

JAMESTOWN CITY COUNCIL
REGULAR MEETING, APRIL 4, 2016
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, and City Administrator Fuchs.

Council Member Brubakken moved to approve the minutes of the regular council meeting, March 7, 2016; special council meeting, March 10, 2016; and minutes of the committee meetings, March 22 and March 24, 2016. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

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

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

- A. Resolution to deny the request for abatement from W2005/Fargo Hotels (Pool C) Realty, LP (Comfort Inn) on Lot 2, Block 3, Wagon Master's Addition by reducing the true & full value for 2015 from \$1,725,580 to \$934,560.
- B. Resolution to approve of the Jamestown/Stutsman Development Corporation 3 Year Strategic Plan.
- C. Resolution to approve a Future Land Use Plan amendment on Lot 1, Block 2, Mill Hill 2nd Addition, from Commercial to Medium Density Residential.
- D. Resolution to accept the proposal from Coca Cola and to enter into an agreement for Coca Cola to be the soft drink vendor for the Civic Center.
- E. Resolution to accept the affidavit from Raeann Rodacker that Check No. 7010 (Unison Bank), dated January 27, 2016, in the amount of \$1,600.00, has been lost or destroyed and authorize the issuance of a duplicate.
- F. Resolution to deny the request from Troy Gunderson, Youth for Christ, 202 4th Avenue SE, for drainage concerns he has in the alley to be resolved at City expense.
- G. Resolution to approve the request from Jamestown Middle School – Omega House to implement their Storm Drain Stenciling Project on May 15, 2015, with the City providing up to \$500 to cover expenses.
- H. Resolution to approve Payment No. 2 (Inv 08387.02-2), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, Amendment No. 3, in the amount of \$6,226.95.
- I. Resolution to approve Payment No. 8 (Inv 47326), to AE2S, for engineering services on Jamestown Stormwater Utility Creation, in the amount of \$3,409.75.
- J. Resolution to approve Payment No. 14 (Inv 4830), to Apex Engineering Group, Inc., for Jamestown Wastewater Consulting Services (Cavendish), in the amount of \$2,488.56.
- K. Resolution to approve Payment No. 26 (Inv No. 47256), to AE2S, for On Call engineering services, in the amount of \$72.00.

- L. Resolution to approve Payment No. 26 (Inv 47255), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- M. Resolution to approve Payment No. 18 (Inv 26575), to Interstate Engineering, Inc., for engineering services on the Sanitary Landfill Expansion, in the amount of \$5,827.50.
- N. Resolution to approve Payment No. 93 (Inv 26571), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$2,311.50.
- O. Resolution to approve Payment No. 94 (Inv 26572), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$3,467.50.
- P. Resolution to approve Payment No. 95 (Inv 26573), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$1,644.00.
- Q. Resolution to approve Payment No. 96 (Inv 26574), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$1,957.00.
- R. 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.
- S. Resolution to allow the March indebtedness in the amount of \$2,078,902.20 consisting of \$508,497.84 payroll and \$1,570,404.36 general obligations.
- T. To approve the following Resolutions pertaining to Sanitary Sewer & Water District #16-31 & 16-61 (200 Block of 3rd Street NW):
 - 1) To set up and establish the district.
 - 2) To direct the Interstate Engineering, Inc., to prepare a report of the general nature, purpose and feasibility, and an estimate of costs for the district.
 - 3) To direct the Interstate Engineering, Inc., to prepare plans and specifications for construction of the district.
 - 4) To accept and approve the plans and specifications, as prepared by the Interstate Engineering, Inc., for construction of the District.
 - 5) To direct the City Administrator to advertise for bids for construction of the district.
- U. To approve the following Resolutions pertaining to SW Water Main Replacement District #16-62 (Approximately 10 Blocks located on 5th Avenue SW, 15th Street SW and 16th Street SW):
 - 1) To set up and establish the district.
 - 2) To direct Interstate Engineering, Inc., to prepare a report of the general nature, purpose and feasibility, and an estimate of costs for the district.
 - 3) To direct the Interstate Engineering, Inc., to prepare plans and specifications for construction of the district.
 - 4) To accept and approve the plans and specifications, as prepared by the Interstate Engineering, Inc., for construction of the District.
 - 5) To direct the City Administrator to advertise for bids for construction of the district.

