

JAMESTOWN CITY COUNCIL
REGULAR MEETING, MARCH 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 meeting, February 7, 2011; and Committee meetings, February 22 and 24, 2011. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

A bid was received for the sale of an abandoned and impounded vehicle from Martin Nitschke.

Council Member Schulz moved to approve the following consent items:

- A. Resolution to approve the request for the JSDC to provide up to \$100,000 in Economic Development Funds for a Flex PACE interest buy-down loan to Jim & Sherry Heyer for renovation of the Buffalo City Grille, with 100% of the funds to be paid from the City Sales Tax Fund.
- B. Resolution to approve the request from the JSDC to provide \$15,000 in Economic Development Funds to defray costs for Jamestown/Stutsman County participants to attend a Dakota Spirit Ag Energy trip to Denmark, with the City Share to be \$12,000 and paid from the City Sales Tax Fund.
- C. Resolution to recognize the North Dakota Bowhunters Association as an other public spirited organization and to authorize the issuance of a raffle permit with the drawing to be held April 2, 2011.
- D. Resolution to approve and authorize the Police Department to use forfeited funds issued to the City by the Court System for the purchase of additional replacement shotguns for the department.
- E. Resolution to approve and authorize entering into an engineering services agreement with Apex Engineering Group, Inc., relative to the Wastewater Treatment Facility LRAT Cover Replacement Project.
- F. Resolution to direct the City Engineer and City Attorney to research and draft an ordinance pertaining to permits and construction requirements and reviews for construction adjacent to the James River and Pipestem Creek.
- G. Resolution to approve Payment No. 1, to Curtis Electric, Ltd., for construction on the Jamestown Civic Center Renovation Project, Bid Package 3–Electrical, in the amount of \$19,608.30.
- H. Resolution to approve Payment No. 2 (Inv No. 15), to Apex Engineering Group, Inc., for engineering services on Jamestown Wastewater Treatment Consulting, in the amount of \$1,220.00.
- I. Resolution to approve Payment No. 3, to Nill Construction, Inc., for construction on the Jamestown Civic Center Renovation Project, Bid Package 1–General Construction, in the amount of \$17,499.76.
- J. Resolution to approve Payment No. 5 (Inv No. 26977), to AE2S for engineering services on the Water Distribution and Storage System Study, in the amount of \$4,150.00.

- K. Resolution to approve Estimate No. 10, 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 \$353,082.60.
- L. 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.
- M. Resolution to allow the February indebtedness in the amount of \$1,861,859.34 consisting of \$397,080.75 payroll and \$1,464,778.59 general obligations.

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

Council Member Kourajian moved to table the request from the JSDC for \$160,000 in Economic Development Funds to provide for a Storefront Improvement Program, with the City Share to be \$128,000 and paid from the City Sales Tax Fund. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to conduct a public hearing jointly with the Stutsman County Commission on Monday, March 21, 2011, at 5:00 PM, in the Lower Level Conference Room, at City Hall, pertaining to the request from the James River Valley Library System for authorization to proceed with the purchase of property for the new library (Essentia Clinic Location). Seconded by Council Member Schulz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the East Business Loop Reconstruction Project No. SU-2-987(029)033, Improvement District #11-42 (Intersection of 12th Ave SE & 11th St SE to I-94), protests and the sufficiency thereof.

A written letter of protest was received from Gary Pearson.

City Administrator Fuchs indicated the responses received on the question of parking lanes showed (74%) seventy-four percent of property owners requested that the parking lane be removed from the project.

Council Member Schulz moved a Resolution that the protests have been found to be insufficient to bar proceeding with the East Business Loop Reconstruction Project No. SU-2-987(029)033, Improvement District #11-42 (Intersection of 12th Ave SE & 11th St SE to I-94). Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve the plat of Eagle Point Estates (A replat of Auditor's Lot 35-1, within the SE ¼ of Section 35, T140N, R64W, City of Jamestown, Stutsman County, North Dakota). Seconded by Council Member Nygaard. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1375, introduced by Council Member Gumke, to amend and re-enact Section 21-16-16 of the Code of the City of Jamestown pertaining to motor vehicles and traffic, had its second reading. Seconded by Council Member Kourajian. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to reject the bid for the sale of an abandoned and impounded vehicle received from Martin Nitschke as that particular vehicle had been claimed by the owner prior to Council meeting. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Kourajian moved a Resolution to approve the requests for special permits to allow the outdoor sale and consumption of alcoholic beverages for the St. Patrick's Day Run on March 19, 2011, in approved areas, to the following: Buffalo Lanes, Inc., Frontier Fort Bar & Grill, Office Bar & Lounge,

Shady's, All Vets Club, Trax Bar, Wonder Bar Sports Bar and Corner Bar. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the request from Ducks Unlimited-Jamestown Chapter for a gaming site authorization at the Quality Inn & Suites (banquet rooms) on April 1st thru 3rd, 2011. Seconded by Council Member Schulz. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to recognize the Pheasants Forever-James Valley #891 as an other public spirited organization and to authorize the issuance of a raffle permit with the drawing to be held April 1, 2011. Seconded by Council Member Gumke. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid for the purchase of thirty eight sets (Pant/Coat) of Protective Ensemble For Structural Fire Fighting for the Fire Department to Heiman , Inc., in the amount of \$68,400.00. Seconded by Council Member Kourajian. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to approve and authorize the City to enter into a license agreement with Joan Blinsky and Buffalo City Transportation Services, LLC., concerning the encroachment of a building on city right-of-way. Seconded by Council Member Nygaard. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Richard Laqua, from DaR Concessions, appeared before the City Council requesting to continue his concession sale business at the Jamestown Civic Center.

Council Member Nygaard moved a Resolution to allow extension of the contract of DaR Concessions at the Jamestown Civic Center until March 31, 2011. Seconded by Council Member Kourajian. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz requested the item of concession sales at the Jamestown Civic Center be placed on the March 22, 2011, committee agenda for further discussion.

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

ATTEST:

JEFF FUCHS
City Administrator

APPROVED:

KATIE ANDERSEN
Mayor