

JAMESTOWN CITY COUNCIL
REGULAR MEETING, APRIL 4, 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 Schulz moved to approve the minutes of the following meetings: Council meetings, March 7 and 28, 2011; and Committee meetings, March 22 and 24, 2011. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Gumke moved to approve the following consent items:

- A. Resolution to approve the request to provide up to \$100,000 in Economic Development Funds for a Flex PACE interest buy-down loan to Dean Hafner, dba Allen Enterprises, Inc., in regard to the expansion of Infinity Building Services, Inc., with 100% of the funds to be paid from the City Sales Tax Fund.
- B. Resolution to approve the request from the JSDC for \$8,500 in Economic Development Funds to defray costs for Jamestown College interns for the JSDC, with the City Share to be \$6,800 and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from the JSDC for \$12,000 in Economic Development Funds to defray costs for entering into a service agreement with the I.D.E.A Center to assist in the process of designing and implementing a business incubator, with the City Share to be \$9,600 and paid from the City Sales Tax Fund.
- D. Resolution to approve the request of Allen Enterprises, Inc., for a five (5) year tax exemption on improvements for the addition to the existing building for Infinity Building Services.
- E. Resolution to approve the adoption of the following City policies as required by federal law for receipt of federal funding for various federal programs and grant awards: Title VI and Non-discrimination Policy Statement; Limited English Proficiency Plan; and City of Jamestown Policy for Transit Services (Jamestown Taxi Service).
- F. Resolution to authorize the submission of a combined grant application for Federal Section 5311 funding and State Aid for Public Transit for Jamestown Taxi Service.
- G. Resolution to deny the request from the James River Valley Library System Board for authorization to proceed with the site acquisition of the Essentia property for the construction of a new library facility.
- H. Resolution to affirm the policy for Civic Center management to not allow outside vendors to sell concessions at events conducted at the Civic Center, except when renting booth space at specific events.
- I. Resolution to authorize the purchase of various firefighter protective gear from Heiman Fire Equipment, in the amount of \$16,943.20.
- J. Resolution to authorize the City Engineer to proceed with a public relations campaign for the reduction of private sector inflow/infiltration in basins identified as 4, 6, 7 and 11 in the Sanitary Sewer Study completed by Ulteig Engineering with the costs to be paid from the sewer utility fund.

- K. Resolution to authorize the City Engineer to obtain Requests for Proposals for engineering services for design of the following as identified in the Sanitary Sewer Study completed by Ulteig Engineering:
- 1) Lift Station 9 Force Main Installation
 - 2) Lift Station 9 Removal & Replacement
 - 3) Basin 8 River Crossing Pipe Line Replacement
 - 4) Lift Station 8 Force Main Installation
 - 5) Lift Station 8 Removal & Replacement
 - 6) Basin 1 Capacity and Odor Control Evaluation
 - 7) Basin 8 Private Sector Inflow/Infiltration Abatement
 - 8) Basin 9 Public Sector Inflow/Infiltration Abatement Follow Up Field Testing
 - 9) Basin 10 Public Sector Inflow/Infiltration Abatement Follow Up Field Testing
- L. Resolution to engage Interstate Engineering, Inc., to provide engineering services relating to the Wastewater Treatment Facility Valve Evaluation Services.
- M. Resolution to engage Apex Engineering Group, Inc. to provide engineering services relating to the Wastewater Treatment Facility Headworks Improvement Project.
- N. Resolution to proceeding with a Wastewater Treatment Facility Sludge Feasibility Study following completion of the Wastewater Treatment Facility Valve Evaluation and the Wastewater Treatment Facility Headworks Improvement Project.
- O. Resolution to approve proceeding with a Wastewater Treatment Facility Pre-treatment Requirement Study following completion of the Wastewater Treatment Facility Valve Evaluation and the Wastewater Treatment Facility Headworks Improvement Project.
- P. Resolution to award the bid relating to Part A - Solid Waste Baler Equipment to Recovery Systems Company, Inc., in the amount of \$535,285.00.
- Q. Resolution to approve and authorize entering into a License Agreement with Evergreen Land Development to use a portion of City right-of-way for parking purposes for a fee of \$200.00 annually.
- R. Resolution to approve Change Order No. 1 & Final, to Riley Brothers Construction, for construction on Force Main Replacement, (Master Lift Station to the Wastewater Treatment Plant), CWSRF Project No. 380943-01, for a decrease in the contract of \$37,844.30.
- S. Resolution to approve Payment No. 5 & Final, to Riley Brothers Construction, for construction on Force Main Replacement, (Master Lift Station to the Wastewater Treatment Plant), CWSRF Project No. 380943-01, in the amount of \$59,233.25.
- T. Resolution to approve Payment No. 1 (Inv No. 20509), to Ulteig Engineering, for construction engineering services on the East Business Loop Reconstruction Project No. SU-2-098(029)033, Project #11-42 (12th Street SE to I-94), in the amount of \$8,368.67.
- U. Resolution to approve Estimate No. 3 & Final, to Border States Paving, Inc., for construction on FEMA Flood Road Repairs, PW-04219(0) Civic Center Parking Lot, in the amount of \$46,432.53.
- V. Resolution to approve Estimate No. 3 & Final, to Border States Paving, Inc., for construction on FEMA Flood Road Repairs, PW-05229(0) Baler Road, in the amount of \$4,361.34.
- W. Resolution to approve Estimate No. 3 & Final, to Border States Paving, Inc., for construction on FEMA Flood Road Repairs, PW-04460(0) SW Quadrant, in the amount of \$3,515.84.
- X. Resolution to approve Estimate No. 3 & Final, to Border States Paving, Inc., for construction on FEMA Flood Road Repairs, PW-04294(0) SW Quadrant, in the amount of \$639.13.

