

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JUNE 6, 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 Buchanan moved to approve the minutes of the regular council meeting, May 2, 2016; special council meeting, May 24, 2016; and minutes of the committee meetings, May 24 and 26, 2016. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

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

- A. Resolution to establish an ad hoc committee made up of representatives of City Council (Brubakken and Buchanan), Police, Fire, and Building Inspection Departments to review Article IV of Chapter 9 of the City Code pertaining to dangerous buildings, along with codes from other communities, and report back to the Finance & Legal Committee any recommendations for amendment.
- B. Resolution to approve the “Corrected Final Special Assessments” for District #14-42, #14-61 & #14-31 showing the proper developer’s fee credits for Lots 3 thru 7, Block 2, McElroy Addition.
- C. Resolution to approve the request from Carol Wiest, 1714 6th Avenue NE, for a 6 foot variance to the 25 foot front yard setback requirement for buildings which had previously been denied by the Board of Adjustments to allow the construction of a 5 foot by 6 foot front entryway.
- D. Resolution to approve the request from the Corner Bar for a permit to conduct a street dance on 2nd Street SW, on Saturday June 11, 2016.
- E. Resolution to deny the request to purchase a portion of City right-of-way east of 1010 19th St. NE.
- F. Resolution to approve the request from Jamestown Regional Airport for a loan from the City for up to 50% of \$126,000 for five (5) years for the purchase of a Jet way passenger-boarding bridge for the airport.
- G. Resolution to approve the request for the City to participate as the authorizing unit of government to make application on behalf of Jamestown Regional Medical Center for a Sexual Assault Nurse Examiners (SANE) Program Grant, in the amount of \$12,785.00.
- H. Resolution to refer consideration of the renewal of the City of Jamestown and Jamestown (Buffalo City) Tourism Agreement to the meetings dealing with the Annual City Budget.
- I. Resolution to renew the land lease with Jamestown Tourism and for the term of the lease to coincide with the term of the Jamestown Tourism Agreement.
- J. Resolution to approve the Jamestown Capital Construction Grant Application Guidelines as presented by Jamestown Tourism.

- K. Resolution to allow expenditure of Visitors Promotion Capital Construction Funds upon grant approval, subject to funds on hand in the Fund.
- L. Resolution to have Interstate Engineering, Inc., assess the drainage in the alley behind The Youth for Christ property in the 200 Block of 4th Avenue SE, to determine what corrective measures might be made to improve the drainage.
- M. Resolution to approve suspending all shooting at the range until needed work and improvements have been identified and work completed.
- N. Resolution to have Interstate Engineering, Inc., assess the roadway and drainage on a portion of 26th Street in the I-94 Business Park to determine what improvements might be made to improve the drainage from the roadway to adjoining properties.
- O. Resolution to authorize entering into an agreement with Interstate Engineering, Inc., to provide Basic Preliminary Design Services and Special Services to allow for potential construction of 23rd St SW from Menards to the Jamestown Regional Medical Center.
- P. Resolution to grant the request from three homeowners in the 200 Block of 14th Avenue NE for permission to plant grass after removal of damaged sidewalk.
- Q. Resolution to approve Payment No. 2 (AE2S Inv 48288), to Stutsman County Water Resource Board (per Enterprise Agreement), for work completed by AE2S on the Jamestown Stormwater Master Plan Study, in the amount of \$40,000.00.
- R. Resolution to approve Payment No. 4 (Inv 08387.02-4), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, Amendment No. 3, in the amount of \$7,885.73.
- S. Resolution to approve Payment No. 5 (Inv 5), to WSB & Associates, Inc., for engineering services on the 1.5MG Elevated Water Tower Rehabilitation, in the amount of \$586.50.
- T. Resolution to approve Payment No. 5, to Scherbenske, Inc., for construction on Sanitary Landfill West Half of Cell 3B, in the amount of \$8,403.88.
- U. Resolution to approve Payment No. 9 (Inv 48075), to AE2S, for engineering services on Jamestown Stormwater Utility Creation, in the amount of \$1,734.75.
- V. Resolution to approve Payment No. 10 (Inv 480579-H), to HDR Engineering, Inc., for services on the Jamestown Sanitation Utility Operational Analysis & Report, in the amount of \$4,244.80.
- W. Resolution to approve Payment No. 16 (Inv 5007), to Apex Engineering Group, Inc., for Jamestown Wastewater Consulting Services (Premier Industry), in the amount of \$593.00.
- X. Resolution to approve Payment No. 27 (Inv No. 48041), to AE2S, for On Call engineering services, in the amount of \$542.55.
- Y. Resolution to approve Payment No. 28 (Inv 48040), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- Z. Resolution to approve Payment No. 1 (Inv 27279), to Interstate Engineering, Inc., for engineering services on 5th Street NE (12th Ave to 27th Ave NE), Paving Improvements District #16-42, in the amount of \$1,760.00.

