

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, MAY 6, 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 City Administrator Fuchs.

Council Member Brubakken moved to approve the minutes of the regular council meeting, April 1, 2013; minutes of the special council meetings, April 5, 17 & 18, 2013; and minutes of the committee meetings, April 23 & 25, 2013, with said correction to April 25<sup>th</sup> meeting—motion on Land Use & Transportation Plan was not unanimous vote-Brubakken voted nay. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

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

- A. Resolution to approve the requests for gaming site authorizations for the period July 1, 2013 – June 30, 2014, for the following:
  - James River Aerie #2337 FOE** for Frontier Fort Bar & Grill;
  - Knights of Columbus** for the Wonder Bar Sports Bar, Knights of Columbus and Corner Bar;
  - Progress Enterprises** for Office Bar, Shady's, Buffalo Bar & Lounge and IDK Bar & Grill;
  - St James Basilica** for St James Basilica;
  - North Dakota Buffalo Foundation, Inc.** for the Vets Club, Tapp's Lounge and Elks Bar.
- B. Resolution to approve the request for a gaming site authorization for the ND Buffalo Foundation Inc., at the Civic Center for June 12, 2013.
- C. Resolution to approve the application from Brolin Investing for Renaissance Zone tax incentives on Lots 1 thru 9 and Lots 34 thru 44, except the North 10 feet of the East 5 feet of Lot 4, and except the North 10 feet of Lot 5, and except the North 18 feet of Lots 6 & 7, and except the North 70 feet of Lots 8 & 9, Block 9, Kelley & Fuller's 2<sup>nd</sup> Addition, by the granting of a five (5) year 100% property tax exemption and a request to the state for a five (5) year 100% state income tax exemption.
- D. Resolution to approve the application from CVA, Inc., for Renaissance Zone tax incentives on Lots 8-12, except the South 103.21 feet of said Lots 8 & 9, Block 9, Kelley & Fuller's 2<sup>nd</sup> Addition, by the granting of a five (5) year 100% property tax exemption and a request to the state for a five (5) year 100% state income tax exemption.
- E. Resolution to approve the request from BL2 Management, LLC, for an on-sale Beer & Wine License for The Depot Cafe.
- F. Resolution to authorize entering into an agreement with MuniciPAY to allow for the use of credit card payments for utilities, licenses, permit fees, etc.
- G. Resolution to authorize entering into a Public Site Lease for a 3 year period with the Buffalo City Tourism Foundation to provide an area to house the tourism offices.
- H. Resolution to authorize entering into an agreement for engineering services with Prairie Engineering, P.C., for the Jamestown City Hall Cooling Tower Replacement.

- I. Resolution to authorize advertising for the position of City Forester.
- J. Resolution to recognize the Ave Maria Village Fundraising Committee as an other public spirited organization and to authorize the issuance of a raffle permit with the drawing to be held June 21, 2013.
- K. Resolution to approve the request from Otter Tail Power Company for the City to acquire Lot 14, Block 3, Replat of Block 3 Hi-Acres 3<sup>rd</sup> Addition, from Stutsman County and to provide an easement on the property to Otter Tail Power Company for the placement of a power pole.
- L. Resolution to authorize the purchase of two (2) radar units through the use of a \$3,000.00 NDDOT grant and a City Share match of \$1,800.00.
- M. Resolution to authorize the purchase of a new light bar from the Valley City Police Department in the amount of \$1,000.00.
- N. Resolution to create Sanitary Sewer District #13-31 (Lift Station #9 Contributing Area) and Sanitary Sewer District #13-32 (Lift Station #10 Contributing Area) in relation to the 2012 Lift Stations and Force Main Improvements, Project Phase II – Force Main and Gravity Sewer.
- O. Resolution to approve plans and specifications for New Watermain Improvements Project and authorizing Interstate Engineering to proceed with advertising and bidding.
- P. Resolution to award the bid for the 2013 Sidewalk and Curb & Gutter District #13-11 to Lindberg Bros., Inc., in the amount of \$70,672.50.
- Q. Resolution to authorize the reimbursement of \$98.60 to the ND Department of Emergency Services on FEMA Large Project Closeout relating to the 2010 Flood event.
- R. Resolution to proceed with obtaining easements for access to fire hydrants located and owned on private property.
- S. Resolution to approve Change Order No. 7, to PKG Contracting, Inc., for an increase in the contract price of \$28,594.91, for Phase II, Water Systems Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03.
- T. Resolution to approve Change Order No. 8, Final Balancing, to PKG Contracting, Inc., for a decrease in the contract price of \$28,720.71, for Phase II, Water Systems Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03.
- U. Resolution to approve Payment No. 1 (Inv No. 13-49), to Schumacher Construction, Inc., for construction on Cold Storage Building--Sanitation Department and Cold Storage Building--Street Department, in the amount of \$91,000.00.
- V. Resolution to approve Payment No. 1 (Inv No. 33945), to AE2S, for On Call engineering services, (Aeration Blower Electrical Upgrade), in the amount of \$641.75.
- W. Resolution to approve Payment No. 2 (Inv No. 33944), to AE2S, for engineering services on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$123.75.
- X. Resolution to approve Payment No. 2 (Inv No. 33946), to AE2S, for engineering services on Infrastructure I&C Support, in the amount of \$1,224.00.

