

JAMESTOWN CITY COUNCIL
REGULAR MEETING, AUGUST 3, 2015
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 Ryan, City Engineer Schwartzkopf and City Administrator Fuchs.

Council Member Buchanan moved to approve the minutes of the regular council meeting, July 6, 2015; minutes of the special council meeting, July 21, 2015; minutes of the committee meetings, July 21 & 23, 2015. Seconded by Council Member Gumke. Unanimous aye. Carried.

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

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

- A. Resolution to re-affirm pledges of deposit as follows: Unison Bank - \$14,790,460.35; Wells Fargo Bank - \$15,742,697.80.
- B. Resolution to approve and authorize the JSDC to enter into a short term lease agreement, with an option to renew, to provide office space at the Center for Economic Development.
- C. Resolution to approve and authorize the JSDC to enter into a short term lease agreement, with an option to renew, to provide an 80 acre parcel in Spiritwood Township for use in providing a crew camp.
- D. Resolution to approve and authorize the JSDC to request a change in zoning on the JSDC Spiritwood Township property for the E ½ of Section 28-140-62 from Agricultural to Industrial.
- E. Resolution to approve the 2016 JSDC Budget Request.
- F. Resolution to approve the request from John and Susan Greenwood for Renaissance Zone incentives by providing 5 years of property tax exemption and to request the ND State Tax Department to grant 5 years of State income tax exemption for the purchase of a residence on Lot 8, Block 1, Lindberg Addition.
- G. Resolution to approve and authorize the sale of Lot 10, Block 2, Homestead Addition, to Brian H. & Erin S. Paulson for \$500.00 plus delinquent general taxes(\$421.29) and remaining special assessments(\$1,378.84) for a total amount of **\$2,300.13**.
- H. Resolution to approve the City/County Jail Committee's Architectural Services Jail Study budget amount of \$60,000, with the City/County Share of the cost to be 50%-50%.
- I. Resolution to approve the Final Draft of the 2015 Land Use and Transportation Plan, dated July 22, 2015, for the City of Jamestown.
- J. Resolution to approve Payment No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #15-41, in the amount of \$194,248.54.
- K. Resolution to approve Payment No. 1 (Inv 1517.01-1), to Artekta, for services on the Fire Hall Cold Storage Bay Conversion to Heat Project, in the amount of \$1,951.20.

- L. Resolution to approve Payment No. 1 (Inv 447765-H), to HDR Engineering, Inc., for services on the Jamestown Sanitation Utility Operational Analysis & Report, in the amount of \$8,445.03.
- M. Resolution to approve Payment No. 2 (Inv 451267-H), to HDR Engineering, Inc., for services on the Jamestown Sanitation Utility Operational Analysis & Report, in the amount of \$3,828.76.
- N. Resolution to approve Payment No. 3 (Inv 44112), to AE2S, for engineering services on Baler Facility Repair and Assessment, in the amount of \$1,185.00.
- O. Resolution to approve Payment No. 5 (Inv 08387.01-5), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, Amendment No. 2, in the amount of \$10,908.21.
- P. Resolution to approve Payment No. 19 (Inv No. 43958), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- Q. Resolution to approve Payment No. 19 (Inv No. 43959), to AE2S, for On Call engineering services, in the amount of \$70.00.
- R. Resolution to approve Payment No. 14 (Inv 23984), to Interstate Engineering, Inc., for engineering services on the Sanitary Landfill Expansion, in the amount of \$3,130.50.
- S. Resolution to approve Payment No. 15 (Inv 23983), to Interstate Engineering, Inc., for engineering services on Water System Improvements to serve City Water to GRE, in the amount of \$3,250.50.
- T. Resolution to approve Payment No. 72 (Inv 23985), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$185.00.
- U. 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.
- V. Resolution to allow the July indebtedness in the amount of \$1,878,082.39 consisting of \$471,250.40 payroll and \$1,406,831.99 general obligations.

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

Council Member Gumke moved a Resolution to approve and authorize the issuance of improvement warrants and exchanging them for \$1,975,000.00 Refunding Improvement Bonds of 2015, Series Z, and awarding the sale of \$1,975,000.00 Refunding Improvement Bonds to Raymond James & Associates, Inc., for the purchase price of \$2,006,443.10 at an average annual net interest rate of 1.5628%. Seconded by Council Member Buchanan. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held to receive public input relative to a five year extension of the Renaissance Zone District incentives. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Gumke moved a Resolution to approve and authorize requesting approval of a five (5) year extension to the Jamestown Renaissance Zone District incentives from the ND Department of Commerce. Seconded by Council Member Brubakken. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held to receive public input relative to the request from the James River Valley Library System for a "Certification of Significant Community Support" concerning a USDA-Rural Development Grant to replace the Book Mobile.

Roger Parsons, JRVLS Board Member, and Bill Kennedy, JRVLS Development Director, appeared before the City Council to request support for the grant.

