

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 8, 2008
OFFICIAL MINUTES

The regular meeting of the City Council was called to order by Mayor Liechty at 5:00 P.M.

Roll Call showed the following members present: Mayor Liechty, Council Members Kourajian, Nygaard, Parisien and Schulz, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs.

Council Member Schulz moved to approve the minutes of the following meetings, as printed:

- A. Minutes of the regular council meeting, August 4, 2008
- B. Minutes of the special council meeting, August 20, 2008
- C. Minutes of the special council meeting, August 21, 2008
- D. Minutes of the committee meeting, August 19, 2008
- E. Minutes of the committee meeting, August 21, 2008

Seconded by Council Member Parisien. Unanimous aye vote. Carried.

No bids were received for the sale of abandoned and impounded vehicles.

Council Member Kourajian moved to approve the following consent items:

- A. Resolution to enter into a license agreement with Continental Bistro to allow a doorway canopy to extend above city right-of-way in the 200 block of 2nd Street NW.
- B. Resolution in support of an application being submitted for the City of Jamestown to be designated an All American City.
- C. Resolution to approve the request from the Jamestown Regional Airport for a \$6,200.00 grant from Economic Development Funds to be used to assist with a targeted advertising campaign regarding direct airline service to Minneapolis, with the City Share to be \$4,960.00 and paid from the City Sales Tax Fund.
- D. Resolution to approve the request from Brad Gebeke for an option to purchase Lot 4, Block 3, I-94 Business Park Addition, for a purchase price of \$52,346.00.
- E. Resolution to approve a Resolution to make a finding that property held by the JSDC is held in trust for the City of Jamestown and/or Stutsman County and therefore qualifies as tax exempt property for real estate tax purposes.
- F. Resolution to approve entering into a written contract between the Jamestown/Stutsman Development Corporation, Stutsman County and the City of Jamestown as currently approved by the JSDC Board of Directors and the Stutsman County Commission.
- G. Resolution to approve entering into a written lease between the ND Buffalo Foundation and the City of Jamestown as amended by the committee.
- H. Resolution to approve entering into a written lease between the Buffalo City Tourism Foundation and the City of Jamestown as amended by the committee.
- I. Resolution to approve the request of Jamestown College for gaming site authorization to conduct gaming at the Civic Center for the period ending June 30, 2009.
- J. Resolution to approve and authorize entering into an agreement with Jamestown College which would allow the installation of cable and equipment into the Civic Center to provide for televising Jamestown College events held at the Civic Center.
- K. Resolution to approve the Mutual Aid Agreement Form to allow the Fire Department to provide services for disasters to communities outside Stutsman County.
- L. Resolution to approve Change Order No. 1, to Border States Paving, Inc., for Seal Coat, Patching, Construction and Reconstruction District #08-41, for a net decrease in the contract price of \$18,720.44.
- M. Resolution to approve Change Order No. 3 & Final, to Swanberg Construction, Inc., for Phase 1, Part B, Raw Water Transmission Line for the Water Systems Improvement Project, for a net decrease in the contract price of \$4,721.75.
- N. Resolution to approve and authorize proceeding with Phase III, Miscellaneous Water Plant Improvements Project, and to include necessary window replacement and roofing.