- Y. Resolution to approve Estimate No. 3 & Final, to Border States Paving, Inc., for construction on FEMA Flood Road Repairs, PW-04214(0) SE Quadrant, in the amount of \$1,333.42.
- Z. Resolution to approve Estimate No. 4 & Final, to Border States Paving, Inc., for construction on FEMA Flood Road Repairs, PW-04454(0) NW Quadrant, in the amount of \$4,512.35.
- AA. Resolution to approve Payment No. 3 (Inv No. 33), to Apex Engineering Group, Inc., for engineering services on Jamestown Wastewater Treatment Consulting, in the amount of \$1,625.00.
- BB. Resolution to approve Estimate No. 5 & Final, to Central Specialties, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #10-41, in the amount of \$55,696.06.
- CC. Resolution to approve Payment No. 6 (Inv No. 27247), to AE2S for engineering services on the Water Distribution and Storage System Study, in the amount of \$19,138.60.
- DD. Resolution to approve Payment No. 10 (Inv No. 20566), to Ulteig Engineers, for engineering services on the Sanitary Sewer Collection System Study, in the amount of \$23,954.50.
- EE. Resolution to approve Estimate No. 11, 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 \$170,633.01.
- FF. Resolution to approve Payment No. 1 (Inv No. 6235), to Interstate Engineering, Inc., for engineering services on the Solid Waste Baling Facility Modifications and Baler Equipment Replacement, in the amount of \$24,784.20.
- GG. Resolution to approve Payment No. 1 (Inv No. 4266), to Interstate Engineering, Inc., for engineering services on the Sanitary Landfill Cell 3B, in the amount of \$50,135.00.
- HH. Resolution to approve Payment No. 1 (Inv No. 6238), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Cells 5 & 6, in the amount of \$18,580.00.
- II. Resolution to approve Payment No. 1 (Inv No. 6239), to Interstate Engineering, Inc., for engineering services for 2011 Flood Event, in the amount of \$2,284.00.
- JJ. Resolution to approve Payment No. 2 (Inv No. 3584), to Interstate Engineering, Inc., for engineering services on the Sanitary Landfill Expansion, in the amount of \$13,625.00.
- KK. Resolution to approve Payment No. 2 (Inv No. 6228), to Interstate Engineering, Inc., for engineering services on the Quiet Zone, in the amount of \$10,575.85.
- LL. Resolution to approve Payment No. 2 (Inv No. 6231), to Interstate Engineering, Inc., for engineering services on the Mill Hill Inlet Monitoring & Replacement, in the amount of \$1,629.10.
- MM. Resolution to approve Payment No. 4 & Final (Inv No. 6234), to Interstate Engineering, Inc., for construction engineering services on ER Projects, in the amount of \$5,424.77, as follows:
- 1) 4th Street NW Pavement, Project CER-2-987(034)038, in the amount of \$2,224.16
 - 2) 2nd Street SW, Pavement, Project CER-2-987(035)039, in the amount of \$265.81
 - 3) 1st Street West Pavement, Project CER-2-987(036)040, in the amount of \$211.57
 - 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 \$2,723.23