Council Member Kourajian moved Resolution to approve a “Certification of Significant Community Support” for the James River Valley Library System to accompany their Community Facilities Grant application to the USDA-Rural Development, in the amount of \$41,259.00, for a new Book Mobile to replace the current eighteen year old vehicle. Seconded by Council Member Brubakken. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve the request from the Jamestown Bus Stop, Inc., for \$5,000 to provide water, sewer and restroom fixtures in the proposed bus depot in the 100 Block on 2nd Avenue SE. Seconded by Council Member Gumke.

Council Member Kourajian informed the Council he would abstain from voting as he is involved with the Jamestown Bus Stop, Inc.

Roll Call No. 5 on the Resolution showed: 4 ayes, 0 nays, 0 absent, 1 abstention. Carried.

A public hearing was held concerning an update of plan requirements according to Section 5.4.3 of Appendix C, for Lot 1, Block 1, Eventide Addition.

Council Member Buchanan indicated that he would request permission to abstain from discussion and voting as he has done legal work in the past on behalf of Eventide.

Council Member Gumke moved to allow Council Member Buchanan to abstain. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Brian Berg, Zerr Berg Architects, appeared to discuss the project. He indicated that the boundary line on the plan drawings is intended for lease agreement purposes with the developer for financing the project and that no ownership changes were being planned for the project. He further indicated that in response to neighborhood concerns, a deeper buffer for the parking lot on the southeast corner will be provided and a designated right turn only traffic corridor would be constructed to require all traffic exiting the parking lot heading down the hill to the west.

Joel Traiser, 1321 2nd St SE, appeared and indicated that he appreciates that Eventide has made an effort to meet with the neighbors; however, was still concerned whether the project meets the required minimum acreage for consideration; that the parking lot includes more parking spaces than required; and the staff reports show that the plan is using existing curb cuts for the parking lot.

Doug Thingstad, 1202 2nd St SE, appeared to express his concerns with traffic generated by Eventide as it was a 24 hour operation and the potential for increased litter with the infringement of more traffic as a result of the proposed location of the parking lot.

Council Member Brubakken moved to table an update of plan requirements according to Section 5.4.3 of Appendix C, for Lot 1, Block 1, Eventide Addition. Seconded by Council Member Kourajian. Voice vote showed: 4 ayes, 0 nays, 0 absent, 1 abstention. Carried.

Council Member Buchanan moved to table, pending City Attorney opinion, the second reading of Ordinance No. 1461, to create and enact Article V of Section 25.5 of the City Code pertaining to a City Sales Tax for the Two Rivers Activity Center (TRAC) Bond Issue. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Ordinance No. 1462, introduced by Council Member Brubakken, to amend and re-enact Section 6 of Appendix B of the City Code pertaining to filing fees for preliminary plats, had its second reading. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to amend and re-enact Ordinance No. 329 of the City Code to amend the District Map to change the zoning of the proposed Lots 1-5, Block 1, and Lots 1-4, Block 2, Dakota Acres First Subdivision, from A-1 and R-1 to R-1 and for the proposed Lots 1-3, Block 3, Dakota Acres First Subdivision, from P-O-C and R-1 to R-1. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1463, introduced by Council Member Gumke, to amend and re-enact Ordinance No. 329 of the City Code to amend the District Map to change the zoning of the proposed Lots 1-5, Block 1, and Lots 1-4, Block 2, Dakota Acres First Subdivision, from A-1 and R-1 to R-1 and for the proposed Lots 1-3, Block 3, Dakota Acres First Subdivision, from P-O-C and R-1 to R-1, had its second reading. Seconded by Council Member Brubakken. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1465, introduced by Council Member Kourajian, to amend and re-enact Section 15-42 pertaining to group day care facilities, had its second reading. Seconded by Council Member Buchanan. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1466, introduced by Council Member Brubakken, to amend Appendix C of the City Code to remove the authority granted to the Board of Adjustments under Section 10. (E.) 4 pertaining to varying the requirement of parking spacing required under Section 7, and that the authority be granted to the Planning Commission, died for lack of a second.

Jerry D'Amour, appeared before the City Council to request the Street Department to clean the 12th Avenue SE grate at the oxbow on a weekly basis.

Council Member Buchanan moved to appoint Paulette Ritter to serve as a member of the Planning Commission for a term to expire August 2020. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to establish the filing fee for preliminary plats pertaining to Section 6 of Appendix B of the City Code, in the amount of \$200.00. Seconded by Council Member Gumke. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the plat of Marjo Second Addition. Seconded by Council Member Brubakken. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Clarice Liechty, 511 8th St SW, appeared to ask questions on the funding relative to the proposed routing of a roadway and utilities connecting the Jamestown Regional Medical Center (JRMC) roadway to the Menard's roadway.

Council Member Gumke moved a Resolution to approve the concept illustration provided by Interstate Engineering, Inc., of the proposed routing of a roadway and utilities connecting the Jamestown Regional Medical Center (JRMC) roadway to the Menard's roadway. Seconded by Council Member Kourajian. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

KATIE ANDERSEN, Mayor