

JAMESTOWN CITY COUNCIL
REGULAR MEETING, MARCH 4, 2013
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, Brubakken and Buchanan, City Attorney Dalsted, City Engineer Schwartzkopf and Deputy City Auditor Sveum. Absent: City Administrator Fuchs.

Council Member Brubakken moved to approve the minutes of the regular council meeting, February 4, 2013; minutes of the special council meetings, February 1 & 21, 2013; and minutes of the committee meetings, February 19 & 21, 2013. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

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

- A. Resolution to amend its previous Resolution authorizing the payment of dues for the South Central Dakota Regional Council for the 1st Quarter 2013 from Economic Development Funds; and to authorize the payment of all 2013 membership dues in the amount of \$33,810, with the City Share to be \$21,300 and paid from the City Sales Tax Fund.
- B. 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 with a sunset date for deed transfer of January 1, 2014.
- C. Resolution to authorize proceeding with Stutsman County for the procurement of accounting, tax and appraisal software for the City from Tyler Technologies, subject to Stutsman County procuring the same.
- D. Resolution to approve the (10) requests for street closings and/or permits to allow alcoholic beverages in fenced areas for the March 16, 2013, St. Patrick's Day Run, for the following: Buffalo Lanes, Inc.; Buffalo City Rotisserie Grill; Corner Bar; Cork and Barrel, Inc.(Elk's location); Frontier Fort Bar & Grill; Knights of Columbus; Office Bar & Lounge; Shady's; Vets Club; and Wonder Bar Sports Bar.
- E. Resolution to approve the following policy relative to street vendors during the St. Patrick's Day Run:
 - 1) Closing of 2nd Street SE in the 100 Block for vendors;
 - 2) Allowing vendors to apply for a permit to locate on Second Street SE in the 100 Block, based on permit applications being submitted and processed, and city staff assigning them to a specific space based on the order of submitted applications;
 - 3) That the City Council require a vendor permit fee of \$50 for each vendor on 2nd Street SE in the 100 Block to cover the cost of closing the street and providing waste containers for the refuse.
 - 4) That all vendors participating in the St Patrick's Day activities only be allowed to park adjacent to curbs in order to maintain a fire lane down the center of the street;
 - 5) Any bar which has been approved for the closure of a street will be allowed to have a vendor(s) in their authorized closed area without the payment of the \$50 City vendor fee.
- F. Resolution to authorize entering into a Project Development Agreement with Energy Services Group to perform a Comprehensive Energy/Facility Management Analysis of the Jamestown Civic Center facility.

- G. Resolution to rescind its earlier Resolution creating Paving District #13-41.
- H. Resolution to accept a proposal from Advanced Engineering & Environmental Services, Inc., to provide Instrumentation and Control Services for Remote Telemetry Unit upgrades for the Frontier Village Booster Station and Lift Station 5.
- I. Resolution to award the bids for the construction of a Cold Storage Building for the Sanitation Department, in the amount of \$97,139.00, and a Cold Storage Building for the Street Department, in the amount of \$96,596.00, to Schumacher Construction.
- J. Resolution to authorize the submission of a LOMAR application to FEMA relating to three residences on 17th Ave SW and approximately 2nd St SW.
- K. Resolution to approve the 2013 City of Jamestown Standard Specifications.
- L. Resolution to approve Change Order No. 2—Final Balancing, to PKG Contracting, Inc., on Jamestown Wastewater Treatment Plant System Improvements, for a net decrease in the contract price of \$1,452.51.
- M. Resolution to approve Payment No. 1 (Inv No. 33297), to AE2S, for engineering services on Jamestown Water Treatment Plant Capital Improvement Program, in the amount of \$6,769.75.
- N. Resolution to approve Payment No. 1 (Inv No. 33296), to AE2S, for On Call engineering services, (WTP Water Reclaim Phase 1--3,720.00; and Distribution System Nitrification--3,778.50), in the amount of \$7,498.50.
- O. Resolution to approve Payment No. 2 (Inv No. 1329), to Apex Engineering Group, Inc., for engineering services on the Jamestown Wastewater Treatment Facility Capital Improvements Plan, in the amount of \$2,357.00.
- P. Resolution to approve Payment No. 3 (Inv No. 33298), to AE2S, for engineering services on Jamestown WTP Operations Evaluations, in the amount of \$49.50.
- Q. Resolution to approve Payment No. 6 & Final, to PKG Contracting, Inc., for construction on Jamestown Wastewater Treatment Plant System Improvements, in the amount of \$57,450.22.
- R. Resolution to approve Payment No. 7 (Inv No. 1328), to Apex Engineering Group, Inc., for On Call engineering services, in the amount of \$284.00.
- S. Resolution to approve Payment No. 10, 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 \$22,644.60.
- T. Resolution to approve Payment No. 17 (Inv No. 1327), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF LRAT Cover Replacement, in the amount of \$387.00.
- U. Resolution to approve Payment No. 1 (Inv No. 13065), to Interstate Engineering, Inc., for Landfill Stock Pile Quantities & Location, in the amount of \$3,460.00.
- V. Resolution to approve Payment No. 4 (Inv No. 13062), to Interstate Engineering, Inc., for 2012 Water Tower & Distribution System Improvements, in the amount of \$31,908.50.

