

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JULY 5, 2011
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 Gumke, Kourajian, Nygaard and Schulz, and City Administrator Fuchs. Absent: City Attorney Dalsted and City Engineer Schwartzkopf.

Council Member Gumke moved to approve the minutes of the following meetings: Council meeting, June 6, 2011; and Committee meetings, June 21 and 23, 2011. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Nygaard moved to approve the following consent items:

- A. Resolution to approve the 2012 Budget of the Jamestown/Stutsman Development Corporation.
- B. Resolution to establish City of Jamestown Employee Group Health Insurance rates for the plan year September 1, 2011, to August 31, 2012, as follows: Single Plan [City Share \$390.00; Employee Share \$.00; Total \$390.00]; Single Plus Dependent [City Share \$423.55; Employee Share \$236.72; Total \$660.27]; Family Plan [City Share \$448.86; Employee Share \$516.20; Total \$965.06].
- C. Resolution to direct that the city property located in the 200 Block of 7th Street NW be posted as a No Parking area and for the City to provide the required maintenance.
- D. Resolution to authorize engaging AE2S to provide engineering services for the fourth and final phase of the Water Distribution and Storage Systems Study.
- E. Resolution to authorize engaging Apex Engineering Group to provide engineering services and to proceed with design and bidding for the replacement of the LRATS cover at the Wastewater Treatment Facility.
- F. Resolution to approve Change Order No. 1, in the amount of \$28,647.26, and Items 1 & 2 of Change Order No. 2, in the amount of \$16,799.28, to PKG Contracting, Inc., relating to the Phase II, Water Treatment Plant Improvements, DWSRF Project No. 4700409-03.
- G. Resolution to accept the proposal from Lindberg Bros., Inc., concerning flagging requirements on the Quiet Zone Project.
- H. Resolution to reject the offer from James Torrance to purchase Lots 2, 3 & 4, Block 1, Beverly Hills 6th Addition, from the City.
- I. Resolution to direct the City Engineer's office to order the repair of broken sidewalk at 306 5th Ave SW to be included in the 2011 Sidewalk Curb & Gutter District #11-11.
- J. Resolution to accept the petition from Ron & Cindy Schauer to have curb & gutter and incidental work done at 1306 9th Ave SE to be included in the 2011 Sidewalk Curb & Gutter District #11-11.
- K. Resolution to approve Payment No. 2, to Gary Morlock Construction for construction on the Inert Cell 5 and 6, Cell 3B Development, Jamestown Landfills, in the amount of \$99,023.85.

- L. Resolution to approve Estimate No. 2, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #11-41, in the amount of \$263,503.54.
- M. Resolution to approve Estimate No. 2, to Lindberg Bros. Inc., for construction on 2011 Sidewalk, Curb & Gutter District #11-11, in the amount of \$36,004.90.
- N. Resolution to approve Payment No. 2 (Inv No. 97), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF Headworks Improvement, in the amount of \$2,300.00.
- O. Resolution to approve Payment No. 2 (Inv No. 96), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF LRAT Cover Replacement, in the amount of \$3,067.50.
- P. Resolution to approve Payment No. 3 (Inv No. 106), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF LRAT Cover Replacement, in the amount of \$5,377.50.
- Q. Resolution to approve Payment No. 4 (Inv No. 94), to Apex Engineering Group, Inc., for engineering services on Jamestown Wastewater Treatment Consulting, in the amount of \$250.00.
- R. Resolution to approve Payment No. 4 (Inv No. 22243), to Ulteig Engineering, for construction engineering services on the East Business Loop Reconstruction Project No. SU-2-098(029)033, Project #11-42 (12th Street SE to I-94), in the amount of \$53,097.44.
- S. Resolution to approve Payment No. 8 (Inv No. 27731), to AE2S for engineering services on the Water Distribution and Storage System Study, in the amount of \$4,851.40.
- T. Resolution to approve Estimate No. 14, to PKG Contracting, Inc., for construction on Phase II, Water Plant Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$110,482.00.
- U. Resolution to approve Payment No. 3 (Inv No. 6886), to Interstate Engineering, Inc., for construction engineering services on the Sanitary Landfill Cell 3B, in the amount of \$3,193.00.
- V. Resolution to approve Payment No. 3 (Inv No. 6887), to Interstate Engineering, Inc., for construction engineering services on the Inert Landfill Cells 5 & 6, in the amount of \$14,703.89.
- W. Resolution to approve Payment No. 3 (Inv No. 6891), to Interstate Engineering, Inc., for engineering services for 2011 Flood Event, in the amount of \$2,008.30.
- X. Resolution to approve Payment No. 4 (Inv No. 6890), to Interstate Engineering, Inc., for engineering services on the Solid Waste Baling Facility Modifications and Baler Equipment Replacement, in the amount of \$2,622.00.
- Y. Resolution to approve Payment No. 5 (Inv No. 6885), to Interstate Engineering, Inc., for construction engineering services on Transportation Enhancement for US Highway 281, Project No. S-TNU-2-281(033)066, in the amount of \$1,406.05.
- Z. Resolution to approve Payment No. 8 (Inv No. 6889), to Interstate Engineering, Inc., for construction engineering services on Downtown Railroad Parking Lots & Streets Improvement District #07-43, Transportation Enhancement Project, in the amount of \$2,648.92.
- AA. Resolution to approve Payment No. 12 (Inv No. 6888), to Interstate Engineering, Inc., for construction engineering services on Phase II, Water System Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$25,086.25.

