

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 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 Phillips, Gumke, Brubakken and Buchanan, Assistant City Attorney Geroux, and City Administrator Fuchs.

Council Member Gumke moved to approve the minutes of the regular council meeting, July 5, 2016; and the committee meetings, August 23 & 25, 2016. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

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

- A. Resolution to approve the Amendment to Real Estate Lease between the JSDC and Secretarial Solutions effective August 1, 2016.
- B. Resolution to approve the request from JSDC for \$7,992.90 from Economic Development Funds to reimburse the JSDC for 2015 Real Estate Taxes and Special Assessments paid on various properties, with the City Share to be \$6,414.83.
- C. Resolution to approve the request of Jamestown Tourism for permission to re-paint the Buffalo monument and to disburse \$8,500 from the Jamestown Tourism Capital Improvement Fund to cover the cost of the re-painting.
- D. Resolution to approve the request from Jamestown Tourism to establish a “feed the buffalo” collection box on the site of the monument.
- E. Resolution to approve the request from Jamestown Tourism for the City to create a dedicated fund for future maintenance and repair of the Buffalo monument.
- F. Resolution to place the \$429,250 Jamestown Tourism budget request into the 2017 Draft Budget.
- G. Resolution to authorize providing notice of the termination of the Rodeo Agreement between the Jamestown Civic Center and Roughrider Association, Inc., prior to October 1, 2016.
- H. Resolution to approve entering into a proposed engineering services agreement with Interstate Engineering, Inc., for Cell 4A Construction at the Municipal Solid Waste Landfill.
- I. Resolution to accept the proposal of Integrity and to purchase a Paste-Type Lime Slacker for the Jamestown Water Plant, in the amount of \$147,875, and to engage a contractor for the installation.
- J. Resolution to approve the 5th St NE Utilities Plans and Specifications and to authorize the advertisement for construction of the same.
- K. Resolution to approve the allocation of a 25% City Share to be used toward the construction of 20th Street SW roadway and incidentals from Menards to Jamestown Regional Medical Center.

- L. Resolution to authorize the renewal of the Joint Powers Agreement with the Jamestown Public School District No. 1 relative to a School Resource Officer for a period of five (5) years.
- M. Resolution to approve Payment No. 1, to Scherbenske Inc., for construction on Sewer & Water District #16-31 & 16-61 (200 Blk/3rd St NW), in the amount of \$53,841.21.
- N. Resolution to approve Payment No. 1, to Scherbenske Inc., for construction on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$288,504.23.
- O. Resolution to approve Estimate No. 4 to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #16-41, in the amount of \$139,267.36.
- P. Resolution to approve Payment No. 7 (Inv 08387.02-7), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, Amendment No. 3, in the amount of \$6,920.07.
- Q. Resolution to approve Payment No. 7 (Inv 7), to WSB & Associates, Inc., for engineering services on the 1.5MG Elevated Water Tower Rehabilitation, in the amount of \$697.00.
- R. Resolution to approve Payment No. 8 (Inv 8), to WSB & Associates, Inc., for engineering services on the 1.5MG Elevated Water Tower Rehabilitation, in the amount of \$2,685.34.
- S. Resolution to approve Payment No. 29 (Inv No. 49135), to AE2S, for On Call engineering services, in the amount of \$601.25.
- T. Resolution to approve Payment No. 31 (Inv 49134), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$1,918.70.
- U. Resolution to approve Payment No. 2 (Inv 28363), 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 \$5,365.70.
- V. Resolution to approve Payment No. 3 (Inv 28355), 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 \$1,147.50.
- W. Resolution to approve Payment No. 11 (Inv 28325), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Expansion Permitting, in the amount of \$217.50.
- 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 approve Payment No. 5 (Inv 28326), to Interstate Engineering, Inc., for engineering services on Sewer & Water District #16-31 & 16-61 (200 Blk/3rd St NW), in the amount of \$5,157.00.
- Z. Resolution to approve Payment No. 5 (Inv 28327), to Interstate Engineering, Inc., for engineering services on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$24,436.22.
- AA. Resolution to approve Payment No. 116 (Inv 28329), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$4,541.02.

