

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JUNE 4, 2012
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, May 7, 16 and 22, 2012, and Committee meetings, May 22 and 24, 2012. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

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

- A. Resolution to approve the request from E-Nugget/Carbontec Energy Corporation for \$25,000 in Economic Development funds to provide for match funding for an Agriculture Products Utilization Commission grant with the City Share to be \$5,000 and paid from the City Sales Tax Fund.
- B. Resolution to approve the request from Stoudt Properties, LLC, for up to \$54,000 in Economic Development funds to provide for a Flex – PACE Interest Buy Down with the City Share to be \$43,200 and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from the Jamestown/Stutsman Development Corporation for \$10,275 in Economic Development funds to reimburse for special assessments paid on the I-94 Business Park with the City Share to be \$8,220 and paid from the City Sales Tax Fund.
- D. Resolution to approve the request from the Jamestown/Stutsman Development Corporation to write off the Dakota Fresh loan, in the amount of \$140,000.
- E. Resolution to accept the offer of Randy & Dee Wanzek to purchase a portion of City property adjacent to 13th Street and 13th Avenue SW, in the amount of \$12,000, subject to the buyer paying for all costs of surveying and platting prior to deed transfer.
- F. Resolution to accept the offer from Tim Dabill to purchase Lots 1 & 2, Block 2, Beverly Hills 6th Addition, and Lot 19, Beverly Hills 3rd Addition, in the amount of \$6,000, subject to the buyer paying for all costs of surveying and approval of a re-plat prior to deed transfer.
- G. Resolution to recognize the Kuester Family as an other public spirited group and to authorize the issuance of a raffle permit with the drawing to be held August 25, 2012.
- H. Resolution to approve the plat of Walicki's Second Extension, A Re-plat of Lots 4, 5 and 6 of Meland Addition, together with part of the North Half of the Southwest Quarter of Section 23, T140N, R64W, City of Jamestown, Stutsman County, North Dakota.
- I. Resolution to approve the Project Concept Report related to the Underground Utilities and Street Reconstruction of the 4th Avenue Underpass between the intersections of 1st Street and 2nd Street NE.
- J. Resolution to authorize entering into an agreement with Apex Engineering Group, Inc., for the Industrial Pretreatment Program for the Jamestown Wastewater Treatment Facility.
- K. Resolution to deny the request from Victory Lutheran Church to place a sign on City right-of-way on 17th St SW near 14th Ave. SW.

- L. To approve a Resolution in support of the James River Joint Water Resources District.
- M. Resolution to authorize providing ½ of the local funding required not to exceed \$25,000 for the James River Recon Study with the release of \$10,000 in 2012 and the balance to be provided in 2013, contingent on other local government entities in the district providing the balance of local funds needed.
- N. Resolution to authorize the expenditure of up to \$10,000 for the Engineering Department to purchase surveying equipment.
- O. Resolution to approve the performance bond of Lindberg Brothers, Inc., for 2012 Sidewalk, Curb & Gutter District #12-11, in the amount of \$120,141.00.
- P. Resolution to approve Change Order No. 1, to Lindberg Brothers, Inc., relative to replacement of sidewalks and driveway aprons for the public on Sidewalk, Curb & Gutter District #12-11.
- Q. Resolution to approve Payment No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #12-41, in the amount of \$256,289.22.
- R. Resolution to approve Payment No. 3 (Inv No. 579), to Apex Engineering Group, Inc., for On Call engineering services, in the amount of \$12,459.97.
- S. Resolution to approve Payment No. 9 (Inv No. 578), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF LRAT Cover Replacement, in the amount of \$5,854.70.
- T. 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.
- U. Resolution to allow the May indebtedness in the amount of \$1,212,291.46 consisting of \$410,598.88 payroll and \$801,692.58 general obligations.

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

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

Council Member Gumke moved a Resolution to approve the special assessments for Seal Coat, Patching, Construction and Reconstruction District #11-41, in the total amount of \$1,460,999.82, with the City Share to be \$323,931.34, with the balance of \$1,137,068.48 to be assessed to benefited properties within the district. Seconded by Council Member Schulz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

After discussion relative to the bid received from Layfield Environmental Systems Corporation for the Wastewater Treatment Facility LRAT Cover Replacement, the consensus of the city council was to return the bid unopened as it did not have the acknowledgment of addenda on the outside of the envelope.

Council Member Schulz moved a Resolution to award the bid to Northern Plains Contracting, Inc., for the Wastewater Treatment Plant LRAT Cover Replacement, CWSRF Project No. 380752-02, in the amount of \$768,000.00 plus Alternate A, in the amount of \$21,000.00, for a total of \$789,000.00. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Robert Thompson, President, C.I. Construction , LLC, appeared before the City Council relative to the proposed Titan Machinery development project.

Consensus of the city council was to hold a special council meeting at 4:00 PM, Thursday, June 7, 2012, to discuss the development agreement for Titan Machinery and also the Frontier Village parking area road repair.

Council Member Kourajian moved a Resolution to approve the request from Lutheran Social Services Housing, Inc., for a Certification of Significant Community Support for the “Old Hospital Building”, 419 5th Street NE. Seconded by Council Member Nygaard. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the request from the Wonder Bar Sports Bar to conduct street dances on 2nd St SW on June 29th, July 27th and August 24, 2012. Seconded by Council Member Schulz. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved a Resolution to approve modifications to the plat for Alana Addition regarding the dedication of a street, clarification on the plat of the owner being responsible for maintenance & repair of the longer than normal water & sewer utility service lines from the city mains; and reimbursement of costs on the previous plat; and to authorize reimbursement to the owner of \$4,423.00 for dedication of the street and \$7,800.00 for engineering and surveying costs on the previous plat. Seconded by Council Member Kourajian. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

The City held a public input meeting for possible ordinance changes and a policy relating to the handling of dead animals by City personnel and the public relative to disposal.

Joe Schmidt, 8871 35th St SE, appeared to ask whether the proposed ordinance and policy was in preparation for the construction of a beef packing facility within the city, as he was concerned with additional traffic and dust on 35th Street SE. It was clarified that the proposal concerned the handling of small animals within the city and was not related to any of his concerns. No further action was taken at this time.

The City Council held a public input meeting for a proposed policy relating to the acceptance of foreign material at the Municipal and Solid Waste Disposal Facilities.

Mayor Andersen relinquished the chair to President of the Council Nygaard.

Katie Andersen, 1409 8th Avenue SE, appeared to discuss problems she has encountered relative to the disposal of certain materials from her business resulting from the business operation.

Discussion was held relative to finding alternatives to requiring extensive testing of foreign materials in order to allow disposal in the landfills. These included alternatives such as collection by an environmental disposal company directly from the consumer, or providing collection points at City facilities for storage and eventual disposal by an environmental disposal firm on a regular basis. No further action was taken at this time.

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

ATTEST:
JEFF FUCHS, City Administrator

APPROVED:
KATIE ANDERSEN, Mayor