

JAMESTOWN CITY COUNCIL
REGULAR MEETING, NOVEMBER 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 Kourajian, Gumke, 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, October 6, 2014; and minutes of the committee meetings, October 21 & 23, 2014. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

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

- A. Resolution to approve the request from JSDC for \$43,000.00 from the Economic Development Fund to fund a Flex PACE interest buy down for D & B Portables LLC, owned by Bonnie & Donald Larson, with the City Share to be \$34,400.00 and paid from the City Sales Tax Fund.
- B. Resolution to approve the request from JSDC to set aside 30-40 acres in the SE $\frac{1}{4}$ of Section 28-140-62 (Spiritwood Property) for a potential crew camp with an annual lease rate of \$600 / acre.
- C. Resolution to approve the request from JSDC to sell Lot 8, Block 1, I-94 Business Park Addition, to Tim & Kathy Nill, in the amount of \$68,171.00, contingent on the City Attorney approving the purchase agreement language prior to signing.
- D. Resolution to approve adjusting the compensation of City Forester Wiles, by placing him into Step 5, Range 35, effective November 1, 2014, based on his performance during his first year of employment with the City of Jamestown.
- E. Resolution to authorize entering into a HVAC Maintenance Contract for the Jamestown Civic Center with Precision Mechanical Services, at an annual cost of \$9,290.00, effective upon City Council approval; and to provide Central Dakota Mechanical with a 30 day termination notice following solicitation of new HVAC maintenance proposals for various city buildings.
- F. Resolution to approve the plat of Bender's First Addition, a replat of Lot 4, Block 1, Uncle Bob's Second Addition, and Lot 4 less the West 85 feet, Block 1, Second Replat of, Lots 3, 4, & 5, Block 1, and Lots 1, 2 & 3, Block 2, Dakota Inn Addition, to the City of Jamestown, North Dakota.
- G. Resolution to accept the revised Jamestown Tourism Bylaws.
- H. Resolution to approve Change Order No. 2, to Swanberg Construction, Inc., on the Pump Station Improvements Project, DWSRF Project No. 4700498-05, for a net increase in the contract price of \$26,562.00.
- I. Resolution to approve Payment No. 1 (Inv No. T577367), to Midwest Testing Laboratory, Inc., for Jamestown Sanitary Landfill SW-213 Borings and Monitoring Well Installation, in the amount of \$32,458.25.
- J. Resolution to approve Payment No. 3, to Swanberg Construction, Inc., for construction on Pump Station Improvements, DWSRF Project No. 4700498-05, in the amount of \$491,329.32.

- K. Resolution to approve Payment No. 4 & Final, to Pierce Lee Roofing, LLC, f. Pierce Roofing & Sheet Metal, Inc., for construction on Jamestown Fire Station Reroof Project, in the amount of \$62,824.29.
- L. Resolution to approve Payment No. 4, to Strata Corporation, for construction on 2014 Sidewalk, Curb & Gutter District #14-11, in the amount of \$11,326.45.
- M. Resolution to approve Payment No. 9 (Inv No. 08387.00-9), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, in the amount of \$4,253.58.
- N. Resolution to approve Payment No. 11 (Inv No. 5230761337R), to Energy Services Group, LLC, for the Jamestown Civic Center Energy Services Agreement, in the amount of \$122,810.00.
- O. Resolution to approve Payment No. 11 (Inv No. 40129), to AE2S, for engineering services on Infrastructure I&C Support, in the amount of \$1,839.75.
- P. Resolution to approve Payment No. 13 (Inv No. 40130), to AE2S, for On Call engineering services (MiscReqServ), in the amount of \$409.10.
- Q. Resolution to approve Payment No. 19 (Inv No. 40128), to AE2S, for engineering services on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$171.00.
- R. Resolution to approve Payment No. 2 (Inv No. 20595), to Interstate Engineering, Inc., for engineering services on Phase II, McElroy Addition Development Project, in the amount of \$6,968.71.
- S. Resolution to approve Payment No. 8 (Inv No. 20594), to Interstate Engineering, Inc., for engineering services on Water System Improvements to serve City Water to GRE, in the amount of \$2,763.78.
- T. Resolution to approve Payment No. 11 (Inv No. 20591), to Interstate Engineering, Inc., for engineering services on the Sanitary Landfill Expansion, in the amount of \$995.00.
- U. Resolution to approve Payment No. 16 (Inv No. 20592), to Interstate Engineering, Inc., for engineering services on 2012 Lift Station and Sewer System Improvements, District 12-32, in the amount of \$3,248.30.
- V. Resolution to approve Payment No. 19 (Inv No. 20593), to Interstate Engineering, Inc., for engineering services on 2012 Water Tower & Distribution System Improvements, in the amount of \$8,525.50.
- W. Resolution to approve Payment No. 56 (Inv No. 20596), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Solid Waste Dept), in the amount of \$990.00.
- 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 October indebtedness in the amount of \$3,664,139.05 consisting of \$467,145.55 payroll and \$3,196,993.50 general obligations.

