

JAMESTOWN CITY COUNCIL
REGULAR MEETING, AUGUST 3, 2009
OFFICIAL MINUTES

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

The Pledge of Allegiance to the flag was recited.

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 Kourajian moved to approve the minutes of the following meetings, as printed: Minutes of the regular council meeting, July 6, 2009; Minutes of the special council meeting, July 17, 2009; Minutes of the committee meeting, July 21, 2009. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Schulz moved to approve the following consent items:

- A. Resolution to approve the request of Brad Gebeke for an option to purchase a portion of Lot 2, Block 3, I-94 Business Park Addition.
- B. Resolution to approve the letter of support from the JSDC for the construction of a south side fire station in the I-94 Business Park Addition, pending approval of a Federal Grant application to fund the majority of construction, with the lot location within the I-94 Business Park Addition to be determined at a later date.
- C. Resolution to approve the request from the Post Flood Committee to waive the fee for the Civic Center Parking Lot on Friday, August 28, 2009, for a Post Flood Community Celebration, and if weather moves the event inside the Civic Center, that fee would be waived also.
- D. Resolution to provide a letter of support for the Lutheran Social Services Housing HUD-funded senior housing project.
- E. Resolution to approve the request from Kenneth R. Denning, 522 11th Ave SE, to replace 18' of curb and gutter to be included with the Sidewalk, Curb & Gutter District # 09-11.
- F. Resolution to approve the request from Steve Senger to modify the agreement with the City pertaining to the McElroy Addition Development Project, as follows: Developer will be allowed to bid the project in two (2) parts; developer may accept any, all or none of the bids; and developer has agreed not to sell lots on unimproved portions of the site.
- G. Resolution to approve a modified City-Wide Cleanup Week from September 21 thru 26, 2009, to allow City residents to use the Baler Facility at no cost, and extend the hours at the facility for the week of September 21 thru 26, as follows: 8:00 AM to 6:30 PM, Monday thru Friday, and 8:00 AM to 3:30 PM, Saturday.
- H. Resolution to approve Estimate No. 2, to Lindberg Brothers, Inc., for construction on 2009 Sidewalk and Curb & Gutter District #09-11, in the amount of \$2,709.84.
- I. Resolution to allow the July indebtedness in the amount of \$2,375,754.91 consisting of \$394,384.77 payroll and \$1,981,370.14 general obligations.

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

Council Member Parisien moved to table to the August Finance & Legal Committee approval of the 2010 Jamestown/Stutsman Development Corporation Budget with the City Share to be \$280,000.00 and paid from the City Sales Tax Fund. Motion died for lack of a second.

Council Member Schulz moved a Resolution to approve the 2010 Jamestown/Stutsman Development Corporation Budget, as submitted by the JSDC, with the City Share to be \$302,000.00 and paid from the City Sales Tax Fund. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 2 ayes (Kourajian and Schulz), 3 nays (Liechty, Parisien and Nygaard), 0 absent. **Not Carried.**

Council Member Parisien moved to table to the August Finance & Legal Committee further discussion on the 2010 Jamestown/Stutsman Development Corporation Budget. Seconded by Council Member Schulz. Voice vote showed: 4 ayes, 1 nay (Kourajian). Carried.

Mayor Liechty moved a Resolution to approve Estimate No. 3, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #09-41, in the amount of \$862,482.37. Seconded by Council Member Parisien. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved a Resolution 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. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the request from Marvin Brown for a property tax exemption on a project to construct a 35 unit apartment and assisted living facility and senior living compound with garages and a community room.

Mayor Liechty declared a conflict of interest due to owning apartments in Jamestown.

Council Member Nygaard moved to allow Mayor Liechty to participate. Seconded by Parisien. Unanimous aye vote. Carried.

Members of the council requested more information on project.

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

Council Member Schulz moved to table to the September Council meeting the request from Marvin Brown for a property tax exemption on a project to construct a 35 unit apartment and assisted living facility and senior living compound with garages and a community room at 12th Avenue/5th Street NE (Part of Block 1, Garden Hills 2nd Addition, and request that Marvin Brown appear at that meeting to answer questions. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Parisien moved to introduce an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lots 1 & 2, Block 1, Jamestown Hospital Healthcare Campus Addition, from C-1 (Local Commercial District) & A-1 (Agricultural District) to C-2 (General Commercial District).

Council Member Kourajian moved to introduce an ordinance to amend Section 2-32 of the City Code pertaining to the Planning & Zoning Commission regarding the selection of rural members to the Commission.

Mayor Liechty moved to appoint John Fugleberg, Lisa Motacek, and Amie Romsdal to serve as members of the Planning Commission for five (5) year terms to expire August 2014. Seconded by Council Member Nygaard. Roll Call No. 5 showed: 1 aye, 4 nays (Kourajian, Nygaard, Parisien and Schulz), 0 absent. NOT CARRIED.

Mayor Liechty moved to appoint Mark Wolf, Liz Schwartz, and Letitia Johnson to serve as members of the Renaissance Zone Authority for three (3) year terms to expire August 2012. Motion died for lack of a second.

Council Member Schulz moved a Resolution to approve the request from Ducks Unlimited, Inc., for a site authorization to conduct gaming at the Jamestown Civic Center on September 10, 2009. Seconded by Council Member Parisien. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve and authorize entering into a NDDOT Cost Participation, Construction, and Maintenance Agreement, Urban Federal Aid Project No. S-TNU-2-281(033)066, Landscaping, US281 from 37th Avenue SE to 16th Street SW. Seconded by Council Member Kourajian. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Nygaard moved a Resolution to approve the request from the Joint Stutsman County/Alfred Dickey Library Board for an extension of time to complete preliminary activities. Seconded by Council Member Parisien.

Council Member Nygaard moved to amend the motion to allow a time extension of sixty (60) days. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Roll Call No. 8 on the Resolution, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to award the bid for the construction of Water, Sewer and Paving, Base Bid Part 1, McElroy Addition, to Northern Excavating Co., Inc., in the amount of \$220,401.80. Seconded by Council Member Parisien. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved to adjourn. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

ATTEST:

APPROVED:

JEFF FUCHS, City Administrator

CLARICE LIECHTY, Mayor