- AA. Resolution to approve Payment No. 1 (Inv 27278), to Interstate Engineering, Inc., for engineering services on 5th Street NE (12th Ave to 27th Ave NE), Sanitary Sewer, Storm Sewer and Water Improvements District #16-42, in the amount of \$2,517.50.
- BB. Resolution to approve Payment No. 2 (Inv 27276), to Interstate Engineering, Inc., for engineering services on Sewer & Water District #16-31 & 16-61 (200 Blk/3rd St NW), in the amount of \$565.00.
- CC. Resolution to approve Payment No. 2 (Inv 27277), to Interstate Engineering, Inc., for engineering services on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$10,281.44.
- DD. Resolution to approve Payment No. 9 (Inv 27275), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill West Half of Cell 3B, in the amount of \$116.88.
- EE. Resolution to approve Payment No. 9 (Inv 27274), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Expansion Permitting, in the amount of \$7,640.00.
- FF. Resolution to approve Payment No. 19 (Inv 27273), to Interstate Engineering, Inc., for engineering services on the Sanitary Landfill Expansion, in the amount of \$5,701.50.
- GG. Resolution to approve Payment No. 101 (Inv 27280), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$8,722.76.
- HH. Resolution to approve Payment No. 102 (Inv 27281), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$4,446.60.
- II. Resolution to approve Payment No. 103 (Inv 27283), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$450.00.
- JJ. Resolution to approve Payment No. 104 (Inv 27282), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$725.00.
- KK. Resolution to approve Payment No. 105 (Inv 27284), to Interstate Engineering, Inc., for engineering services on various City Department consultations (SolidWaste), in the amount of \$4,560.12.
- LL. 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.
- MM. Resolution to allow the May indebtedness in the amount of \$1,424,785.50 consisting of \$500,705.68 payroll and \$924,079.82 general obligations.
- NN. Resolution to approve Payment No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #16-41, in the amount of \$124,006.65.

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 special assessment list for Seal Coat, Patching, Construction and Reconstruction District #15-41. No one appeared to object and no written protests were received.

Council Member Gumke moved a Resolution to approve the special assessments for Seal Coat, Patching, Construction and Reconstruction District #15-41, in the total amount of \$1,751,659.36, with the City Share to be \$422,408.51, with the balance of \$1,329,250.85 to be assessed to benefited properties within the district. Seconded by Council Member Brubakken. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved to table the request, pending additional information needed for the application, from Joel Onsurez, for Renaissance Zone approval for improvements of the property at 104 3rd Street SE (Lot 1 and North 49.7' of Lot 2, Block 46, Klaus Addition) and to provide for a five (5) year property tax exemption and to recommend the State grant a five (5) year ND State Income Tax exemption. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to approve the Request for Proposals for Residential Recycling Collection Service. Seconded by Council Member Buchanan. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code to amend the District Map to change the zoning of Lot 1, Block 2, Mill Hill 2nd Addition, from C-2 (General Commercial District) to R-4 (Planned Residence District) for the proposed Lots 1-7, Block 1, Sumac Ridge Addition, a replat of a portion of Lot 1, Block 2, Mill Hill 2nd Addition.

Ordinance No. 1474, introduced by Council Member Gumke, to grant a continued franchise agreement to Cable Services, Inc., had its second reading. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1476, introduced by Council Member Gumke, to grant a continued franchise agreement to Dakota Central Telecommunications, had its second reading. Seconded by Council Member Brubakken. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Clarice Liechty, 511 8th St SW, appeared before the City Council to encourage officials from the City and Woodbury Township to review and consider updates to (37th St SE) roadway, as it could serve as an additional access to the Jamestown Regional Medical Center during periods of I-94/Exit 256 blockage by traffic with large equipment.

K. C. DeBoer, JRMC, stated he was not in opposition; however, the roadway would need year-round roadway maintenance.

Jessica Tripp and Brenda Munson, appeared before the Council to check the status of the roadway vacation adjacent to Lot 4, Block 2, and Lot 1, Block 3, Replat of Joos First Subdivision, which was tabled November 4, 2013. City Council will follow-up with the adjacent landowner/developer.

Council Member Buchanan moved to appoint Lynn Hill to serve as a member on the Shade Tree Committee for a three year term to expire April 2019. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Abbagail C. Geroux as Assistant City Prosecutor and Assistant City Attorney for a two year term to expire June 2018. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution designating the bridge crossing the James River at First Street West be known as the James A. (Jim) Carlascio Memorial Bridge. Seconded by Council Member Kourajian. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to approve the request from Stutsman Harley-Davidson for a dance permit on June 25 & August 27, 2016, in the parking lot at 2501 3rd Ave SW. Seconded by Council Member Gumke. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to not open the irregular bid received from TMI Coatings, Inc. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to award the bid for the 1.5MG Elevated Water Tower Rehabilitation (Cavendish) to Champion Coatings, Inc., in the amount of \$487,375.00, subject to approval by the North Dakota State Health Department. Seconded by Council Member Brubakken. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve entering into an engineering agreement with Interstate Engineering, Inc., for the Sanitary Sewer Raker System Improvements Project. Seconded by Council Member Gumke. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

KATIE ANDERSEN, Mayor