

JAMESTOWN CITY COUNCIL
REGULAR MEETING, AUGUST 7, 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, Assistant City Attorney Geroux, and City Administrator Fuchs.

Council Member Buchanan moved to approve the minutes of the regular council meeting, July 5, 2017; special council meeting, July 25, committee meetings, July 25 & 27, 2017, and Civil Service Commission minutes, July 27, 2017. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

A bid was received for an impounded/abandoned vehicle from Justin Liebig, in the amount of \$360.00, for a 1996 Toyota, Avalon.

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

- A. Resolution to approve the 2018 JSDC Budget.
- B. Resolution to direct the City Attorney's Office to research and propose amendments to clarify and revise Section 5-39 of the City Code pertaining to Temporary Alcohol Permits.
- C. Resolution to approve the City assuming the cost of all special assessments currently assessed and to be assessed on the current Lot 1, Block 1, Eastwood Estates Subdivision, as part of Paving District #16-42 in exchange for the deed of proposed Lot 1, Eastwood Second Subdivision (a replat of Lots 1 & 2, Block 1, Eastwood Estates Subdivision).
- D. Resolution to approve the request from Stutsman Harley-Davidson for a dance permit in the parking lot located at 2501 3rd Ave SW on September 9, 2017.
- E. Resolution to enter into an agreement with AE2S for the Development of Recruitment Materials and Facilitating a City Administrator Search.
- F. Resolution to approve the plat of Eastwood Second Subdivision, a replat of Lots 1 & 2, Block 1, Eastwood Estates Subdivision.
- G. Resolution to approve the proposed Planning Commission action items for 2017.
- H. Resolution to approve entering into Amendment No.1 to the Spiritwood Station Water Supply and Discharge Agreement between GRE, Stutsman Rural Water District and the City Of Jamestown.
- I. Resolution to create Northwest Water Rehabilitation District No. 17-61.
- J. Resolution to approve increasing the City Share Special Assessments amount on Northwest Water Rehabilitation District No. 17-61 to cover that portion of the district cost for the portions of river parallel to 1st Ave North and 11th Street NW where no lots are available to be assessed.
- K. Resolution to approve Change Order No. 2 to Border States Paving, Inc., on Seal Coat, Patching, Construction and Reconstruction District #17-41, for an increase in the contract price of \$29,336.00.

- L. Resolution to approve Estimate No. 2, to Border States Paving, Inc., for construction on 5th Street NE (12th Ave to 27th Ave NE), Paving Improvements District #16-42, in the amount of \$304,897.29.
- M. Resolution to approve Estimate No. 2, to Border States Paving, Inc., for construction on 20th St SW roadway from Menards to Jamestown Regional Medical Center, District #16-43, in the amount of \$33,519.28.
- N. Resolution to approve Estimate No. 2, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #17-41, in the amount of \$302,803.20.
- O. Resolution to approve Payment No. 6 (Inv 08387.03-6), to SRF Consulting Group, Inc., for 2017 Jamestown Planning and Zoning Technical Services, in the amount of \$2,537.97.
- P. Resolution to approve Payment No. 38 (Inv 53691), to AE2S, for On Call engineering services, in the amount of \$91.50.
- Q. Resolution to approve Payment No. 41 (Inv 53690), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- R. Resolution to approve Payment No. 2 (Inv 31691), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$34,204.42.
- S. Resolution to approve Payment No. 3 (Inv 31695), to Interstate Engineering, Inc., for engineering services on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$78,791.76.
- T. Resolution to approve Payment No. 6 (Inv 31696), to Interstate Engineering, Inc., for engineering services on the Jamestown Sanitary Sewer Raker Facility Screening Report and Construction, in the amount of \$48,491.43.
- U. Resolution to approve Payment No. 6 (Inv 31682), 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 \$42,158.72.
- V. Resolution to approve Payment No. 8 (Inv 31690), to Interstate Engineering, Inc., for engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$19,609.00.
- W. Resolution to approve Payment No. 176 (Inv 31683), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$5,829.60.
- X. Resolution to approve Payment No. 177 (Inv 31684), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$4,894.50.
- Y. Resolution to approve Payment No. 178 (Inv 31685), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$3,064.50.
- Z. Resolution to approve Payment No. 179 (Inv 31687), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$3,546.50.