- W. Resolution to approve Payment No. 5 (Inv No. 13063), to Interstate Engineering, Inc., for Water & Sewer District 12-61 & 12-31 (Titan Addition), in the amount of \$4,573.00.
 - X. Resolution to approve Payment No. 10 (Inv No. 13061), to Interstate Engineering, Inc., for the Plant Influent Piping at Wastewater Treatment Plant, in the amount of \$787.00.
 - Y. Resolution to approve Payment No. 41 (Inv No. 13064), to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$1,120.00.
 - Z. 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.
- AA. Resolution to allow the January indebtedness in the amount of \$2,004,187.86 consisting of \$429,467.90 payroll and \$1,574,719.96 general obligations.

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

A public hearing was held concerning an amendment to the Renaissance Zone Plan Boundaries to include Block 9, Kelley and Fuller's 2nd Addition, subject to approval by the ND Division of Community Services. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Brubakken moved a Resolution to approve the amendment to the Renaissance Zone Plan Boundaries to include Block 9, Kelley and Fuller's 2nd Addition, subject to approval by the ND Division of Community Services. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved to table action on the application of Ben Maulding for an animal permit to pasture and keep horses at 605 10th Avenue NW in the City. Seconded by Council Member Gumke. Unanimous aye vote. Carried. (The City Attorney will be researching the permit language.)

Council Member Gumke moved a Resolution to enter into an engineering services agreement with Midwest Traffic Consulting, LLC, for the traffic controllers along First Avenue and 10th Street SE as follows: Phase I-Traffic Controllers, Task 1, in the amount of \$10,232.00; and Phase II-Traffic Analysis, Task 2, in the amount of \$8,226.00; and Phase II-Traffic Analysis, Task 2b, in the amount of \$3,177.00; for a total amount not to exceed \$21,635.00. Seconded by Council Member Buchanan. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of the southeast portion of Lot 2, Berndt Addition, from M-2 (General Industrial and Manufacturing District) to POC (Public, Open Development and Conservation District).

Council Member Brubakken moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lots 1 & 2, Block 4, Hi-Acres Hillcrest Addition, from R-1 (One Family Residential District) to POC (Public, Open Development and Conservation District).

Mayor Andersen moved to appoint Doris Giedt(2014), Neil Barkus(2014), Harvey Schuh(2015), Harold Bensch(2016), Darrell Losing(2016), and Lisa Motacek(2016) to serve as members of the Board of Adjustment for terms to expire January of the years noted. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Charlie Kourajian(City Council member) and Ray Albrecht(City resident) to serve as members of the County Weed Board for terms to expire December 2016. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Blaine (Pat) Stockert(2015), Clyde Schmautz(2015), Trent Hillerud(2014), and Scott Roemmich(2013-unexpired term of Larry Hopland), to serve as members of the Fire Code Board of Appeals for terms to expire November of the years noted. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Brubakken moved to appoint Gary Riffe(2016), Barbara Laraway(2015) and Roger Parsons(2014) to serve as City members of the James River Valley Library System Board for terms to expire March of the years noted. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Ramone Gumke to serve as a member of the Law Enforcement Center Governing Board for a term to expire December 2016. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint John Gletne(City employee) and Ramone Gumke(City Council representative) to serve as members of the Pension Committee for terms to expire March 2014. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Lindsey Novak(2014), Bob Martin(2015), Sandy Eckelberg(2016) and Charlie Kourajian (2016) to serve as members of the Shade Tree Committee for terms to expire April of the years noted. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Ramone Gumke to serve as a member of the South Central Dakota Regional Council for a term to expire September 2014. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Mayor & Council Members to serve as members of the Storm Water Committee for terms to expire April 2015. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint the City Administrator, City Engineer, Building Inspector, Engineering Technician II and Public Works Chairperson to serve as members of the Storm Water Sub-Committee for terms to expire April 2015. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to approve the request from Progress Enterprises, Inc., for a gaming site authorization at the Jamestown Civic Center on March 16, 2013. Seconded by Council Member Brubakken. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved to table the bids for Water & Sewer District #12-61 & 12-31. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

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

ATTEST:
JAY SVEUM, Deputy City Auditor

APPROVED:
KATIE ANDERSEN, Mayor