

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, APRIL 3, 2017  
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, City Attorney Ryan, and City Administrator Fuchs.

Council Member Brubakken moved to approve the minutes of the regular council meeting, March 6, 2017; minutes of the special council meeting, March 23, 2017; and committee meetings, March 21 & 23, 2017. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

Bids were received for the sale of impounded/abandoned vehicles from Kim Carow and Timothy P. Kachel.

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

- A. Resolution to approve the request from JSDC for Economic Development Funds to reimburse expense for Spiritwood (Klose) property, in the amount of \$1,350, with the City share to be \$1,215 and paid from the City Sales Tax Fund.
- B. Resolution to approve the request from JSDC for Economic Development Funds to reimburse Economic Development Building loss, in the amount of \$8,264.25, with the City share to be \$7,437.83 and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from JSDC for Economic Development Funds for the UJ Entrepreneurship Center Grant, in the amount up to \$50,000 per year for three years, with the City Share to be up to \$40,000 per year for three years and paid from the City Sales Tax Fund.
- D. Resolution to approve the request from JSDC for Economic Development Funds for the Magnum LTL FlexPACE Amendment, for an additional \$13,000, with the City Share to be an additional \$10,400 and paid from the City Sales Tax Fund.
- E. Resolution to approve the proposed JSDC Unmanned Aerial System Incentive Program.
- F. Resolution to recognize the Order of Eastern Star as an other public spirited organization and to authorize the issuance of a raffle permit with the drawing to be held June 2, 2018.
- G. Resolution to approve a Land Use Plan Amendment for a portion of the NW<sup>1</sup>/<sub>4</sub> and NE<sup>1</sup>/<sub>4</sub> of Section 3, T139N, R64W from Business Park/Light Industrial, Park/Open Space/Recreation, Low Density Residential, Medium Density Residential, Civic/Institutional, and Commercial to Commercial.
- H. Resolution to authorize the Police Department to use up to \$12,850.00 in asset forfeiture funds to purchase sound suppressors for the department rifles for use at the City-County rifle range.
- I. Resolution to direct Interstate Engineering, Inc., to prepare a preliminary engineering report and cost estimate regarding the repair of the roadway/retaining wall at the Frontier Village.
- J. Resolution to approve the request from Jamestown Middle School – Omega House to implement their Storm Drain Stenciling Project on May 12, 2017, with the City providing up to \$500 to cover expenses.

- K. Resolution to approve the following Resolutions pertaining to 2017 Sidewalk, Curb & Gutter District #17-11: 1) To set up and establish the district; 2) To direct the City Engineer to prepare plans and specifications for the construction of the district; 3) To accept and approve the plans and specifications, as prepared by the City Engineer, for the construction of the District; and 4) To direct the City Administrator to advertise for bids for the construction of the district.
- L. Resolution to award the bid for the purchase of a New 4 WD Backhoe/Loader to RDO Equipment Co., in the amount of \$112,000.00 (with a guaranteed buyback in the amount of \$51,500.00, and included guaranteed maximum repairs 4500 hours or 6 years), less \$40,500.00 on the trade-in unit (2011 Case 580SN - 4WD Backhoe/Loader, SN: NBC545272), for a net bid price of \$71,500.00.
- M. Resolution to award the bid for the purchase of a New 3 CY – 4 Wheel Drive Loader to Ascendum Machinery, Inc., in the amount of \$157,288.00 (with a guaranteed buyback of \$105,000.00, and \$16,360.00 guaranteed maximum repairs 7500 hours or 6 years), and to turn back the 2011 Cat 928HZ loader (SN: CXXK01625) to Butler Machinery for the guaranteed buyback of \$70,000.00.
- N. Resolution to accept the petition received for street hard surfacing & related items to the alley located in the 900 Block between 3<sup>rd</sup> and 4<sup>th</sup> Avenue SE and to include the work as part of the Patching, Seal Coating, Construction & Reconstruction District No 17-41.
- O. Resolution to approve Payment No. 7 (Inv 52214), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$8,397.52.
- P. Resolution to approve Payment No. 14 (Inv 14), to WSB & Associates, Inc., for engineering services on the 1.5MG Elevated Water Tower Rehabilitation, in the amount of \$597.75.
- Q. Resolution to approve Payment No. 2 (Inv 08387.03-2), to SRF Consulting Group, Inc., for 2017 Jamestown Planning and Zoning Technical Services, in the amount of \$5,513.70.
- R. Resolution to approve Payment No. 36 (Inv 52090), to AE2S, for On Call engineering services, in the amount of \$977.50.
- S. Resolution to approve Payment No. 4 (Inv 30420), to Interstate Engineering, Inc., for engineering services on the Jamestown Sanitary Sewer Raker Facility Screening Report and Construction, in the amount of \$2,795.00.
- T. Resolution to approve Payment No. 8 (Inv 30419), to Interstate Engineering, Inc., for engineering services on 5<sup>th</sup> Street NE (12<sup>th</sup> Ave to 27<sup>th</sup> Ave NE), Sanitary Sewer, Storm Sewer and Water Improvements District #16-42, in the amount of \$1,306.94.
- U. Resolution to approve Payment No. 11 (Inv 30418), to Interstate Engineering, Inc., for engineering services on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$607.00.
- V. Resolution to approve Payment No. 153 (Inv 30421), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$2,837.50.
- W. Resolution to approve Payment No. 154 (Inv 30422), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$8,827.00.
- X. Resolution to approve Payment No. 155 (Inv 30424), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$1,416.00.

