

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, JULY 5, 2017  
UNOFFICIAL 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, June 5, 2017; and committee meetings, June 20 & 22, 2017. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

No bids were received for impounded/abandoned vehicles.

City Attorney Ryan updated the City Council on the status of unopened bids for city projects received on June 30, 2017. The documentation was received for the signatures on the bid bonds.

Council Member Buchanan moved to open bids received from Burski Excavating, Inc., for the REBID Cell 4A Liner Cell 2/3 Partial Final Cover Project; and from Fer-Pal Construction USA LLC for the 2017 NW Water Main Improvement Project. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

The bids were as follows: Burski Excavating, Inc., base bid in the amount of \$2,222,282.30, with an electrical deduct of \$55,000.00; and Fer-Pal Construction USA LLC, base bid in the amount of \$1,384,225.50. The bid awards will be discussed later in the meeting.

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

- A. Resolution to re-affirm pledges of deposit as follows: Unison Bank - \$13,102,388.71; Wells Fargo Bank - \$26,571,227.40.
- B. Resolution to approve the request from JSDC for \$3,200.00 from Economic Development Funds to update the JSDC Strategic Plan with the City Share to be \$2,560.00 and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from JSDC to relocate the public accesses to the western border of the east half of Section 28, or a portion of that Section, into the Spiritwood Energy Park.
- D. Resolution to adopt the following monthly rates for the City Blue Cross Blue Shield Group Health Insurance Plan for the 9/1/17 to 8/31/18 Plan Year:

	<u>City Share</u>	<u>Employee Share</u>	<u>Total</u>
Single Plan	\$595.37	-0-	\$595.37
Single Plus Dependent	\$735.92	\$280.24	\$1,016.16
Family Plan	\$876.95	\$611.54	\$1,488.49

- E. Resolution to eliminate the city policy requiring non-emergency City employees being required to live within Stutsman County.
- F. Resolution to approve the new Police Department Policy Manual prepared by Lexipol.

- G. Resolution to approve a Change Order No. 1, to Border States Paving, Inc., for a net increase in the contract price of \$5,148.45, on the JRMC/Menards 20<sup>th</sup> St SW Roadway Construction District 16-43, to allow placement of the final lift of pavement in the spring of 2018.
- H. Resolution to direct the City Engineer to obtain quotations for the replacement of the water main in the 1300 Block of 4<sup>th</sup> Street NE and to prepare a Change Order to the contract with Border States Paving, Inc., on the Seal Coat, Patching, Construction and Reconstruction District No. 17-41.
- I. Resolution to accept the Transportation Alternatives Safe Routes to Schools Project grant, to a maximum amount of \$276,953, for construction of sidewalks in the JHS, Gussner School and TRAC areas.
- J. Resolution to direct the City Administrator to enter into negotiations with Interstate Engineering, Inc., to provide engineering services for the Transportation Alternatives Safe Routes to Schools Project.
- K. Resolution to approve the request from the Arts Center to close 2<sup>nd</sup> St SW from 1<sup>st</sup> Avenue west to the alley from Friday, August 25<sup>th</sup> through Saturday August 26<sup>th</sup>, midnight.
- L. Resolution to continue working with Rehrig Pacific relative to the acquisition of waste carts for the conversion to automated pay as you throw garbage collection.

M. Resolution to establish the following monthly collection rates effective October 1, 2017:

			<u>Rate</u>
Residential	35	Gallon Cart	\$ 13.60
	65	Gallon Cart	\$ 15.70
	95	Gallon Cart	\$ 17.80
Multi-units		Each	\$ 14.70
Mobile Homes		Each	\$ 16.45

N. Resolution to establish the following disposal rates per ton at the Inert and Municipal Solid Waste Landfills effective August 1, 2017:

	<u>Rate</u>
Lime	\$ 35.00
Inert Waste	\$ 48.00
Mixed Waste	\$127.00

- O. Resolution to approve Estimate No. 1, to Border States Paving, Inc., for construction 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 \$208,926.95.
- P. Resolution to approve Estimate No. 1, to Border States Paving, Inc., for construction on 20<sup>th</sup> St SW roadway from Menards to Jamestown Regional Medical Center, in the amount of \$524,746.22.
- Q. Resolution to approve Estimate No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #17-41, in the amount of \$291,704.27.
- R. Resolution to approve Payment No. 1, to LD Concrete, for construction on 2017 Sidewalk, Curb & Gutter District #17-11, in the amount of \$7,454.25.

