

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, JUNE 5, 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 Phillips moved to approve the minutes of the regular council meeting, May 1, 2017; and committee meetings, May 23 & 25, 2017. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

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

- A. Resolution to approve the request from JSDC for PACE Economic Development Funds for JK Holdings, LLC, in the amount of up to \$215,000, with the City Share to be \$172,000 and paid for from the City Sales Tax Fund.
- B. Resolution to approve the request from JSDC for Flex PACE Economic Development Funds for JK Holdings, LLC, in the amount of up to \$86,000, with the City Share to be \$68,800 and paid for from the City Sales Tax Fund.
- C. Resolution to approve request from the JSDC for a loan extension to Dunwoodie Developments extending the loan of \$121,305.76 at the original interest rate of 5%, with the first payment due February 1, 2017.
- D. Resolution to approve the request from JSDC to lease office space to the MN Soy Processors in the Center for Economic Development building at \$550 per month for eighteen months, with a month to month lease of \$575 at the conclusion of the original term.
- E. Resolution to approve the request from the JSDC for reimbursement for 2016 JSDC Real Estate & Special Assessment costs from Economic Development Funds, in the amount of \$7,261.42, with the City Share to be \$6,584.30 and paid from the City Sales Tax Fund.
- F. Resolution to approve the request from ASI Jamestown, Inc., for the City of Jamestown to act as the sponsoring unit of government for a Community Development Block Grant in the amount of \$94,000.
- G. Resolution to approve the request from James and Debra Schumacher, for a deferred special assessment on their property located in Section 30-140-63 Auditors Lot 30-02, for costs of roadway construction of 5<sup>th</sup> Street NE from 12<sup>th</sup> Avenue NE to 27<sup>th</sup> Avenue NE, for a period of five (5) years or development begins, whichever occurs earlier.
- H. Resolution to accept the offer of Monte D. Morast to purchase Lot 6, Block 1, Homestead Addition, in the amount of \$6,100, with the sale to be closed no sooner than ninety (90) days following receipt of the County Deed to the City.

- I. Resolution to recognize the Jennifer Lindsey Benefit as an other spirited organization and to authorize the issuance of a raffle permit with the drawing to be held July 11, 2017.
- J. Resolution to approve the request of Jamestown Tourism for up to \$8,000 from the Jamestown Tourism Capital Projects Fund for the construction and placement of a Buffalo Monument Donation Receptacle.
- K. Resolution to authorize Jamestown Tourism to place a Buffalo Monument Donation Receptacle on Block 15, Frontier Village Addition.
- L. Resolution to authorize the City Administrator and Tourism Director to establish a policy for the depositing of funds received in a Buffalo Monument Donation Receptacle into a separate city financial account, to be used for future maintenance and improvements to the buffalo monument.
- M. Resolution to request the City Attorney's Office proceed with obtaining a quit claim deed from the owner of 403 1/2 3<sup>rd</sup> Avenue NW, in order for the City to proceed with the demolition of the fire damaged structure which constitutes a dangerous building.
- N. Resolution to accept the Grant of Roadway Easement from Lutheran Charity Association d/b/a Jamestown Hospital for the south 30.50 feet of the east 890.00 feet of Lot 2, Block 1, Jamestown Hospital Healthcare Campus 2<sup>nd</sup> Addition, for the amount of \$27,145.00.
- O. Resolution to accept the Grant of Roadway Easement from Anne Carlsen Center for the south 10.50 feet of Lot 1, Block 1, Anne Carlsen Center 2<sup>nd</sup> Subdivision, for the amount of \$8,791.00.
- P. Resolution to reject all bids for the purchase of a New Snow Blower, amend the specifications, and to re-advertise for bids.
- Q. Resolution to approve the plans and specifications for the Raker Building Project.
- R. Resolution to approve the plans and specifications for the 2017 NW Water Main Replacement Project District 17-61 (11Blks).
- S. Resolution to establish a rate of \$78.50 per ton for municipal solid waste disposal at the Jamestown Municipal Waste Landfill, effective August 1, 2017.
- T. Resolution to approve Payment No. 1 (Inv 6368), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$7,932.00.
- U. Resolution to approve Payment No. 4 (Inv 08387.03-4), to SRF Consulting Group, Inc., for 2017 Jamestown Planning and Zoning Technical Services, in the amount of \$9,039.25.
- V. Resolution to approve Payment No. 7 (AE2S Inv 51626), 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 \$30,000.00.
- W. Resolution to approve Payment No. 9 (Inv 52918), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$4,674.25.
- X. Resolution to approve Payment No. 39 (Inv 52976), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.