- Y. Resolution to approve Payment No. 156 (Inv 30423), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$3,127.00.
- Z. 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.
- AA. Resolution to allow the March indebtedness in the amount of \$4,989,973.03 consisting of \$533,186.61 payroll and \$4,456,786.42 general obligations.

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

A public hearing was held concerning Seal Coat, Patching, Construction and Reconstruction District #17-41 protests and the sufficiency thereof. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Gumke moved a Resolution that the protests have been found to be insufficient to bar proceeding with Seal Coat, Patching, Construction and Reconstruction District #17-41. Seconded by Council Member Phillips. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to direct the City Administrator to advertise for bids for the construction of Seal Coat, Patching, Construction and Reconstruction District #17-41. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid for the sale of impounded/abandoned 2003 Buick, LeSabre (VIN 1GHP52K534162029), to Kim Carow, in the amount of \$360.00. Seconded by Council Member Phillips. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to award the bid for the sale of impounded/abandoned 2003 Subaru, Forester (VIN JF1SG65663H720001), to Timothy P. Kachel, in the amount of \$1,957.00. Seconded by Council Member Gumke. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to introduce an ordinance to amend and re-enact Ordinance No. 329 of the City Code to amend the District Map to change the zoning of a portion of the NW<sup>1</sup>/<sub>4</sub> and NE<sup>1</sup>/<sub>4</sub> of Section 3, T139N, R64W from C-2 (General Commercial District) and A-1 (Agricultural District) to C-2 (General Commercial District).

A public hearing was held concerning the annexation of a tract of land located within the north half of Section 3, T139N, R64W, of the Fifth principal Meridian, being within the City of Jamestown, Stutsman County, North Dakota. (All property owned by John and Brenda Corell in the north half of Section 3, Township 139 North, Range 64 West, which has not previously been annexed, and all property within the Anne Carlsen Center 2<sup>nd</sup> Subdivision.) No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1492, introduced by Council Member Buchanan, to annex a tract of land located within the north half of Section 3, T139N, R64W, of the Fifth principal Meridian, being within the City of Jamestown, Stutsman County, North Dakota. (All property owned by John and Brenda Corell in the north half of Section 3, Township 139 North, Range 64 West, which has not previously been annexed, and all property within the Anne Carlsen Center 2<sup>nd</sup> Subdivision), had its second reading. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to re-appoint Neil ‘Tex’ Weatherly to serve as a member of the Shade Tree Committee for a three year term to expire April 2020. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Mayor Andersen moved to re-appoint Alicia Harstad to serve as the NDSU member of the Shade Tree Committee for a three year term to expire April 2020. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Eric M. Watne to serve as a member of the Special Assessment Commission for a six year term to expire April 2023. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Gumke moved to re-appoint the City Council to serve as members of the Storm Water Committee for a two year term to expire April 2019. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

Council Member Gumke moved to re-appoint the City Engineer, City Administrator, City Building Inspector, Engineering Technician II, Public Works Chairperson, Street Foreman and Street Equipment Operator III to serve as members of the Storm Water Sub-Committee for a two year term to expire April 2019. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to approve the plans & specifications and authorize the advertisement for bids for the construction of Cell 4A Sanitary Landfill Expansion. Seconded by Council Member Gumke. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve the sale of Lot 4, Block 1, I-94 Business Park Addition, in the amount of \$68,389.00, to Allen Enterprises, contingent upon a tenant signing a business lease. Seconded by Council Member Gumke. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve and authorize Interstate Engineering, Inc., to submit a grant application to the Garrison Diversion Conservancy District for funding to repair wall at Frontier Village. Seconded by Council Member Phillips. Roll Call No. 9 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