

JAMESTOWN CITY COUNCIL
REGULAR MEETING, APRIL 7, 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, Brubakken and Buchanan, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs.

Council Member Gumke moved to approve the minutes of the regular council meeting, March 3, 2014, and minutes of the committee meetings, March 18 and 20, 2014. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Bids were received for the sale of an impounded/abandoned vehicle from Budget Auto Sales & Service and Thomas Nagel.

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

- A. Resolution to approve the request from the JSDC for Economic Development Funds, in the amount of \$682,500, to provide Jobs Incentive Grant funds to Dakota Spirit Ag Energy, with the City Share to be \$614,250 and paid from the City Sales Tax Fund.
- B. Resolution to approve the request from the JSDC for Economic Development Funds, in the amount of \$80,000, to provide Flex PACE and PACE interest buy-down to Real Truck, Inc., with the City Share to be \$64,000 and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from the JSDC for Economic Development Funds, in the amount of \$125,000, to cover the cost of purchasing the SCDRC's portion of the Center for Economic Development building, with the City Share to be \$112,500 and paid from the City Sales Tax Fund.
- D. Resolution to award the bid for the Jamestown City Hall Cooling Tower Upgrade to Nill Construction, Inc., in the amount of \$137,261.00.
- E. Resolution to approve the request from Great River Energy for ongoing disposal of sand/coal/ash mix waste at the Jamestown Sanitary Waste Landfill, subject to ND Health Department requirements and approval; adequate landfill capacity; and adequate financial consideration to cover the cost of disposal.
- F. Resolution to approve the final plat of Eventide Addition, a Replat of Riffe First Addition and Lots 1 & 2, Block 4, Hi Acres Hillcrest Addition.
- G. Resolution to approve the request from Vining Oil & Gas, LLC, for two – 2 Hour Parking stalls on the west side of the street at 301 2nd Avenue NW.
- H. Resolution to establish the week of June 2nd – 7th, 2014, as City Clean – Up Week.
- I. Resolution to approve and authorize the Engineering Department to acquire an upgrade in Autodesk AutoCAD software and a three (3) year license subscription, in a total amount of \$6,688.86.
- J. Resolution to approve the addition of the Street Foreman and Street Equipment Operator III, as members of the Storm Water Sub-Committee.

- K. Resolution to approve Change Order No. 2, to Swanberg Construction, Inc., for Wastewater Lift Station and Forcemain Improvement Project, Phase 1, CWSRF No. 380808-06, for an increase in the contract price of \$5,543.55.
- L. Resolution to approve Payment No. 2 (Inv No. 4058), to Prairie Engineering, P.C., for Jamestown City Hall Cooling Tower Replacement, in the amount of \$1,431.25.
- M. Resolution to approve Payment No. 2 (Inv No. 08387.00-2), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, in the amount of \$2,213.41.
- N. Resolution to approve Payment No. 2 (Inv No. 37505), to AE2S, for engineering services on the RTU Upgrade (LS5), in the amount of \$4,367.80.
- O. Resolution to approve Payment No. 2 (Inv No. 37506), to AE2S, for engineering services on the RTU Upgrade (LS19), in the amount of \$4,494.30.
- P. Resolution to approve Payment No. 4 (Inv. No. 5228651106R), to Energy Services Group, LLC, for the Jamestown Civic Center Energy Services Agreement, in the amount of \$34,400.00.
- Q. Resolution to approve Payment No. 6, 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 \$495,600.00.
- R. Resolution to approve Payment No. 7, 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 \$381,000.00.
- S. Resolution to approve Payment No. 13 (Inv No. 37504), to AE2S, for engineering services on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$171.00.
- T. Resolution to approve Payment No. 1 (Inv No. 17479), to Interstate Engineering, Inc., for engineering services on Water System Improvements to serve City Water to GRE, in the amount of \$94,500.00.
- U. Resolution to approve Payment No. 4 (Inv No. 17477), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Expansion Permitting, in the amount of \$19,100.00.
- V. Resolution to approve Payment No. 10 (Inv No. 17478), to Interstate Engineering, Inc., for 2012 Lift Station and Sewer System Improvements, District 12-32, in the amount of \$27,605.74.
- W. Resolution to approve Payment No. 50 (Inv No. 17479), to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$405.00.
- 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 March indebtedness in the amount of \$3,964,435.70 consisting of \$453,350.00 payroll and \$3,511,085.70 general obligations.

