

JAMESTOWN CITY COUNCIL
REGULAR MEETING, DECEMBER 5, 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 Kourajian and Nygaard, and City Administrator Fuchs. Absent: Council Members Gumke and Schulz, City Attorney Dalsted and City Engineer Schwartzkopf.

Council Member Kourajian moved to approve the minutes of the following meetings: Council meetings, November 7 and 22, 2011, and Committee meeting, November 22, 2011. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

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

Mayor Andersen moved to approve the following consent agenda items:

- A. Resolution to authorize deobligation of funds for the following Economic Development Projects previously approved: 1) Jim & Sherry Heyer – Flex PACE - \$100,000; 2) Gavilon – NJTF - \$23,500.00; 3) Stutsman County Transportation Study - \$3,000.
- B. Resolution to authorize entering into a Memorandum of Agreement with Cavendish Farms relative to wastewater rates for 2012 & 2013.
- C. Resolution to accept the offer from Dustin & Mary Jensen to purchase the South 16.74' of the East 30' of Lot 4, Block 2, Homestead Addition, for \$300.00.
- D. Resolution to authorize the purchase of eight (8) iPad 2's for City Council members and certain staff members in order to reduce the quantity of paper products consumed in preparing documents for City Committee and City Council meetings.
- E. Resolution to recognize the Betty Malkowski Project as another spirited organization and to authorize the issuance of a raffle permit with the drawing to be held June 23, 2012.
- F. Resolution to approve the Jamestown Hospital Healthcare Campus 2nd Addition Plat.
- G. Resolution to authorize the Safe Communities Coalition to close its checking account and to use the total amount of funds remaining to purchase a speed radar sign to be accessible to all Stutsman County communities with the Jamestown Police Department to be the custodian of the same.
- H. Resolution to authorize additional funding to the Street Department in order to provide emergency snow removal on the I-94 frontage road in the Jamestown Regional Medical Center area.
- I. Resolution to designate 20th St SW and County road 81st Ave SE as a "City Emergency Snow Route".
- J. Resolution to authorize the submission of the FY 2012 Federal Aid filing with the North Dakota Department of Transportation.
- K. Resolution to accept the affidavit from Brandon Trzpuć that Check No. 356556 (Unison Bank), dated December 30, 2010, in the amount of \$9.37, has been lost or destroyed and authorize the issuance of a duplicate.

- L. Resolution to accept the affidavit from Joe Stadler that Check No. 355064 (Unison Bank), dated July 30, 2010, in the amount of \$15.00, has been lost or destroyed and authorize the issuance of a duplicate.
- M. Resolution to approve Payment No. 3 to Curtis Electric, LTD, for Jamestown Civic Center Lighting and Fire Alarm Upgrade, in the amount \$42,265.33.
- N. Resolution to approve Payment No. 5, 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 \$141,763.47.
- O. Resolution to approve Estimate No. 6, to Lindberg Bros. Inc., for construction on 2011 Sidewalk, Curb & Gutter District #11-11, in the amount of \$46,959.60.
- P. Resolution to approve Payment No. 9 (Inv No. 25354), 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 \$56,699.48.
- Q. Resolution to approve Payment No. 12 (Inv No. 28974), to AE2S for engineering services on the Water Distribution and Storage System Study, in the amount of \$7,900.00.
- R. Resolution to approve Estimate No. 19, 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 \$120,720.00.
- S. Resolution to approve Payment No. 6 (Inv No. 8068), to Interstate Engineering, Inc., for construction engineering services on Transportation Enhancement for US Highway 281, Project No. S-TNU-2-281(033)066, in the amount of \$583.40.
- T. Resolution to approve Payment No. 8 (Inv No. 8448), to Interstate Engineering, Inc., for construction engineering services on the Sanitary Landfill Cell 3B, in the amount of \$965.70.
- U. Resolution to approve Payment No. 8 (Inv No. 8447), to Interstate Engineering, Inc., for engineering services on the Quiet Zone, in the amount of \$1,768.87.
- V. Resolution to approve Payment No. 9 (Inv No. 8449), to Interstate Engineering, Inc., for engineering services on the Solid Waste Baling Facility Modifications and Baler Equipment Replacement, in the amount of \$1,046.65.
- W. Resolution to approve Payment No. 17 (Inv No. 8446), 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 \$18,250.18.
- X. 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.
- Y. Resolution to allow the November indebtedness in the amount of \$2,146,412.78 consisting of \$409,305.50 payroll and \$1,737,107.28 general obligations.

