

JAMESTOWN CITY COUNCIL
REGULAR MEETING, DECEMBER 5, 2016
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, City Attorney Ryan, and City Administrator Fuchs.

Council Member Buchanan moved to approve the minutes of the regular council meeting, November 7, 2016; and committee meeting, November 22, 2016. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

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

- A. Resolution to approve the request from Agri-Cover, Inc., to make use of New Jobs Training Funds through an agreement with JSDC to expand their Stutsman County operation.
- B. Resolution to authorize the submission of a Transportation Alternative Program Application to the NDDOT to be used to assist in the construction of additional sidewalks in and around the Senior High School, Gussner Grade School and the TRAC Facility.
- C. Resolution to authorize a gaming site authorization to the El Zagal Jamestown Clowns for June 17, 2017, at Stutsman County Harley Davidson, 2501 3rd Ave SW.
- D. Resolution to approve the request of Monte Cole for Renaissance Zone incentives by granting a five (5) year 100% property tax exemption and to recommend the State of N.D. grant a five (5) year 100% state income tax exemption on the South ½ of Lot 13, Block 24, Original Addition (213 1st Avenue North).
- E. Resolution to approve the Land Use Plan Amendment, from Park/Open Space/Recreation to Low Density Residential, for Lots 1 – 6, Block 1, Meidinger Sixth Addition, within the NW ¼ of Section 6, Township 139N, Range 63 West, and the SW ¼ of Section 31, Township 140N, Range 63 West.
- F. Resolution to deny the request to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lots 1 through 4, Block 1, Meidinger Sixth Addition, from R-1 (One Family Residential District) to R-1-A (One Family Residential District and Duplex or Two Family Residential District).
- G. Resolution to authorize entering into an engineering agreement with CPS for the 2016 Annual MSWLF Groundwater Monitoring Report.
- H. Resolution to approve Payment No. 1 & Final, to Ryan Contracting, for construction on 5th Street NE (12th Ave to 27th Ave NE), Sanitary Sewer, Storm Sewer and Water Improvements District #16-42, in the amount of \$476,262.29.
- I. Resolution to approve Payment No. 1, to Champion Coatings, Inc., for construction on the 1.5MG Elevated Water Tower Rehabilitation, in the amount of \$442,105.00.

- J. Resolution to approve Payment No. 2 & Final, to LD Concrete, for construction on 2016 Sidewalk, Curb & Gutter District #16-11, in the amount of \$8,592.88.
- K. Resolution to approve Payment No. 3 (Inv 50577), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$9,204.00.
- L. Resolution to approve Estimate No. 7, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #16-41, in the amount of \$12,879.22.
- M. Resolution to approve Payment No. 10 (Inv 08387.02-10), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, Amendment No. 3, in the amount of \$7,073.90.
- N. Resolution to approve Payment No. 11 (Inv 11), to WSB & Associates, Inc., for engineering services on the 1.5MG Elevated Water Tower Rehabilitation, in the amount of \$49,105.70.
- O. Resolution to approve Payment No. 32 (Inv No. 50315), to AE2S, for On Call engineering services, in the amount of \$404.75.
- P. Resolution to approve Payment No. 34 (Inv 50314), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- Q. Resolution to approve Payment No. 1 (Inv 29406), to Interstate Engineering, Inc., for engineering services on the Jamestown Sanitary Sewer Raker Facility Screening Report and Construction, in the amount of \$4,934.46.
- R. Resolution to approve Payment No. 5 (Inv 29405), to Interstate Engineering, Inc., for engineering services on 5th Street NE (12th Ave to 27th Ave NE), Sanitary Sewer, Storm Sewer and Water Improvements District #16-42, in the amount of \$27,215.82.
- S. Resolution to approve Payment No. 8 (Inv 29404), to Interstate Engineering, Inc., for engineering services on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$17,177.78.
- T. Resolution to approve Payment No. 130 (Inv 29407), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$2,975.00.
- U. Resolution to approve Payment No. 131 (Inv 29408), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$3,444.50.
- V. Resolution to approve Payment No. 132 (Inv 29410), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$767.50.
- W. Resolution to approve Payment No. 133 (Inv 29409), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$429.50.
- X. Resolution to approve Payment No. 134 (Inv 29411), to Interstate Engineering, Inc., for engineering services on various City Department consultations (SolidWaste), in the amount of \$7,464.10.
- Y. 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.

Z. Resolution to allow the November indebtedness in the amount of \$2,427,538.54 consisting of \$529,912.55 payroll and \$1,897,625.99 general obligations.

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

A public hearing was held concerning the request to refinance long-term indebtedness of Lutheran Social Services to include the Legacy Center located in Jamestown. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Brubakken moved a Resolution to approve the refinancing of long-term indebtedness of Lutheran Social Services to include the Legacy Center located in Jamestown. Seconded by Council Member Gumke. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the request of Joel Onsurez for Renaissance Zone incentives by granting a five (5) year 100% property tax exemption and to recommend the State of N.D. grant a five (5) year 100% state income tax exemption on Lot 1 and the N49.7 feet of Lot 2, Block 46, Klaus Addition (104 3rd St. SE), subject to receipt of letter and updated application. Seconded by Council Member Phillips. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to introduce an ordinance to amend and re-enact Sections 9-12, 9-13, and 23-38 of the City Code pertaining to the Building Code and Plumbing Code.

Ordinance No. 1487, introduced by Council Member Buchanan, to enact Section 6.7 of Appendix B and to amend and re-enact Section 9 of Appendix B and Section 11 of Appendix C of the City Code, pertaining to traffic impact studies, had its second reading. Seconded by Council Member Phillips.

Council Member Gumke moved a Resolution to accept the revisions submitted and amend draft Ordinance No. 1487, as follows:

- A. Section B.i. - Change to read, "Traffic impact studies may be required under any one of the following circumstances:"
- B. Section D.i.1. - Change to read, "The City shall be responsible for the cost of the traffic impact study, unless a condition exists where cost sharing may occur, as determined by the City Engineer."
- C. Section D.iv - The financing options section of Appendix B is wrong. Should be 8.B.1 and 2. And remove "for a large study area" from the last line.

Seconded by Council Member Buchanan. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Roll Call No. 5 on Ordinance No. 1487, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1488, introduced by Council Member Buchanan, to amend and re-enact Section 9-47.1 of the City Code pertaining to standards for repair, vacation or demolition, had its second reading. Seconded by Council Member Brubakken. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to appoint Council Member Gumke to serve as the City Council representative on the Law Enforcement Center Governing Board for a four year term to expire December 2020. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Council Member Phillips to serve as the City Council representative on the County Weed Board for a four year term to expire December 2020. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

After discussion on the NDRRA State Rodeo Finals event held at the Civic Center October 28-30, 2016, Council Member Phillips moved to terminate the RRA existing agreement and re-negotiate a new agreement. Seconded by Council Member Buchanan.

After further discussion, Council Member Buchanan withdrew his second to the motion. The motion failed due to lack of a second.

Council Member Buchanan moved a Resolution to contact the Roughrider Association relative to re-negotiation of current contract. Seconded by Council Member Phillips. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:
JEFF FUCHS, City Administrator

APPROVED:
KATIE ANDERSEN, Mayor