- NN. Resolution to approve Payment No. 6 & Final (Inv No. 6232), 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 \$9,953.18.
- OO. Resolution to approve Payment No. 6 (Inv No. 6229), to Interstate Engineering, Inc., for engineering services on City Wide Storm Sewer Study, in the amount of \$58,868.59.
- PP. Resolution to approve Payment No. 7 (Inv No. 6230), 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 \$1,608.28.
- QQ. Resolution to approve Payment No. 9 (Inv No. 6227), 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 \$35,289.78.
- RR. Resolution to approve Payment No. 28 (Inv No. 6224) to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$3,848.50.
- SS. 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.
- TT. Resolution to allow the March indebtedness in the amount of \$2,223,247.84 consisting of \$421,216.86 payroll and \$1,802,030.98 general obligations.

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

Clarice Liechty, 511 8th Street SW, stated the City Council should delay obtaining Requests for Proposals for engineering services for design of a SW Water Tower Construction & Incidental Improvements Project.

Council Member Schulz moved a Resolution to authorize the City Engineer to obtain Requests for Proposals for engineering services for design of a SW Water Tower Construction & Incidental Improvements Project. Seconded by Council Member Gumke. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning Seal Coat, Patching, Construction and Reconstruction District #11-41 protests and the sufficiency thereof. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Gumke moved a Resolution that the protests have been found to be insufficient to bar proceeding with Seal Coat, Patching, Construction and Reconstruction District #11-41. Seconded by Council Member Schulz. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve and authorize awarding the bid for Seal Coat, Patching, Construction and Reconstruction District #11-41 to Border Sates Paving, Inc., in the amount of \$1,188,622.75. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Eric Monson, reported to the City Council on upcoming activities planned to observe the Anne Carlsen Center's 70th Anniversary in October and requested a Mayor's Proclamation.

Council Member Kourajian moved a Resolution to award the bid on the Klaus Park Neighborhood Tree Planting Project for the Forestry Department to S & S Landscaping, in the amount of \$20,336.00. Seconded by Council Member Schulz. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve and authorize amending Paragraph 13 of Article VI of the City of Jamestown's MetLife Retirement Plan. Seconded by Council Member Nygaard. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve the request of Hugo's Wine & Spirits for an off sale alcoholic beverage license for the period ending June 30, 2012. 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 the ND Buffalo Foundation, Inc., for a gaming site authorization at the Jamestown Civic Center on April 13, 2011, for the Life Focus event. Seconded by Council Member Schulz. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to appoint Paul Witthauer to serve as a member of the Civil Service Commission for a term to expire January 2016. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Rod Johnson to serve as a member of the Fire Code Board of Appeals for a term to expire November 2013. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Patrick Nygaard to serve as the City Council representative and John Gletne to serve as the City employee representative on the Pension Committee for terms to expire March 2012. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Ross Stark to serve as a member of the Special Assessment Commission for a term to expire April 2017. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint the Mayor and Council Members to serve as members of the Storm Water Committee for terms to expire April 2013. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint City Administrator, City Engineer, City Building Inspector, Engineering Technician II, and Public Works Chairperson to serve as members of the Storm Water Sub-Committee for terms to expire April 2013. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

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

ATTEST:

JEFF FUCHS
City Administrator

APPROVED:

KATIE ANDERSEN
Mayor