

JAMESTOWN CITY COUNCIL
REGULAR MEETING, FEBRUARY 3, 2014
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 Buchanan, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs. Absent: Council Member Brubakken.

Council Member Gumke moved to approve the minutes of the regular council meeting, January 6, 2014; minutes of the special council meetings, January 6 and 28, 2014; and minutes of the committee meetings, January 21 and 23, 2014. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

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

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

- A. Resolution to approve the sales price for 2014 on City owned property acquired by tax deed.
- B. Resolution to authorize the purchase of Building Permit and Inspections software and training from Tyler Technologies, in the amount of \$14,500, estimated travel expenses of \$2,365 and annual maintenance fees of \$950.
- C. Resolution to approve entering into a supplemental agreement with Prairie Engineering, P.C., for the City Hall Cooling Tower re-bid.
- D. Resolution to recognize the Friends of Troy as an other public spirited organization and to issue a charity local permit with the event to be held at the All-Vet's Club on February 23, 2014.
- E. Resolution to approve a Land Use Plan Amendment for Lots 10-14, Tahran's Addition.
- F. Resolution to direct the City Engineer obtain a proposal from Joseph P Larrivee Architects for a supplemental agreement to the Fire Hall Roofing Project for the preparation of plans and specifications for the insulation and heating of the south stall of the cold storage building at the Fire Hall.
- G. Resolution to authorize submitting an application for a Special Use Permit with Bloom Township for the planned expansion of the Jamestown Sanitary Landfill Site.
- H. Resolution to approve the Initiation of Operation document relating to Wastewater Lift Station Replacement and Force Main Project, Phase I & Phase II – District 13-31 & 13-32.
- I. Resolution to approve the request from Sellin Brothers, Inc., for a reduction on retainage from 5% to 2% on Wastewater Lift Station Replacement and Force Main Project Phase II – Force Main and Gravity District 13-31 & 13-32 (CWSRF No. 380808-06).
- J. Resolution to award the bid for the purchase of a New Single Axle Truck (Cab & Chassis) – Street Department, to Nelson International, in the amount of \$70,898.00.
- K. Resolution to award the bid for the purchase of a New Extra Heavy Duty, Hopper-Type, Self-Unloading, Spreader Body – Street Department, to Bert's Truck Equipment, in the amount of \$27,932.00.

- L. Resolution to authorize, pursuant to Section 1-15 of the City Code, the sale of the salvageable fire damaged sander truck & hopper body to Truck & Auto Salvage based on the proposals received, in the amount of \$1,875.00.
- M. Resolution to approve the following pertaining to Seal Coat, Patching, Construction & Reconstruction District #14-41:
- 1) To set up and establish the district.
 - 2) To direct the City Engineer to prepare a report of the general nature, purpose and feasibility, and an estimate of costs for the district.
 - 3) To direct the City Engineer to prepare plans and specifications for construction of the district.
 - 4) To accept and approve the plans and specifications, as prepared by the City Engineer, for construction of the District.
 - 5) To declare it necessary to construct the district and to direct the City Administrator to publish notice of a public hearing concerning the district.
 - 6) To direct the City Administrator to advertise for bids for construction of the district.
- N. Resolution to approve the following pertaining to Sidewalk, Curb & Gutter District #14-11:
- 1) To set up and establish the district.
 - 2) To direct the City Engineer to prepare plans and specifications for construction of the district.
 - 3) To accept and approve the plans and specifications, as prepared by the City Engineer, for construction of the District.
 - 4) To direct the City Administrator to advertise for bids for construction of the district.
- O. Not used-error in setup.
- P. Resolution to approve Payment No. 1 (Inv No. 36962), to AE2S, for engineering services on the RTU Squat Booster, in the amount of \$11,410.92.
- Q. Resolution to approve Payment No. 2, to Sellin Brothers, Inc., for construction on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$89,428.50.
- R. Resolution to approve Payment No. 3, to Sellin Brothers, Inc., for construction on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$60,084.45.
- S. Resolution to approve Payment No. 5, to Swanberg Construction, Inc., for Wastewater Lift Station and Force Main Improvements Project, Phase 1, Lift Station Replacement, District 12-32, in the amount of \$497,932.75.
- T. Resolution to approve Payment No. 6, to Sellin Brothers, Inc., for construction on 2012 Wastewater Lift Station Replacement & Force Main Project, Phase II, Forcemain & Gravity Sewer & Sewer Districts 13-31 & 13-32, in the amount of \$151,616.33.
- U. Resolution to approve Payment No. 11 (Inv No.36961), to AE2S, for engineering services on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$1,734.75.
- V. Resolution to approve Payment No. 8 (Inv No. 16800), to Interstate Engineering, Inc., for 2012 Lift Station and Sewer System Improvements, District 12-32, in the amount of \$26,664.06.
- W. 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.
- X. Resolution to allow the January indebtedness in the amount of \$3,113,171.81 consisting of \$459,511.12 payroll and \$2,653,660.69 general obligations.