- O. Resolution to approve Estimate No. 1, to Strata Corporation, for construction on 2008 Sidewalk and Curb & Gutter District #08-11, in the amount of \$28,677.60.
- P. Resolution to approve Estimate No. 1 & Final, to Lindberg Brothers, Inc., for construction on Louis L'Amour Elementary School, Safe Routes to School, Project SRU-2-987(030)034, in the amount of \$69,972.20.
- Q. Resolution to approve Payment No. 5, to Ulteig Engineers, for engineering services on the Project Concept Report and Preliminary Design for the East Business Loop Reconstruction Project No. SU-2-987(029)033, in the amount of \$1,700.41.
- R. Resolution to approve Estimate No. 9 & Final, to Swanberg Construction, Inc., for construction on Phase I, Part B, Raw Water Transmission Line, DWSRF No. 4700498-02, in the amount of \$62,333.05.
- S. Resolution to approve Payment No. 1, to Interstate Engineering, Inc., for engineering services on Southwest Storm Sewer Improvement District #08-71, in the amount of \$3,450.00.
- T. Resolution to approve Payment No. 1, to Interstate Engineering, Inc., for engineering services on Louis L'Amour Elementary School, Safe Routes to School, Project SRU-2-987(030)034, in the amount of \$12,088.98.
- U. Resolution to approve Payment No. 1, to Interstate Engineering, Inc., for engineering services on the Drainage Study & Design for the former Strankowski property adjacent to the Railroad, in the amount of \$5,437.50.
- V. Resolution to approve Payment No. 2, to Interstate Engineering, Inc., for engineering services on Transportation Enhancement for US Highway 281, Project No. S-TNU-2-281(033)066, in the amount of \$4,130.57.
- W. Resolution to approve Payment No. 3, to Interstate Engineering, Inc., for engineering services on the Solid Waste Permit Renewal #0213, Municipal Solid Waste Landfill, in the amount of \$2,036.00.
- X. Resolution to approve Payment No. 8, to Interstate Engineering, Inc., for engineering services on various city department consultations, in the amount of \$707.00.
- Y. Resolution to approve Payment No. 10, to Interstate Engineering, Inc., for engineering services on Phase I, Part B, Raw Water Transmission Line, Project No. 4700498-02, in the amount of \$3,594.90.
- Z. Motion to accept the reports of the Municipal Judge, Police Department, Fire Department, Public Works Departments, Inspection Department, Forestry Department, Promotion and Tourism Center, Central Valley Health Unit, Jamestown Safe Community Task Force, and financial status.
- Al. Resolution to allow the August indebtedness in the amount of \$3,240,442.07 consisting of \$347,983.68 payroll and \$2,892,458.39 general obligations.

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

Council Member Schulz moved to table to the September Finance & Legal Committee the written lease between the Frontier Village and the City of Jamestown as amended by the committee. Seconded by Mayor Liechty. Unanimous aye vote. Carried.

Mayor Liechty moved a Resolution to approve Estimate No. 4, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #08-41, in the amount of \$317,387.42. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved a Resolution to approve Estimate No. 11, to L.T.P. Enterprises, Inc., for construction on Phase I, Part A, Water Well Replacement, DWSRF No. 4700498-02, in the amount of \$39,168.45. Seconded by Council Member Nygaard. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved a Resolution to approve Payment No. 12, to Interstate Engineering, Inc., for engineering services on Phase I, Part A, Water Well Replacement, Project No. 4700498-02, in the amount of \$2,299.99. Seconded by Council Member Parisien. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Nygaard moved to introduce the first reading of an ordinance pertaining to the appropriation of the General and Special Funds for the fiscal year January 1, 2009, through December 31, 2009.

Council Member Nygaard moved to introduce the first reading of an ordinance pertaining to the appropriation of the Revenue and Special Funds for the fiscal year January 1, 2009, through December 31, 2009.

Mayor Liechty moved to appoint Clarice Liechty to serve as a member of the South Central Dakota Regional Council for a term of two (2) years to expire September 2010. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Mayor Liechty moved a Resolution to accept the affidavit from Chelsea Fosse that Check No. 5999 (Wells Fargo Bank-Municipal Court), dated July 25, 2008, in the amount of \$200.00, has been lost or destroyed and authorize the issuance of a duplicate. Seconded by Council Member Schulz. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved to table to the September Finance & Legal Committee the 2007 City of Jamestown Audit as prepared by Schauer & Associates, P.C. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Parisien moved a Resolution to approve the request from Gilby, Inc., (Wonder Bar Sports Bar) for a Class C On-Off Sale alcoholic beverage license for the fiscal period ending June 30, 2009. Seconded by Council Member Schulz. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve the request from Heinrich Properties LLC, for a transfer of Renaissance Zone incentives on commercial property to Dwaine and Joyce Heinrich for property on the N. 1/2 of Lot 18, Block 33, Original Addition (114 1st Avenue South). Seconded by Council Member Kourajian. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve the request of Quincy Backen for Renaissance Zone incentives on leased property and recommending a five (5) year North Dakota State income tax exemption for the property on the N. 1/2 of Lot 18, Block 33, Original Addition (114 1st Avenue South). Seconded by Mayor Liechty. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved to allow the use of City Hall meeting rooms for the American Legion District Oratorical Contest to be held December 3, 2008. Seconded by Mayor Liechty. Unanimous aye vote. Carried.

Council Member Schulz moved to adjourn. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor