not allow Mayor Liechty to vote on issue. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Discussion was held relative to flood related damage to private property.

Council Member Schulz moved a Resolution to authorize the City Administrator to send a letter to property owners who have previously inquired as to possible reimbursements for property damage as a result of the construction and removal of dikes and levees placed on private property. Seconded by Council Member Kourajian. Voice vote showed: 4 ayes, 0 nays, 0 absent, 1 conflict of interest. Carried.

Council Member Schulz moved a Resolution to approve the request from the Post Graduation Party Committee, Jamestown, ND, to be recognized as an other public spirited organization, and to authorize the issuance of a raffle permit with the drawing to be held on May 7, 2010. Seconded by Council Member Parisien. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Nygaard moved a Resolution to approve and authorize entering into an agreement with Renaissance Recycling to provide recycling services to the community. Seconded by Council Member Kourajian. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:
JEFF FUCHS
City Administrator

APPROVED:
CLARICE LIECHTY
Mayor