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

Council Member Buchanan stated his opposition to the request for Renaissance Zone Tax Incentives for the Jamestown Rowhomes Limited Partnership Project.

Erin Anderson, MetroPlains representative for the project, stated the development would benefit the city and community.

Council Member Gumke moved a Resolution to authorize Renaissance Zone Tax Incentives for a portion of the Jamestown Rowhomes Limited Partnership project located on Block 42, Original Addition (401 3rd Street SE), by providing a five (5) Year - 100% property tax exemption, subject to ND Department of Community Services approval. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 3 ayes, 1 nay (Buchanan), 1 absent. Carried.

A public hearing was held concerning the request to vacate a roadway adjacent to Lot 3, Block 2 and Lot 3, Block 3, Diamond Acres 2nd Addition. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Buchanan moved a Resolution to approve the request to vacate a roadway adjacent to Lot 3, Block 2 and Lot 3, Block 3, Diamond Acres 2nd Addition. Seconded by Council Member Gumke. Roll Call No. 3 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Buchanan moved to table consideration of the evaluation related to claims of utility conflicts by Sellin Brothers, Inc., on Wastewater Lift Station Replacement and Force Main Project Phase II – Force Main and Gravity District 13-31 & 13-32 (CWSRF No. 380808-06). Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Gumke moved to refer to the February Public Works Committee the replacement of a Roll-off Truck for the Sanitation Department. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Council Member Kourajian moved to table the request of Norm Aldinger for the City to direct Otter Tail Power Company to remove the structure at 113 12th Avenue NE based on language in the city franchise ordinance. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to approve Change Order No. 1, to Energy Services Group, for the Jamestown Civic Center Energy Services Project, with no change in the contract price. Seconded by Council Member Buchanan. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 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 Lots 10-14, Tahran's Addition from R-1 (One-Family Residential District) to C-1 (Local Commercial District).

Council Member Gumke moved a Resolution to approve Payment No. 2 (Inv. No. 5228128575R), to Energy Services Group, LLC., for the Jamestown Civic Center Energy Services Agreement, in the amount of \$60,213.00. Seconded by Council Member Kourajian. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke moved a Resolution to approve the request from the Rocky Mountain Elk Foundation MinnDak Inc – Jamestown Chapter for a gaming site authorization to conduct gaming at the Gladstone Inn on March 22, 2014. Seconded by Council Member Buchanan. Roll Call No. 6 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke moved to table to the February Public Works Committee the painting scheme and additional \$44,300.00 and additional 30 days for painting completion on the new Southwest Water Tower. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 1 (Invoice No. 13-113) to Woodsonia Real Estate Group, Inc., per the Developer Agreement dated August 8, 2013, in the amount of \$125,000.00. Seconded by Council Member Kourajian. Roll Call No. 7 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 1 (1710), to Prairie Soil Consulting, LLC, for services on the Solid Waste Landfill (Expansion-50 Acres approx), Project No. 032-12-HU-13, in the amount of \$7,650.00. Seconded by Council Member Kourajian. Roll Call No. 8 showed: 4 ayes, 0 nays, 1 absent. Carried.

The request from Connie Ova, JSDC, to address the City Council relative to incentives provided for business was removed from the agenda.

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

ATTEST:
JEFF FUCHS, City Administrator

APPROVED:
KATIE ANDERSEN, Mayor