

JAMESTOWN CITY COUNCIL
REGULAR MEETING, MAY 7, 2018
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 was recited.

Roll Call showed the following members present: Mayor Andersen, Council Members Gumke, Phillips, and Buchanan, Assistant City Attorney Geroux, and City Administrator Hellekson. Absent: Council Member Brubakken.

Council Member Buchanan moved a Resolution to approve and authorize the issuance of improvement warrants and exchanging them for \$2,170,000.00 Refunding Improvement Bonds of 2018, Series AB, and awarding the sale of \$2,170,000.00 Refunding Improvement Bonds to Raymond James & Associates, Inc. for the purchase price of \$2,232,181.25 at an average annual net interest rate of 2.5832%. Mike Manstrom, Dougherty & Company, LLC, bond attorney, explained that the City of Jamestown has an exceptional AA3 Moody's rating, which attracted six bids. Seconded by Council Member Gumke. Roll Call No. 1 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Phillips moved to approve the minutes of the regular council meeting, April 2, 2018; Board of Equalization meeting, April 10, 2018; special council meeting, April 16, 2018; and committee meeting, April 26, 2018. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Buchanan moved to table the minutes of the committee meeting, April 24, 2018, until the next meeting. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

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

- A. Resolution to approve the requests for gaming site authorizations for the period July 1, 2018 – June 30, 2019, for the following:
 - 1) **James River Aerie #2337 FOE** for Frontier Fort Bar & Grill;
 - 2) **Knights of Columbus** for the Wonder Bar Sports Bar, Knights of Columbus, Corner Bar, Fred's Den, Tapps Lounge;
 - 3) **North Dakota Buffalo Foundation, Inc.** for the Elks Club;
 - 4) **Progress Enterprises** for Office Bar, Shady's, Buffalo Bar & Lounge and IDK Bar & Grill;
- B. Resolution to approve the request from the JSDC to approve 80% City and 20% County funding for the Jamestown Small Business Development Center 80% full-time equivalent position for a period of one year, in the annual amount of \$10,118 in Economic Development Funds, with the City share to be \$8,094, and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from JSDC to release the balance of the 2018 SCDRC dues in the amount of \$16,141, with the City share to be \$10,169, and paid from the City Sales Tax Fund.
- D. Resolution to approve the request from the JSDC for Economic Development Funds for the second year of the two-year Train ND project, in the amount of \$45,000, with the City share to be \$36,000 and paid from the City Sales Tax Fund.
- E. Resolution to approve the offer received from Anthony G. Hale to purchase Lot 25, Block 6, Residence Park Addition, in the amount of \$3,000.00, contingent upon the City surveying the lot prior to the sale, and that the unbuildable lot never be developed.

- F. Resolution to approve the request to replace the Police Department in-car computers in the amount of \$31,000.
- G. Resolution to approve rebidding and re-advertising for two new motor graders for the Street Department.
- H. Resolution to approve Change Order No. 1, to Northern Technologies, LLC, for the Monitoring Well System Upgrades, CWSRF #380808-08, balancing final increase of \$2,190.00.
- I. Resolution to approve Payment No. 2 & Final, to Northern Technologies, LLC, for Sanitary Landfill SW-213 Monitoring Well System Upgrades, in the amount of \$5,510.50.
- J. Resolution to approve Payment No. 3 (Inv 08387.04-03), to SRF Consulting Group, Inc., for 2018 Jamestown Planning and Zoning Technical Services, in the amount of \$7,335.48.
- K. Resolution to approve Payment No. 8 (Inv 7547), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$825.00.
- L. Resolution to approve Payment No. 47 (Inv 57559), to AE2S, for On Call engineering services, in the amount of \$260.75.
- M. Resolution to approve Payment No. 49 (Inv 57558), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- N. Resolution to approve Payment No. 1 (Inv 34358), to Interstate Engineering, Inc., for engineering services on the James River Tree Snagging Project, in the amount of \$3,107.00.
- O. Resolution to approve Payment No. 1 (Inv 34365), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$3,314.50.
- P. Resolution to approve Payment No. 5 (Inv 34355), to Interstate Engineering, Inc., for engineering services on the Water Treatment Plant Roofing, in the amount of \$1,066.00.
- Q. Resolution to approve Payment No. 9 (Inv 34354), to Interstate Engineering, Inc., for engineering services on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$2,674.14.
- R. Resolution to approve Payment No. 14 (Inv 34350), 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 \$3,834.78.
- S. Resolution to approve Payment No. 2 (Inv 34357), to Interstate Engineering, Inc., for the New Retaining Wall at Frontier Village, in the amount of \$2,709.50.
- T. Resolution to approve Payment No. 4 (Inv 34356), to Interstate Engineering, Inc., for engineering services on the 2018 Safe Routes to School Sidewalk District 18-21, in the amount of \$5,362.72.
- U. Resolution to approve Payment No. 11 (Inv 34352), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$7,950.86.
- V. Resolution to approve Payment No. 15 (Inv 34351), to Interstate Engineering, Inc., for engineering services on the Jamestown Sanitary Sewer Raker Facility Screening Report and Construction, in the amount of \$2,923.54.