- BB. Resolution to approve Payment No. 117 (Inv 28330), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$3,853.34.
- CC. Resolution to approve Payment No. 118 (Inv 28331), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$370.00.
- DD. Resolution to approve Payment No. 119 (Inv 28332), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$6,456.00.
- EE. Resolution to approve Payment No. 120 (Inv 28333), to Interstate Engineering, Inc., for engineering services on various City Department consultations (SolidWaste), in the amount of \$12,739.46.

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

Council Member Gumke moved a Resolution to move forward with formal acceptance of the JRMC roadway and utilities and to direct the City Attorney to prepare the appropriate documents for recording. Seconded by Council Member Buchanan. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve No Parking Zones along West Business Loop, 10th Street SE, and the East Business Loop. Seconded by Council Member Brubakken. Roll Call No. 3 showed: 3 ayes, 2 nays (Andersen & Buchanan), 0 absent. Carried.

Council Member Gumke moved a Resolution to allow the August indebtedness in the amount of \$5,432,053.22 consisting of \$507,464.62 payroll and \$4,924,588.60 general obligations. Seconded by Council Member Buchanan. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 3 (Inv 28328), to Interstate Engineering, Inc., for preliminary engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$1,487.50. Seconded by Council Member Phillips. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to authorize the issuance and sale of \$663,000 Water Treatment Revenue Bond, Series 2016C, for the 1.5MG Elevated Water Tower (Cavendish) Rehabilitation. Seconded by Council Member Brubakken. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to introduce the first reading of an ordinance pertaining to the appropriation of the General and Special Funds for the fiscal year January 1, 2017, through December 31, 2017.

Council Member Brubakken moved to introduce the first reading of an ordinance pertaining to the appropriation of the Revenue and Special Funds for the fiscal year January 1, 2017, through December 31, 2017.

Council Member Gumke moved to introduce the first reading of an ordinance to amend and re-enact Section 22-17(d) of the City Code pertaining to allowable fees for violation of a minor in the purchase or possession of tobacco products.

Council Member Buchanan moved to introduce the first reading of an ordinance to amend and re-enact Section 15-17 of the City Code pertaining to use of fire department equipment outside of the city by changing the wording to authorize the Fire Chief to allow the use upon providing notification to the Mayor and City Administrator.

A public hearing was held concerning an ordinance to amend and re-enact Ordinance 329 of the City Code by amending the District Map to change the zoning of a 4.47 acre parcel within Auditor's Lot 2 within the NW ¼ of Section 26 and the NE ¼ of Section 27, Township 140N, Range 64 W, from A-1 (Agricultural District) and M-1 (Limited Industrial and Manufacturing District) to M-1 (Limited Industrial and Manufacturing District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1478, introduced by Council Member Buchanan, to amend and re-enact Ordinance 329 of the City Code by amending the District Map to change the zoning of a 4.47 acre parcel within Auditor's Lot 2 within the NW ¼ of Section 26 and the NE ¼ of Section 27, Township 140N, Range 64 W, Midway Township, within the one mile extraterritorial area of the City of Jamestown, Stutsman County, ND, from A-1 (Agricultural District) and M-1 (Limited Industrial and Manufacturing District) to M-1 (Limited Industrial and Manufacturing District), had its second reading. Seconded by Council Member Gumke. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1479, introduced by Council Member Brubakken, to amend and re-enact Section 7 of Appendix B of the City Code pertaining to dedication of utility easements, had its second reading. Seconded by Council Member Gumke. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Becky Thatcher-Keller, Executive Director of Jamestown Chamber of Commerce, inquired on the status of a decision for a city recycling program, and requested the City Council consider holding committee meetings at 5:00 PM versus 4:00 PM. The recycling program will be discussed at the September 22nd Public Works Committee meeting and October 3rd City Council meeting.

Council Member Phillips moved to appoint Council Member Brubakken to serve as the City Council representative on the South Central Dakota Regional Council with a term to expire September 2018. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Nellie Degen, President—Frontier Village Association, updated the City Council on the Village and the concerns with a sink hole at the Village adjacent to roadway and are attempting to find resources for repairing the problem.

Council Member Gumke excused himself.

Council Member Buchanan moved a Resolution to approve the request to purchase a K9 for the Jamestown Police Department at an estimated cost of \$5,000.00 (purchase & training). Seconded by Council Member Phillips. Roll Call No. 9 showed: 4 ayes, 0 nays, 1 absent. Carried.

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

ATTEST:

JEFF FUCHS, City Administrator

APPROVED:

KATIE ANDERSEN, Mayor