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

A public hearing was held concerning the request from the James River Valley Library System for a letter of support from the City to apply for a grant, in the amount of \$74,000.00, from the USDA to partially fund the replacement of the bookmobile.

Joseph Rector, JRVLS Director, appeared before the Council and stated concerns with the age and weight of the current bookmobile and that a new bookmobile, at a cost of approximately \$130,000 to \$150,000, would be smaller and more efficient.

No written protests were received. The hearing was closed.

Council Member Kourajian moved a Resolution to approve providing a “Certification of Significant Community Support” for the James River Valley Library System to apply for a grant from the USDA to replace the bookmobile. Seconded by Council Member Buchanan. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Discussion was held relative to the paint scheme for the new southwest water tower.

Council Member Buchanan moved a Resolution to approve a Change Order on the new southwest water tower to return to one color (white) and black letters of ‘Jamestown’. Seconded by Council Member Kourajian.

Council Member Buchanan moved to amend the motion to approve a Change Order to return to one color and no logo or name on the new water tower. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Roll Call No. 3 on the Resolution, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the color selection of Midwest Sky (light blue) for the new southwest water tower. Seconded by Council Member Gumke. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid for the sale of an impounded/abandoned 2005 Chevrolet, Silverado (VIN 2GCEK13T651108467) to Budget Auto Sales & Service, Jamestown, ND, in the amount of \$8,651.00. Seconded by Council Member Brubakken. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to award the bid for the purchase of a New Roll-Off Truck (Cab, Chassis & Hoist) for the Solid Waste Department, to Sanitation Products, Inc., Fargo, ND, in the amount of \$130,307.00, and the optional tarping system of \$12,560.00, for a total bid of \$142,867.00. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid for the “AS-IS” Direct Sale of a 2000 Sterling, LT8513, Roll-Off Truck (Cab, Chassis & Hoist) in the Solid Waste Department, to Northland Truck Sales, Inc., West Fargo, ND, in the amount of \$11,110.00. Seconded by Council Member Brubakken. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to declare that the Fusion Automation, Inc., bid for the City of Jamestown Pump Stations Improvement Project to be an irregular bid due to the bidder not having a current contractor’s license as required by NDCC 43-07-12. Seconded by Council Member Gumke. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid for the City of Jamestown Pump Stations Improvements Project to Swanberg Construction, Inc., Fargo, ND, in the amount of \$1,282,400.00. Seconded by Council Member Brubakken. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to introduce the first reading of an ordinance to amend Ordinance No. 329 by amending the District Map to change the zoning of a tract of land located in the NW Quarter of Section 2,

Township 139 North, Range 64 West (Menards Site) from P-O-C (Public Open Development & Conservation District) to C-2 (General Commercial District).

Council Member Brubakken moved to introduce the first reading of an ordinance to amend Appendix C, Section 5.8, of the City Code pertaining to uses permitted, M-1 Districts.

Council Member Buchanan moved to table the second reading of Ordinance No. 1420, to enact Chapter 6.5 pertaining to beekeeping within the city. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Ordinance No. 1432, introduced by Council Member Brubakken, to amend and re-enact Section 2-19.1 of the City Code pertaining to administration, had its second reading. Seconded by Council Member Gumke. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to change the zoning of Lot 8, Block 3, Buchholtz Fourth Addition, from R-1 (One-Family Residential District) to P-O-C (Public, Open Development & Conservation District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1433, introduced by Council Member Buchanan, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lot 8, Block 3, Buchholtz Fourth Addition, from R-1 (One-Family Residential District) to P-O-C (Public, Open Development & Conservation District), had its second reading. Seconded by Council Member Gumke. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to change the zoning of Plat C in the SW Quarter of Section 36, Township 140N, Range 64W, in the City of Jamestown, from R-1 (One-Family Residential District) to P-O-C (Public, Open Development & Conservation District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1434, introduced by Council Member Buchanan, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Plat C in the SW Quarter of Section 36, Township 140N, Range 64W, in the City of Jamestown, from R-1 (One-Family Residential District) to P-O-C (Public, Open Development & Conservation District), had its second reading. Seconded by Council Member Kourajian. Roll Call No. 12 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke excused himself.