- Y. Resolution to approve Payment No. 2 (Inv 30917), to Interstate Engineering, Inc., for engineering services on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$4,724.50.
- Z. Resolution to approve Payment No. 4 (Inv 30687), 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), Paving Improvements District #16-42, in the amount of \$147,236.34.
- AA. Resolution to approve Payment No. 6 (Inv 30696), to Interstate Engineering, Inc., for preliminary engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$168,704.68.
- BB. Resolution to approve Payment No. 13 (Inv 30910), to Interstate Engineering, Inc., for engineering services on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$594.90.
- CC. Resolution to approve Payment No. 163 (Inv 30911), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$2,257.65.
- DD. Resolution to approve Payment No. 164 (Inv 30912), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$1,362.00.
- EE. Resolution to approve Payment No. 165 (Inv 30915), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$7,850.00.
- FF. Resolution to approve Payment No. 166 (Inv 30916), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$1,214.00.
- GG. Resolution to approve Payment No. 167 (Inv 30913), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$1,181.00.
- HH. Resolution to approve Payment No. 168 (Inv 30914), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Storm Water), in the amount of \$1,507.50.
- II. 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.
- JJ. Resolution to allow the May indebtedness in the amount of \$1,872,740.88 consisting of \$510,765.49 payroll and \$1,361,975.39 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 authorize the issuance of a \$2,500,000 Definitive Improvement Warrant with an interest rate of 2% and a term of thirty (30) years to finance the construction and engineering costs on 5<sup>th</sup> St NE between 12<sup>th</sup> Ave NE and 27<sup>th</sup> Ave NE (Paving District #16-42).  
Seconded by Council Member Phillips. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to authorize the issuance of a \$3,347,000 Definitive Improvement Warrant with an interest rate of 2% and a term of thirty (30) years to finance the construction and engineering costs on 20<sup>th</sup> St SW from Menards to the JRMC (Paving District #16-43).  
Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve and authorize the issuance of improvement warrants and exchanging them for \$4,090,000.00 Refunding Improvement Bonds of 2017, Series AA, and awarding the sale of \$4,090,000.00 Refunding Improvement Bonds to Robert W. Baird & Company for the purchase price of \$4,140,364.70 at an average annual net interest rate of 1.670430%. Seconded by Council Member Gumke. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke 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 Approximately 5.3 acres, including Blocks 3, 4, and 5 of Mall Woods Addition, all being within the City of Jamestown, Stutsman County, North Dakota, from P-O-C (Public, Open Development and Conservation District) to C-2 (General Commercial District). The property is located at: 900 23rd St SW, 912 23<sup>rd</sup> St SW and 1024 23<sup>rd</sup> St SW.

Council Member Brubakken moved to introduce the first reading of an ordinance to amend and re-enact Chapter 16 of the City Code pertaining to Solid Waste Management.

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 a portion of Lot 1 within the NE ¼ of Section 26, Township 140N, Range 64W, Lands in Jamestown, property located at 901 4<sup>th</sup> Ave NW, consisting of 8.4 acres, from P-O-C (Park/Open Space/Recreation District) to R-1A (Single Family or Duplex Residential District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1494, introduced by Council Member Gumke, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lot 1 within the NE ¼ of Section 26, Township 140N, Range 64W, lying and being north of a line extended from the intersection of the south boundary line of 9th Street with the east boundary line of said lot westward to the middle of the James River at right angles with the east boundary line of said lot, Lands in Jamestown, consisting of 8.4 acres, from P-O-C (Park/Open Space/Recreation District) to R-1A (Single Family or Duplex Residential District), had its second reading. The property is located at 901 4<sup>th</sup> Ave NW. Seconded by Council Member Phillips. Roll Call No. 5 showed: 4 ayes, 1 nay (Buchanan), 0 absent. Carried.

Mayor Andersen moved to appoint Craig J. Olin to serve as a member of the Regional Airport Authority to fill the unexpired term of Brent Harris, December 2020. Seconded by Council Member Gumke. Voice vote showed: 4 ayes, 1 nay (Phillips). Carried.

Council Member Brubakken moved a Resolution to recognize the Jamestown Area Youth Baseball as an other spirited organization and to authorize the issuance of a calendar raffle permit with drawings to be held June 2017 thru August 2017. Seconded by Council Member Phillips. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to recognize the Jamestown Area Youth Softball as an other spirited organization and to authorize the issuance of a calendar raffle permit with the drawings to be held July 1 thru August 31, 2017. Seconded by Council Member Gumke. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 2 & Final, to Champion Coatings, Inc., for the 1.5MG Cavendish Water Tower Recoating and Repairs Project, in the amount of \$23,270.00. Seconded by Council Member Phillips. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to accept the Temporary Construction Easements for the 20<sup>th</sup> St SW from JRMC to Menards roadway construction from the following property owners: John A. Corell and Brenda J. Corell, in the amount of \$544.00; Liechty Associates, LLP, in the amount of \$292.00; Anne Carlsen Center, in the amount of \$76.00; and Lutheran Charity Association d/b/a Jamestown Hospital, in the amount of \$82.00. Seconded by Council Member Gumke. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to rescind Roll Call No. 6, dated May 1, 2017; reject all bids received; and re-advertise for the Cell 4A Liner & Cell 2/3 Partial Final Cover for the Jamestown Municipal Solid Waste Landfill. Seconded by Council Member Gumke. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to accept additional right-of-way for the 20<sup>th</sup> St SW from JRMC to Menards roadway, from the following property owners: Liechty Associates, LLP, in the amount of \$9,926.00; and John A. Corell and Brenda J. Corell, in the amount of \$42,773.67. Seconded by Council Member Phillips. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

JEFF FUCHS, City Administrator

APPROVED:

KATIE ANDERSEN, Mayor