

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, NOVEMBER 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 and Schulz, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs. Absent: Council Member Nygaard.

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

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

Council Member Schulz moved to approve the following consent agenda items:

- A. Resolution to approve the request from Custom Contracting Solutions, Inc., for up to \$54,000 in Economic Development Funds for a Flex PACE interest buy-down, with the City Share to be \$10,800, and paid from the City Sales Tax Fund.
- B. Resolution to approve the request for abatement for 2011 on Lot 5, Block 8, Bagan's College Park Addition, by reducing the true & full value from \$138,800 to \$133,765.
- C. Resolution to approve the revised Job Descriptions for the positions of Building Inspector and City Assessor.
- D. Resolution to approve the acceptance of the 2010 City of Jamestown Audit Report as prepared by Schauer & Associates, P.C.
- E. Resolution to deny the request from Karla Fuchs for reimbursement from the City of Jamestown, in the amount of \$1,389.43, as a result of sewerage backup related costs.
- F. Resolution to approve the request from Lloyd Sjostrom to move a 20' x 22' garage from 423 8<sup>th</sup> St SW to 513 5<sup>th</sup> St. SE.
- G. Resolution to direct the City Attorney to proceed with civil litigation procedure to enforce compliance of the March 13, 1991, Resolution of Vacation of certain right-of-ways adjacent to Block 1 & 2, Strutz Addition, to the City of Jamestown.
- H. Resolution to authorize City participation in paying 50%, up to a maximum of \$54,300, of the local share for bank erosion and road repairs in McElroy Park.
- I. Resolution to authorize approving the proposal from CPS, Ltd., regarding preparation of the 2011 Annual Groundwater Monitoring Report for the Municipal Waste Disposal Facility.
- J. Resolution to authorize approving the proposal from MVTL regarding preparation of the 2011 Annual Groundwater Quality Assessment for the Municipal Waste Disposal Facility.
- K. Resolution to accept the "negotiated bid" of \$10,000 from Butler Machinery Company related to purchasing of the used Cat 950F Wheel Loader, Solid Waste Department, Serial #5SK02376.

- L. Resolution to approve Change Order No. 2, in the amount of \$466.25, and Change Order No. 3, in the amount of \$9,820.05, to Lindberg Brothers, Inc., for construction of the Quiet Zone Project QZ-SAP-2-052(032)265, for an increase in the contract price of \$10,286.30.
- M. Resolution to approve Payment No. 2 to Curtis Electric, LTD, for Jamestown Civic Center Lighting and Fire Alarm Upgrade, in the amount \$47,207.72.
- N. Resolution to approve Payment No. 3, to Meyer Contracting, LLC, for construction on Part B— Solid Waste Baler Foundation and Floor Slab Replacement, in the amount of \$152,334.75.
- O. Resolution to approve Payment No. 3, to Lindberg Brothers, Inc., for construction on the Downtown Quiet Zone Project QZ-SAP-2-052(032)265, in the amount of \$178,057.50.
- P. Resolution to allow Estimate No. 3 & Final, to Hoffman & McNamara for the US 281 South Landscape Enhancement Project (S-TNU-2-281(033)066 PCN 17269), in the amount of \$2,605.30.
- Q. Resolution to approve Payment No. 4, to Lindberg Brothers, Inc., for construction on the Downtown Quiet Zone Project QZ-SAP-2-052(032)265, in the amount of \$25,492.22.
- R. Resolution to approve Payment No. 4, to Gary Morlock Construction for construction on the Inert Cell 5 and 6, Cell 3B Development, Jamestown Landfills, in the amount of \$58,568.22.
- S. Resolution to approve Payment No. 4, to the ND Department of Transportation, for East Business Loop Reconstruction Project No. SU-2-098(029)033, Project #11-42 (12th Street SE to I-94), in the amount of \$150,468.70.
- T. Resolution to approve Estimate No. 5, to Lindberg Bros. Inc., for construction on 2011 Sidewalk, Curb & Gutter District #11-11, in the amount of \$53,837.79.
- U. Resolution to approve Estimate No. 5 & Final, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #11-41, in the amount of \$70,848.89.
- V. Resolution to approve Payment No. 6 (Invs No. 207 & 252), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF LRAT Cover Replacement, in the amount of \$3,125.00.
- W. Resolution to approve Payment No. 7 (Invs No. 206 & 251), to Apex Engineering Group, Inc., for engineering services on Jamestown Wastewater Treatment Consulting, in the amount of \$4,760.31.
- X. Resolution to approve Payment No. 8 (Inv No. 24810), 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 \$60,806.17.
- Y. Resolution to approve Payment No. 11 (Inv No. 28660), to AE2S for engineering services on the Water Distribution and Storage System Study, in the amount of \$13,825.00.
- Z. Resolution to approve Estimate No. 18, 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 \$56,983.54.
- AA. Resolution to approve Payment No. 7 (Inv No. 8071), to Interstate Engineering, Inc., for construction engineering services on the Sanitary Landfill Cell 3B, in the amount of \$2,169.50.
- BB. Resolution to approve Payment No. 7 (Inv No. 8070), to Interstate Engineering, Inc., for construction engineering services on the Inert Landfill Cells 5 & 6, in the amount of \$1,491.50.

- CC. Resolution to approve Payment No. 7 (Inv No. 8072), to Interstate Engineering, Inc., for engineering services on the Quiet Zone, in the amount of \$2,408.99.
- DD. Resolution to approve Payment No. 8 (Inv No. 8073), to Interstate Engineering, Inc., for engineering services on the Solid Waste Baling Facility Modifications and Baler Equipment Replacement, in the amount of \$5,044.50.
- EE. Resolution to approve Payment No. 9 (Inv No. 7869), 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 \$1,755.13.
- FF. Resolution to approve Payment No. 11 (Inv No. 8074), 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 \$468.60.
- GG. Resolution to approve Payment No. 16 (Inv No. 8069), 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 \$22,574.17.
- HH. Resolution to approve Payment No. 35 (Inv No. 8075), to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$1,360.00.
- II. 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.
- JJ. Resolution to allow the October indebtedness in the amount of \$3,051,062.83 consisting of \$412,367.64 payroll and \$2,638,695.19 general obligations.

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

Council Member Schulz moved a Resolution to approve location leases to include addendum with Newman Signs relative to the placement and maintenance of billboards on city owned property. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Kourajian moved a Resolution to authorize payment of the bill from BNSF Railway related to flagging for the Quiet Zone Project QZ-SAP-2-052(032)265, at such time as hours are verified. Seconded by Council Member Gumke. Roll Call No. 3 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Schulz moved a Resolution to approve payment of an invoice, in the amount of \$15,426.50 from Motter's Custom Grinding, Inc., for tree grinding at the Solid Waste Disposal Facility. Seconded by Council Member Gumke. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke moved to introduce an ordinance to enact Section 21-13-29 of the City Code pertaining to the use of engine brakes on vehicles within the city limits.

Council Member Kourajian moved a Resolution to recognize USA Wrestling of North Dakota as an other public spirited organization and to authorize the issuance of a raffle permit with the drawing to be held April 27, 2012. Seconded by Council Member Schulz. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

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

ATTEST:

JEFF FUCHS  
City Administrator

APPROVED:

KATIE ANDERSEN  
Mayor