- Y. Resolution to approve Payment No. 2 (Inv No. 33943), to AE2S, for On Call engineering services, (Water Treatment Plant CIP), in the amount of \$2,674.50.
- Z. Resolution to approve Payment No. 3 (Inv No. 33947), to AE2S, for On Call engineering services, (Operator Training), in the amount of \$2,743.27.
- AA. Resolution to approve Estimate No. 23, to PKG Contracting, Inc., for construction on Phase II, Water Systems Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$86,798.61.
- BB. Resolution to approve Payment No. 6 (Inv No. 13556), to Interstate Engineering, Inc., for 2012 Water Tower & Distribution System Improvements, in the amount of \$17,120.72.
- CC. Resolution to approve Payment No. 6 (Inv No. 13555), to Interstate Engineering, Inc., for 2012 Lift Station and Sewer System Improvements, in the amount of \$84,061.69.
- DD. 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.
- EE. Resolution to allow the April indebtedness in the amount of \$3,894,495.14 consisting of \$432,005.55 payroll and \$3,462,489.59 general obligations.

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

Council Member Gumke moved a Resolution to authorize entering into an agreement with RDG Planning & Design and Kadrmas, Lee & Jackson, Inc., to prepare a Land Use and Transportation Plan for the City of Jamestown and the ND Department of Transportation (NDDOT Project SPR-P032(002)), at an estimated cost of \$342,929.00. Seconded by Council Member Brubakken. Roll Call No. 2 showed: 3 ayes, 2 nays (Buchanan and Kourajian), 0 absent. Carried.

A public hearing was held concerning the special assessments on the 2012 Sidewalk, Curb & Gutter District #12-11. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Brubakken moved a Resolution to approve the special assessments on 2012 Sidewalk, Curb & Gutter District #12-11, in the total amount of \$84,176.01, with the City Share-Departments at \$30,591.27, and benefited properties to be assessed in the amount of \$53,584.74. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve the plans and specifications for the 2012 Lift Stations and Force Main Improvements Project, Phase I and Phase II, and to authorize Interstate Engineering, Inc., to proceed with advertising and bid opening at 1:15 PM, May 30, 2013. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Discussion was held concerning conveyor problems at the Solid Waste Baler Building and quote information received from Dan Poland Machine, Jamestown, ND, and Mayfran International thru Bystrom Conveying & Process Inc., Plymouth, MN.

Council Member Kourajian moved a Resolution to proceed with the conveyor belt replacement, repairs and installation to be provided by Dan Poland Machine (approx. \$15,000 installation) and Mayfran International (approx. \$59,000 conveyor belt) for a total cost of approximately \$74,000. Seconded by Council Member Buchanan. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to introduce the first reading of an ordinance to annex Auditor's Lot 30-2 within the NE1/4 Section 30, T140, R63W, Bloom Township, into the City of Jamestown, Stutsman County, ND.

Council Member Brubakken moved to introduce the first reading of an ordinance to annex Auditor's Lot 30-1 within the NE1/4 Section 30, T140, R63W, Bloom Township, into the City of Jamestown, Stutsman County, ND.

Council Member Gumke moved to introduce the first reading of an ordinance to amend and re-enact Section 8.8(F), Paragraphs 1 & 2 and Section 9(B) of Appendix C, pertaining to building requirements within zoning districts.

Ordinance No. 1390, introduced by Council Member Brubakken, to amend and re-enact Section 6-7 of the City Code pertaining to the keeping of domestic animals, had its second reading. Seconded by Council Member Buchanan. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan 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 S.55' of the W.130' of Lot 7, Auditor's Plat No. 3, from R-2-A (One to Twelve Family Residential District) to C-2 (General Commercial District).

The two appointments to the Special Assessment Commission were delayed to a later date.

Council Member Kourajian moved a Resolution to approve the request from the Corner Bar for a street dance permit to close the east end of 100 Block/2<sup>nd</sup> St SW on July 5, from 6PM to 2AM, July 6, 2013. Seconded by Council Member Gumke. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:  
JEFF FUCHS, City Administrator

APPROVED:  
KATIE ANDERSEN, Mayor