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

Council Member Buchanan moved to provide a Resolution of Support and letter to the North Dakota State Historical Society in support of their effort to obtain \$500,000 in funding from the ND State Legislature in order to continue the Society's efforts for restoration and repurposing of the 1883 Stutsman County Courthouse. Seconded by Council Member Kourajian. Roll Call No. 2 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 by amending the District Map to change the zoning of Lots 17, 18 & 19 PLUS N ½ Vacated Alley, Block 7, Mill Hill Second Addition from M-1 (Limited Industrial and Manufacturing District) to C-1 (Local Commercial District).

A public hearing was held concerning an ordinance to amend Ordinance No. 329 by amending the District Map to change the zoning of Lots 1-7, Block 1, Scherbenske Third Estates Subdivision, from R-1 (Single Family Residential District) and A-1 (Agricultural District) to R-1 (Single Family Residential District) and Lot 8, Block 1, Scherbenske Third Estates Subdivision, from R-1 (Single Family Residential District) and A-1 (Agricultural District) to A-1 (Agricultural District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1447, introduced by Council Member Gumke, to amend Ordinance No. 329 by amending the District Map to change the zoning of Lots 1-7, Block 1, Scherbenske Third Estates Subdivision, from R-1 (Single Family Residential District) and A-1 (Agricultural District) to R-1 (Single Family Residential District) and Lot 8, Block 1, Scherbenske Third Estates Subdivision, from R-1 (Single Family Residential District) and A-1 (Agricultural District) to A-1 (Agricultural District), had its second reading. Seconded by Council Member Kourajian. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1448, introduced by Council Member Kourajian, to amend and re-enact Section 25.5-26 of the Code of the City of Jamestown pertaining to termination date of sales tax. (To extend the City Sales Tax for economic development and city infrastructure fifteen (15) years to coincide with the Menard's Tax Increment Financing District), had its second reading. Seconded by Council Member Gumke. Roll Call No. 4 showed: 4 ayes, 1 nay (Buchanan), 0 absent. Carried.

Ordinance No. 1449, introduced by Council Member Kourajian, to amend and re-enact Section 25.5-38 of the Code of the City of Jamestown pertaining to termination date of use tax imposed for school bond issue, had its second reading. Seconded by Council Member Brubakken. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the request from El Zagal Jamestown Clowns for a site authorization at Stutsman Harley Davidson on June 20, 2015. Seconded by Council Member Buchanan. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve Change Order No. 1, to Northern Excavating, Inc., for construction on Phase II, McElroy Addition Development Project, for a net increase in the contract price of \$395.00. Seconded by Council Member Gumke. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 2 & Final, to Northern Excavating, Inc., for construction on Phase II, McElroy Addition Development Project, in the amount of \$120,655.37. Seconded by Council Member Brubakken. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 1 & Final (Invoice 20228) to McFarlane, Inc., for the Fire Hall Roof Venting, in the amount of \$30,776.50. Seconded by Council Member Kourajian. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to approve and authorize the purchase of a 2006 Freightliner Day Cab semi-tractor for the Wastewater Treatment Facility, from Trucks of Bismarck, Inc., in the amount of \$29,500.00. Seconded by Council Member Gumke. Roll Call No. 10 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