

JAMESTOWN CITY COUNCIL
REGULAR MEETING, FEBRUARY 7, 2011
OFFICIAL MINUTES

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

The Pledge of Allegiance to the flag was recited.

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

Council Member Gumke moved to approve the minutes of the following meetings: Council meetings, January 3 and 27, 2011; and Committee meetings, January 25 and 27, 2011. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

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

Council Member Gumke moved to approve the following consent items:

- A. Resolution moved to authorize payment to William Scoville, in the amount of \$13,320.00, for damage to his deck and \$500.00 for reimbursement of his insurance deductible for property damage as a result of the 2009 flood event.
- B. Resolution to approve the agreement between the City of Jamestown and Renaissance Recycling, LLC, outlining the terms of a month to month subsidy.
- C. Resolution to re-establish selling prices for City owned property redeemed for the non-payment of special assessments and property taxes.
- D. Resolution to approve the issuance of a Charity Local Permit to the El Zagal Mystics for a Texas Hold-em Tournament to be held at the Gladstone Inn on February 18 & 19, 2011.
- E. Resolution to authorize entering into an agreement with Cork & Barrel for providing, installing and maintaining an Automated Teller Machine (ATM) at the Civic Center.
- F. Resolution to authorize the City to enter into an agreement with Prairie Engineering, Inc., to provide plans and specifications for the Civic Center Energy Efficiency Lighting Project.
- G. Resolution to approve entering into a Transportation Enhancement Project for a tree planting project and grant for the Klaus Park Area.
- H. To approve the following Resolutions pertaining to Seal Coat, Patching, Construction & Reconstruction District #11-41:
 - 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.
- I. To approve the following Resolutions pertaining to Sidewalk, Curb & Gutter District #11-11:
 - 1) To set up and establish the district.
 - 2) To direct the City Engineer to prepare plans and specifications for the construction of the district.

- 3) To accept and approve the plans and specifications, as prepared by the City Engineer, for the construction of the District.
 - 4) To direct the City Administrator to advertise for bids for the construction of the district.
- J. Resolution to approve and authorize the advertisement of the Request for Proposals for Comprehensive Recycling Services.
- K. Resolution to authorize the City to enter into an engineering services agreement with Ulteig Engineering for construction engineering services on the East Business Loop Reconstruction Project No. SU-2-987(029)033.
- L. Resolution to approve Change Order No. 2 to Nill Construction, Inc., on the Civic Center Restroom Renovations Project, in the amount of \$1,833.50.
- M. Resolution to approve Payment No. 1 (Inv No. 0008), to Apex Engineering Group, Inc., for engineering services on Jamestown Wastewater Treatment Consulting, in the amount of \$5,977.50.
- N. Resolution to approve Payment No. 1 & Final, to M. A. Mortenson Company, for upgrading water mains (10" to 12") for the new Jamestown Regional Medical Center, in the amount of \$60,000.00.
- O. Resolution to approve Payment No. 1 & Final, to American General Contractors, Inc., for construction on the Jamestown Civic Center Renovation Project, Bid Package 8—Supply Mirrors, in the amount of \$1,400.00.
- P. Resolution to approve Payment No. 1, to Nill Construction, Inc., for construction on the Jamestown Civic Center Renovation Project, Bid Package 1—General Construction, in the amount of \$15,642.45.
- Q. Resolution to approve Payment No. 2, to Decorating By Charlie, for construction on the Jamestown Civic Center Restroom Renovations Project, Bid Package 4—Painting, in the amount of \$4,146.00.
- R. Resolution to approve Payment No. 2, to Manning Mechanical, Inc., for construction on the Jamestown Civic Center Restroom Renovations Project, Bid Package 2 & 7—Mechanical, in the amount of \$22,005.00.
- S. Resolution to approve Payment No. 3, to Manning Mechanical, Inc., for construction on the Jamestown Civic Center Restroom Renovations Project, Bid Package 2 & 7—Mechanical, in the amount of \$8,721.00.
- T. Resolution to approve Payment No. 4 (Inv No. 26783), to AE2S for engineering services on the Water Distribution and Storage System Study, in the amount of \$2,118.35.
- U. Resolution to approve Payment No. 9 (Inv No. 19069), to Ulteig Engineers, for engineering services on the Sanitary Sewer Collection System Study, in the amount of \$75.00.
- V. Resolution to approve Estimate No. 9, to PKG Contracting, Inc., for construction on Phase II, Water Plant Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$69,884.52.
- W. Resolution to approve Payment No. 1 (Inv No. 5913), to Interstate Engineering, Inc., for engineering services on the Quiet Zone, in the amount of \$22,275.80.
- X. Resolution to approve Payment No. 1 (Inv No. 5908), to Interstate Engineering, Inc., for engineering services on the Mill Hill Inlet Monitoring & Replacement, in the amount of \$3,352.48.