- S. Resolution to approve Payment No. 2 (Inv 6511), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$2,003.60.
- T. Resolution to approve Payment No. 5 (Inv 08387.03-5), to SRF Consulting Group, Inc., for 2017 Jamestown Planning and Zoning Technical Services, in the amount of \$3,061.40.
- U. Resolution to approve Payment No. 10 (Inv 53339), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$810.25.
- V. Resolution to approve Payment No. 37 (Inv 53432), to AE2S, for On Call engineering services, in the amount of \$2,310.75.
- W. Resolution to approve Payment No. 40 (Inv 53431), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- X. Resolution to approve Payment No. 5 (Inv 31242), 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 \$53,298.58.
- Y. Resolution to approve Payment No. 7 (Inv 31243), to Interstate Engineering, Inc., for preliminary engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$54,890.68.
- Z. Resolution to approve Payment No. 14 & Final (Inv 31241), to Interstate Engineering, Inc., for engineering services on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$660.30.
- AA. Resolution to approve Payment No. 169 (Inv 31244), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$2,250.00.
- BB. Resolution to approve Payment No. 170 (Inv 31246), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$5,299.00.
- CC. Resolution to approve Payment No. 171 (Inv 31247), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$3,525.00.
- DD. Resolution to approve Payment No. 172 (Inv 31249), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$1,652.50.
- EE. Resolution to approve Payment No. 173 (Inv 31248), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$1,843.00.
- FF. Resolution to approve Payment No. 174 (Inv 31251), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Storm Water), in the amount of \$130.00.
- GG. Resolution to approve Payment No. 175 (Inv 31250), to Interstate Engineering, Inc., for engineering services on various City Department consultations (SolidWaste), in the amount of \$1,924.00.
- HH. 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.

II. Resolution to allow the June indebtedness in the amount of \$2,512,322.36 consisting of \$511,462.54 payroll and \$2,000,859.82 general obligations.

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

Council Member Buchanan moved a Resolution to authorize the City Attorney to negotiate an agreement with Mark Goehner for the acquisition of Lot 1, Block 1, Marjo 1st Addition, by the deferment of special assessments on Lots 2, 3, 4 & 5, Block 1, Marjo 1st Addition, for the 5th St NE (12th to 27th Ave NE) Improvement District 16-42, and the City overseeing the drainage alterations needed to develop Lot 7, Block 1, Eastwood Estates Addition. Seconded by Council Member Brubakken. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held to receive public input relative to the request from the James River Valley Library System for a “Certification of Significant Community Support” concerning a USDA-Rural Development Grant to be used for renovation of Alfred Dickey Library.

Joe Rector, Library Director, appeared before the City Council to summarize the renovation plans for the Alfred Dickey Library which include roofing, sealing foundation, drain tile, new sign, LED lights, carpeting, wall covering and paint. The approximate cost of the project is \$550,000.00.

No one appeared to object and no written protests were received. The public hearing was closed.

Council Member Gumke moved a Resolution to approve and authorize a “Certification of Significant Community Support” for the James River Valley Library System to accompany their Community Facilities Grant application to the USDA-Rural Development, in the amount of \$86,392.50, for renovation of Alfred Dickey Library . Seconded by Council Member Phillips. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved to introduce the first reading of an ordinance to allow the sale of Growlers in on-sale alcohol establishments.

A public hearing was held concerning an ordinance to amend and re-enact Ordinance No. 329 of the City Code 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. No one appeared to object and no written protests were received. The public hearing was closed.

Ordinance No. 1495, 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 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), had its second reading. The property is located at: 900 23rd St SW, 912 23<sup>rd</sup> St SW and 1024 23<sup>rd</sup> St SW. Seconded by Council Member Phillips. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1496, introduced by Council Member Brubakken, to amend and re-enact Chapter 16 of the City Code pertaining to Solid Waste Management. Seconded by Council Member Buchanan. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid for Automatic Rake Bar Screen Improvements, Raker Building, to Swanberg Construction, Inc., in the amount of \$482,000.00, subject to North Dakota Health Department approval. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid for REBID Cell 4A Liner & Cell 2/3 Partial Final Cover, Jamestown Municipal Solid Waste Landfill, to Burski Excavating, Inc., in the amount of \$2,222,282.30, subject to North Dakota Health Department approval. Seconded by Council Member Buchanan. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid for 2017 NW Water Main Replacement District 17-61 (11 Blks), to Scherbenske, Inc., in the amount of \$1,222,524.00, subject to North Dakota Health Department approval. 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 petition from Jamestown Public Schools requesting that the Jamestown High School Parking Lot Seal Coat be removed from the Seal Coat, Patching, Construction and Reconstruction District No. 17-41 and replaced with a mill and overlay. Seconded by Council Member Gumke. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to approve Change Order No. 1, to Border States Paving, Inc., on Seal Coat, Patching, Construction and Reconstruction District No. 17-41, for an increase in the contract price of \$268,109.00. Seconded by Council Member Gumke. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to authorize the City Administrator to submit a SRF Clean Water application to the ND State Health Department and ND Public Finance Authority for the Automatic Rake Bar Screen Improvements, Raker Building Project. Seconded by Council Member Gumke. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the request from the Jamestown Hockey Booster Club, Inc. for a gaming site authorization at Shady's Gladstone Banquet Rooms on February 7, 2018. Seconded by Council Member Phillips. Roll Call No. 12 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to authorize the City Administrator to submit a SRF Drinking Water application to the ND State Health Department and ND Public Finance Authority for the 2017 NW Water Main Replacement Project. Seconded by Council Member Gumke. Roll Call No. 13 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

JEFF FUCHS, City Administrator

APPROVED:

KATIE ANDERSEN, Mayor