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

Mayor Andersen moved a Resolution to approve the revised Job Description for the City Engineer position, as amended March 24, 2016. Seconded by Council Member Gumke. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to accept the complaint filed by Joseph F. Larson II against Police Chief Scott Edinger; to appoint Council Member Brubakken and Human Resource Officer Sveum to investigate the matter and report back to the committee or City Council; and to accept the report filed with the City Council and accept findings that the documentation provided does not support the allegations made by Mr. Larson against Police Chief Edinger; and do not find that there was an effort to cover-up information relative to the Call For Service on March 15, 2015, and additionally there is no documentation to support the allegation that Police Chief Edinger violated the Peace Officers Code of Conduct or the Peace Officer Oath. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning Seal Coat, Patching, Construction and Reconstruction District #16-41 protests and the sufficiency thereof. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Brubakken moved a Resolution that the protests have been found to be insufficient to bar proceeding with Seal Coat, Patching, Construction and Reconstruction District #16-41. Seconded by Council Member Gumke. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved to table entering into the Joint Powers Agreement with the Jamestown Park District relative to the 1% City Sales Tax for the construction of the TRAC Facility. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved to introduce ordinances granting continued franchise agreements to the following utilities whose franchises have expired: Cable Services, Inc., CenturyLink; and Dakota Central Telecommunications.

Ordinance No. 1472, introduced by Council Member Buchanan, to enact Section 6.7 of Appendix C pertaining to traffic impact studies; and to amend Section 9 of Appendix B pertaining to preliminary plat items and to amend Section 11 of Appendix C pertaining to amendment process, had its second reading. Seconded by Council Member Kourajian.

Discussion was held as to the possible effect the ordinance would have on new developments.

Council Member Buchanan moved to amend Section 6.7, B(i) and B(ii) of the ordinance. The motion died for lack of a second.

Roll Call No. 5 on the original motion showed: 1 aye (Buchanan), 4 nays, 0 absent. Motion failed.

Ordinance No. 1473, introduced by Council Member Kourajian, to amend and re-enact Section 15-42 of the City Code pertaining to the definition of Group day care home or preschool facility, had its second reading. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Becky Thatcher-Keller, Jamestown Chamber of Commerce Executive Director, appeared before the Council to request the status of the Solid Waste Study Report and on the City Beautification Committee concerns with certain properties located in the City.

The Council indicated the Solid Waste Study Report would be discussed at the April Public Works Committee meeting and the City Beautification Committee concerns have been checked and follow-up continues on some by the Police Department.

Mayor Anderson moved to appoint Jay Marie Nitschke to serve as a member of the James River Valley Library System Board with a term to expire March 2019. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Anderson moved to appoint James Weight to serve as a member of the Fire Code Board of Appeals with a term to expire November 2018. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to recognize the Justin Williams Benefit as an other public spirited organization and to authorize the issuance of a Raffle Permit on April 16, 2016, at the Knights of Columbus. Seconded by Council Member Gumke. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to recognize the Stutsman County Memorial Museum as an other public spirited organization and to authorize the issuance of a Charity Local Permit on April 16, 2016, at the Quality Inn & Suites(Banquet Rooms). Seconded by Council Member Brubakken. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to recognize the Megan Dewald Benefit as an other public spirited organization and to authorize the issuance of a Raffle Permit on April 20, 2016, at the Knights of Columbus. Seconded by Council Member Kourajian. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve a Resolution to designate May 2 – 7, 2016, as City Clean-Up Week. Seconded by Council Member Brubakken. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to approve a Letter of Support for SkyWest Airlines to be selected as the Essential Air Service for the Jamestown and Devils Lake Airports. Seconded by Council Member Gumke. 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