- Y. Resolution to approve Payment No. 3 (Inv No. 5905), to Interstate Engineering, Inc., for construction engineering services on ER Projects, in the amount of \$3,906.52, as follows:
- 1) 4th Street NW Pavement, Project CER-2-987(034)038, in the amount of \$1,601.67
 - 2) 2nd Street SW, Pavement, Project CER-2-987(035)039, in the amount of \$191.42
 - 3) 1st Street West Pavement, Project CER-2-987(036)040, in the amount of \$152.35
 - 4) 17th Street SE and 27th Avenue SE Pavement between US 52 and 27th Avenue SE Country Club Avenue, Project CER-2-987(037)041, in the amount of \$1,961.08
- Z. Resolution to approve Payment No. 5 (Inv No. 5915), to Interstate Engineering, Inc., for construction engineering services on Mill Hill (US 281 from 17th Street SW to 4th Avenue SW) Dowel Bar Retrofit, Grinding & CPR; Project STM-S-NHU-2-281(036)067, in the amount of \$1,094.05.
- AA. Resolution to approve Payment No. 5 (Inv No. 5914), to Interstate Engineering, Inc., for construction engineering services on Downtown Railroad Parking Lots & Streets Improvement District #07-43, Transportation Enhancement Project, in the amount of \$4,405.35.
- BB. Resolution to approve Payment No. 5 (Inv No. 5910), to Interstate Engineering, Inc., for engineering services on City Wide Storm Sewer Study, in the amount of \$7,168.62.
- CC. Resolution to approve Payment No. 8 & Final (Inv No. 5745), to Interstate Engineering, Inc., for engineering services on FEMA Pavement Repairs at the Jamestown Civic Center, in the amount of \$1,835.00.
- DD. Resolution to approve Payment No. 6 (Inv No. 5912), to Interstate Engineering, Inc., for engineering services for Force Main Replacement, (Master Lift Station to the Wastewater Treatment Plant), CWSRF Project No. 380943-01, in the amount of \$4,117.05.
- EE. Resolution to approve Payment No. 8 (Inv No. 5911), to Interstate Engineering, Inc., for construction engineering services on Phase II, Water System Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$34,527.88.
- FF. Resolution to approve Payment No. 27 (Inv No. 5904) to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$1,445.75.
- GG. 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.
- HH. Resolution to allow the January indebtedness in the amount of \$2,154,229.61 consisting of \$445,245.76 payroll and \$1,708,983.85 general obligations.

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

Mayor Andersen moved to table sending a letter to Midwest Coca-Cola Bottling Company relative to their non-compliance with the Civic Center Beverage Agreement. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to table the matter of the easement agreement with S & R Truck Plaza as written and the map indicating the location of the fire lane. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Kourajian moved to approve Payment No. 8, (Inv No. 5909) to Interstate Engineering, Inc., for preliminary engineering services on Viaduct Utilities and Pavement Replacement, STM-SU-2-987(032)036, in the amount of \$1,539.84. Seconded by Council Member Schulz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the request from Randy Herzog to vacate the portion of the alley adjacent to Lots 6 & 7, Block 2, Curtin's 2nd Addition. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Schulz moved a Resolution to approve the request to vacate the portion of the alley adjacent to Lots 6 & 7, Block 2, Curtin's 2nd Addition, all to the City of Jamestown, Stutsman County, ND. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the City requesting the ND State Electrical Board to assume electrical inspections for electrical code enforcement within the City. Seconded by Council Member Schulz. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Harold Newman appeared before the City Council relative to his proposal to place overhead signs in five to six locations within Jamestown through a lease with the City and at no cost.

Mayor Andersen moved a Resolution to authorize the City Engineer to work with the Buffalo City Tourism Foundation and Harold Newman to gather the necessary information regarding the overhead sign standards and to submit the information to the ND Department of Transportation for review. Seconded by Council Member Nygaard. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved a Resolution to establish a policy that the City will not cover any future damage to private property due to flooding or dike and levee construction. Seconded by Council Member Nygaard. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to table approval of the agreement between the City of Jamestown, Stutsman County Rural Water and the Jamestown Regional Medical Center. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved to introduce an ordinance to amend and re-enact Section 21-16-16 of the Code of the City of Jamestown pertaining to motor vehicles and traffic.

Ordinance No. 1373, introduced by Council Member Schulz, to amend and re-enact Sections 9-12, 9-13 and 23-38 of the Code of the City of Jamestown pertaining to the building code and plumbing code, had its second reading. Seconded by Council Member Nygaard. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1374, introduced by Council Member Gumke, to amend and re-enact Articles III and VI, Chapter 15, of the Code of the City of Jamestown pertaining to the fire protection code, had its second reading. Seconded by Council Member Schulz. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved to not open the bid received from Jensen Brothers Construction, Inc., for the Inert Cell #5 & 6 and Sanitary Landfill Cell #3B Development, as the bid bond did not have the proper Acknowledgement of Principal as determined by the City Attorney. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to award the bid for the Inert Cell #5 & 6 and Sanitary Landfill Cell #3B Development to Gary Morlock Construction, Inc., in the amount of \$346,054.25. Seconded by Council Member Kourajian. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to appoint Jack Clay to serve as a member of the Regional Airport Authority for a term to expire December 2015. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Liz Hunt to serve as a member of the Buffalo City Tourism Foundation to fill the unexpired term of Tyler Moeller (February 2014). Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Kourajian moved a Resolution to approve the 2011 City of Jamestown Standard Specifications, as prepared by the City Engineering Department. Seconded by Council Member Gumke. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

JEFF FUCHS
City Administrator

APPROVED:

KATIE ANDERSEN
Mayor