- AA. Resolution to approve Payment No. 180 (Inv 31686), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$461.50.
- BB. Resolution to approve Payment No. 181 (Inv 31689), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Storm Water), in the amount of \$670.00.
- CC. Resolution to approve Payment No. 182 (Inv 31688), to Interstate Engineering, Inc., for engineering services on various City Department consultations (SolidWaste), in the amount of \$935.00.
- DD. 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.
- EE. Resolution to allow the July indebtedness in the amount of \$2,916,446.44 consisting of \$497,820.49 payroll and \$2,418,625.95 general obligations.
- FF. Resolution to accept the affidavit from Lindsay Stroh that Check No. 7137 (Wells Fargo Bank-MC), dated January 31, 2013, in the amount of \$200.00, has been lost or destroyed and authorize the issuance of a duplicate.

Seconded by Council Member Phillips. 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 #16-41. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Gumke moved a Resolution to approve the special assessments for Seal Coat, Patching, Construction and Reconstruction District #16-41, in the total amount of \$2,340,606.43, with the City Share to be \$577,322.15, with the balance of \$1,763,284.28 to be assessed to benefited properties within the district. Seconded by Council Member Phillips. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the special assessment list for Sewer & Water District #16-31 & 16-61. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Brubakken moved a Resolution to approve the special assessments for Sewer & Water District #16-31 & 16-61, in the total amount of \$80,126.92, with the City Share to be \$20,031.73, with the balance of \$60,095.19 to be assessed to benefited properties within the district. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the special assessment list for Southwest Water Main Replacement District #16-62. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Phillips moved a Resolution to approve the special assessments for Southwest Water Main Replacement District #16-62, in the total amount of \$1,132,630.48, with the City Share to be \$283,177.93, with the balance of \$849,452.55 to be assessed to benefited properties within the district. Seconded by Council Member Gumke. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to enter into a license agreement with Arvig Enterprises, Inc., to place 10,634 feet of conduit and fiber optic cable within the City right-of-way as specified in the license agreement with a term and consideration the same as current similar license agreement holders. Seconded by Council Member Gumke. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to award the bid for the purchase of a Case 721G, 3 CY – 4 Wheel Drive Loader, for the Street Department to Titan Machinery, in the amount of \$192,500.00, with a guaranteed buyback of \$113,544.00, guaranteed maximum repairs 7500 hours or 6 years, for a net bid price of \$78,956.00. The current unit, a 2011 Caterpillar, 928HZ Loader, VIN CXK01625, will return to Butler Machinery as a buyback, in the amount of \$70,000.00. Seconded by Council Member Brubakken. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to award the bid for the purchase of a Two (2) Stage Snow Blower, Larue, Model D-50, for the Street Department to Swanston Equipment Company, in the amount of \$104,900.00, less \$10,000.00 on the trade-in unit (1995 Sno-Go Klauer, Model #MP3594), for a net bid price of \$94,900.00. Seconded by Council Member Brubakken. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to introduce the first reading an ordinance to amend and re-enact Section 21-16-04.1(5) to require red reflectors on the front of trailers parked on city streets facing oncoming traffic.

Ordinance No. 1497, introduced by Council Member Phillips, to allow the sale of Growlers in on-sale alcohol establishments, had its second reading. Seconded by Council Member Brubakken. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to appoint Christina Gillingham to serve as a member of the Fire Code Board of Appeals for a term to expire November 2019. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

Council Member Brubakken moved to appoint Colleen Grenz to serve as a member of the Shade Tree Committee to fill the unexpired term of Liz Smith, April 2018. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to award the bid to Justin Liebig, in the amount of \$360.00, for a 1996 Toyota, Avalon, VIN 4T1BF12B0TU128632. Seconded by Council Member Brubakken. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the agreement with Jamestown Rodeo Finals Corporation, for use of the main arena at the Jamestown Civic Center, as printed. Seconded by Council Member Phillips. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

JEFF FUCHS, City Administrator

APPROVED:

KATIE ANDERSEN, Mayor