A public hearing was held concerning an ordinance to change the zoning of a four (4) acre tract of land in the NE Quarter of the SW Quarter of Section 2, Township 139N, Range 64W, from A-G (Agricultural District) to C-1 (Local Commercial District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1435, introduced by Council Member Gumke, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of a four (4) acre tract of land in the NE Quarter of the SW Quarter of Section 2, Township 139N, Range 64W, from A-G (Agricultural District) to C-1 (Local Commercial District), had its second reading. Seconded by Council Member Brubakken. Roll Call No. 13 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke seated himself.

A public hearing was held concerning an ordinance to annex a tract located in the NE Quarter of the SW Quarter of Section 2, Township 139N, Range 64 W, containing 3.99 acres, more or less. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1436, introduced by Council Member Gumke, to annex a tract located in the NE Quarter of the SW Quarter of Section 2, Township 139N, Range 64 W, containing 3.99 acres, more or less, had its second reading. Seconded by Council Member Brubakken. Roll Call No. 14 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1437, introduced by Council Member Gumke, to amend and re-enact Chapter 9, Article VII, of the City Code pertaining to provisions regulating crew camps in the city, had its second reading. Seconded by Council Member Brubakken.

Council Member Gumke moved to amend Ordinance No. 1437 with changes, as prepared by the City Attorney's Office, which includes revisions to lighting, signage, fencing, site plans completed by a professional and change to definitions. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Roll Call No. 15 on Ordinance No. 1437, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Jim Boyd, Strategic Plan ND, 319 18th Ave NE, appeared before the Council to encourage the City to review and update its Strategic Plan.

Joan Morris, 632 7th St Loop NW, appeared before the Council to inquire on the status of the curb side recycling program.

Mayor Andersen moved to appoint Delores M. Rath to serve as a member on the Planning Commission for a term to expire August 2018. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Buchanan stated concerns with 10th Street NE between 5th and 12th Avenues during the latest snow storm and that consideration should be given to include this roadway in the snow emergency route plan. The request was referred to committee for further discussion.

Council Member Brubakken moved a Resolution to recognize the Jamestown Regional Medical Center Relay for Life Team as an other public spirited organization and to authorize the issuance of a Raffle Permit with the drawing to be held June 22, 2014. Seconded by Council Member Gumke. Roll Call No. 16 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to authorize conveying by Quit Claim Deed to the Jamestown/Stutsman Development Corporation Lot 2, Block 1, Redmond 2nd Addition, in exchange for the South 200 feet of the East 235 feet of Lot 1, Block 1, Bloom Industrial Addition, A Replat of Auditor's Lot 27-1, Bloom Township, within the East Half of Section 27, Township 140, Range 63, to the City of Jamestown, Stutsman County, North Dakota. Seconded by Council Member Buchanan. Roll Call No. 17 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve the amendment to the Developer's Fee Agreement between R. H. Johnson Company, Woodsonia Real Estate Group, Inc., and the City of Jamestown. Seconded by Council Member Gumke. Roll Call No. 18 showed: 4 ayes, 1 nay (Buchanan), 0 absent. Carried.

Council Member Gumke moved a Resolution to authorize submission an application to the North Dakota Health Department and Public Finance Authority for a SRF (Drinking Water) loan to finance the City of Jamestown Pump Stations Improvements Project, DWSRF No. 4700498-05, in the amount of \$910,000.00. Seconded by Council Member Brubakken. Roll Call No. 19 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:
JEFF FUCHS, City Administrator

APPROVED:
KATIE ANDERSEN, Mayor