- W. Resolution to approve Payment No. 232 (Inv 34353), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$205.00.
- X. Resolution to approve Payment No. 233 (Inv 34359), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$10,521.50.
- Y. Resolution to approve Payment No. 234 (Inv 34360), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$6,394.00.
- Z. Resolution to approve Payment No. 235 (Inv 34361), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$4,397.00.
- AA. Resolution to approve Payment No. 236 (Inv 34362), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$7,705.50.
- BB. Resolution to approve Payment No. 237 (Inv 34363), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Solid Waste), in the amount of \$512.50.
- CC. Resolution to approve Payment No. 238 (Inv 34364), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Storm Water), in the amount of \$162.00.
- 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 April indebtedness in the amount of \$2,030,966.74 consisting of \$507,392.22 payroll and \$1,523,574.52 general obligations.

Seconded by Council Member Gumke. Consent Roll Call No. 2 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke moved a Resolution to approve and authorize entering into a Cost Participation and Maintenance Agreement with the ND Department of Transportation for US281 and I-94 Ramp Intersections, Project No. IM-2-094(157)257. Seconded by Council Member Phillips. Roll Call No. 3 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Phillips moved to amend the draft introduced by Council Member Buchanan before the second reading of Ordinance No. 1505, Chapter 2, Article IX of the City Code pertaining to the Forestry Department, to not remove Section 2-70.1(c) pertaining to committee membership, which reads "One (1) member who is employed by the North Dakota State University system" and "Three (3) members at large." Seconded by Council Member Gumke. Council Member Buchanan summarized the changes to the ordinance. Lynn Hill, Shade Tree Committee member, spoke regarding the preferred language. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 absent. Carried.

Ordinance No. 1505, introduced by Council Member Buchanan, to amend and re-enact Chapter 2, Article IX, of the City Code pertaining to the Forestry Department, had its second reading as amended. Seconded by Council Member Phillips. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

Ordinance No. 1506, introduced by Council Member Phillips, to amend and re-enact Section 3 and Section 7, Appendix B, and to enact Section 6.1, Appendix B, of the City Code pertaining to minor subdivisions, had its second reading. Seconded by Council Member Gumke. Roll Call No. 6 showed: 4 ayes, 0 nays, 1 absent. Carried.

Ordinance No. 1507, introduced by Council Member Brubakken, to amend and re-enact Sections 5-6, 5-9, and 5-9.2 of Appendix C of the City Code of the City of Jamestown concerning special use permits for C-2, M-2 and A-1 Districts to allow special use zoning for compassionate care centers pursuant to State Law N.D.C.C. § 19-24.1, had its second reading. Seconded by Council Member Buchanan. Roll Call No. 7 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Phillips moved to appoint Bob Martin and Colleen Grenz to serve as members of the Forestry Committee for a three year term to expire April 2021. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Phillips reported that work progresses to repair Louis L'Amour Lane at Frontier Village. The gates are chained open per Council direction and she has observed people photographing the area.

Council Member Buchanan moved to allow Council Member Gumke to abstain from the next decision based upon his self-declared conflict of interest. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

Council Member Phillips moved a Resolution to approve the request from Jamestown Hockey Booster Club Inc., for a gaming site authorization at Shady's Restaurant to conduct raffles from January 1, 2019, through February 28, 2019. Seconded by Council Member Buchanan. Roll Call No. 8 showed: 3 ayes, 0 nays, 1 absent, 1 abstention. Carried.

Council Member Gumke moved a Resolution to approve the request from the Corner Bar for a permit to conduct street dances on 2nd Street SW, on Saturday, June 9, 2018, and Saturday, July 21, 2018. Seconded by Council Member Buchanan. Roll Call No. 9 showed: 4 ayes, 0 nays, 1 absent. Carried.

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

ATTEST:

SARAH HELLEKSON, City Administrator

APPROVED:

KATIE ANDERSEN, Mayor