- BB. Resolution to approve Payment No. 31 (Inv No. 6884) to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$350.00.
- CC. 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.
- DD. Resolution to allow the June indebtedness in the amount of \$3,830,489.53 consisting of \$427,561.98 payroll and \$3,402,927.55 general obligations.

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

City Attorney Dalsted seated himself.

Council Member Gumke moved a Resolution to authorize the purchase of a speed display to be used by the Police Department in areas of the city experiencing excessive traffic speeds. Seconded by Council Member Schulz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the special assessment list for Water, Sewer, Storm Sewer, Curb & Gutter and Paving Improvement District #09-51. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Schulz moved a Resolution to approve the special assessments for Water, Sewer, Storm Sewer, Curb & Gutter and Paving Improvement District #09-51 in the amount of \$244,654.76, less the developer's fee paid of \$60,610.50 and the City Share of \$12,513.46, with the balance of \$171,530.80 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 Seal Coat, Patching, Construction and Reconstruction District #10-41. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Gumke moved Resolution to approve the special assessments for Seal Coat, Patching, Construction and Reconstruction District #10-41, in the total amount of \$1,236,234.22, with the City Share to be \$133,202.04, with the balance of \$1,103,032.18 to be assessed to benefited properties within the district. Seconded by Council Member Nygaard. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

A letter of appreciation to the Police Department from Sheriff Kaiser was read by Council Member Gumke.

Council Member Schulz moved a Resolution to recognize the Miss Rodeo ND Pageant Association as an other public spirited organization and to authorize the issuance of a raffle permit with the drawing to be held October 1, 2011. Seconded by Council Member Kourajian. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to approve the request from Corner Bar to conduct a street dance on 2nd Street SW on July 15, 2011. Seconded by Council Member Nygaard. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the request from the Jamestown Chapter Ducks Unlimited for a gaming site authorization at Shady's on September 8, 2011. Seconded by Council Member Schulz. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve the day(s) selected that the following licensees shall be closed for consequences of failing alcohol compliance checks conducted on May 31, 2011, in addition to payment of fine: Buffalo Lanes, Inc. (1 day—August 10, 2011); County Bottle Shop (1 day—August 10, 2011); Sergios of Jamestown, Inc. (1 day—August 10, 2011); NPC International, Inc. - Pizza Hut (3 days—August 10, 11 & 12, 2011); and Jamesco, LLC – Tapps Lounge (3 days—August 10, 11 & 12, 2011). Seconded by Council Member Gumke. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

JEFF FUCHS
City Administrator

APPROVED:

KATIE ANDERSEN
Mayor