Seconded by Council Member Nygaard. Consent Roll Call No. 1 showed: 3 ayes, 0 nays, 2 absent.
Carried.

Council Member Kourajian moved a Resolution to approve the request from JSDC for the following:

- 1) To authorize the formation of Spiritwood Energy Park Association, LLC (SEPA) – contingent upon MAG/DSA project financing
- 2) Authorize the contribution of 100 acres from JSDC to SEPA
- 3) Authorize the contribution of \$3,750,000 for the purpose of providing project investment capital with the City Share to \$ 3,375,000 and paid from the City Sales Tax Fund.

Seconded by Council Member Nygaard.

John Grabinger, 1008 8th Ave NE, appeared before the City Council to request the Council table the item to allow more time for discussion on the matter.

Roll Call No. 2 on the Resolution showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Nygaard moved to reconsider the request from Clarice Liechty for reconsideration of the property tax exemptions for Prairie Apartments. Seconded by Council Member Kourajian.

Connie Ova, 2854 65 Ave SE, Cleveland, ND, appeared before the City Council to state her opposition to the reconsideration.

Voice vote on the motion showed: 2 ayes, 1 nay (Andersen), 2 absent. Carried.

Council Member Kourajian moved a Resolution to authorize entering into a written agreement with Stutsman County to jointly operate the Stutsman County Communications Center. Seconded by Mayor Andersen. Roll Call No. 3 showed: 3 ayes, 0 nays, 2 absent. Carried.

Ordinance No. 1379, introduced by Council Member Gumke, pertaining to the use of engine brakes on vehicles within the city limits. Seconded by Council Member Nygaard. Roll Call No. 4 showed: 3 ayes, 0 nays, 2 absent. Carried.

Mayor Andersen moved to appoint Toni Pirkl, Lisa Barnick, Alden Kollman and Scott Hare to serve as members of the Buffalo City Tourism Foundation for three (3) year terms to expire February 2015. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Mayor Andersen updated the City Council relative to the Quiet Zone stating that City officials have signed and forwarded the Quiet Zone Notice of Establishment documentation to the appropriate officials.

Mayor Andersen moved a Resolution to approve the request from the Jamestown Hockey Booster Club, Inc., for a gaming site authorization at the Gladstone Inn (banquet rooms) on March 31, 2012. Seconded by Council Member Nygaard. Roll Call No. 5 showed: 3 ayes, 0 nays, 2 absent. Carried.

Mayor Andersen moved a Resolution to award the bid for the 2011 Dike Removal and Disposal or Salvage of Dike Materials to RTS Shearing, LLC, in the amount of \$28,400.00. Seconded by Council Member Kourajain. Roll Call No. 6 showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Kourajian moved a Resolution to approve the Lake View Terrace Plat. Seconded by Council Member Nygaard. Roll Call No. 7 showed: 3 ayes, 0 nays, 2 absent. Carried.

Mayor Andersen moved a Resolution to approve Change Order No. 2 & Final, to Gary Morlock Construction, for construction on the Inert Cell 5 and 6, Cell 3B Development, Jamestown Landfills, for an increase in the contract price of \$22,493.57, and an increase in the contract period completion date to October 30, 2011. Seconded by Council Member Nygaard. Roll Call No. 8 showed: 3 ayes, 0 nays, 2 absent. Carried.

Mayor Andersen moved a Resolution to approve Payment No. 5 & Final, to Gary Morlock Construction for construction on the Inert Cell 5 and 6, Cell 3B Development, Jamestown Landfills, in the amount of

\$13,057.60. Seconded by Council Member Nygaard. Roll Call No. 9 showed: 3 ayes, 0 nays, 2 absent.
Carried.

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

ATTEST:
JEFF FUCHS
City Administrator

APPROVED:
KATIE ANDERSEN
Mayor