

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JUNE 4, 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, Brubakken and Buchanan, City Attorney Ryan, and City Administrator Hellekson.

Joe Rector, Alfred Dickey Library Director, updated the City Council on the excavation project and the Centennial Initiative. Rector provided the report on the library's core samples showing two inches of bad concrete on the outside of the foundation. Joel Davy, architect, and Dave Bruns, engineer, provided detail regarding the repairs to the leaking foundation. They will provide future updates.

Travis Dillman, City Engineer, updated the City Council on the James River Cleaning Project. Interstate Engineering has inventoried the James River from the Reservoir to the city limit. The engineers are identifying access points to remove the largest obstructions from the river. Most physical work will begin this fall. They will request permission to bid portions of the project at the June Public Works Committee meeting.

Council Member Phillips moved to approve the minutes of the regular council meeting, May 7, 2018; Special Assessment Commission minutes, May 9, 2018; special council meeting, May 22, 2018; and committee meeting, May 22, 2018. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved to approve the minutes of the committee meeting, April 24, 2018, and May 24, 2018. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

No bids were received for the sale of an abandoned/impounded vehicle.

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

- A. Resolution to approve the Future Land Use Plan Amendment for a 10-acre site located within the NW ¼ and the NE ¼ of Section 27, T140, R64W, Midway Township, Stutsman County, North Dakota, from Agricultural/Rural Open Space to General Industrial. The property is located along the south side 34th St SE approximately 1,000 feet east of its intersection with the US 52/281 Bypass.
- B. Resolution to approve the plat of Horizon Estates First Addition, Block 1, Lots 1-4 and Block 2, Lots 1-11, a portion of Auditor's Lot 30-2 within the NE ¼ of Section 30, T140, R63W, Bloom Township, Jamestown, Stutsman County, North Dakota. The property is located north of 5th St NE, east of 23rd Ave NE and west of 27th Ave NE, Jamestown, ND.
- C. Resolution to approve removal of the discarded garbage carts from the city property, cleaning and keeping any that the city can still use, and advertising the remaining carts for sale in as-is condition.
- D. Resolution to not accept the bid received past the deadline from RDO Truck Center.
- E. Resolution to approve Change Order No. 1, to Burski Excavating, Inc., for Sanitary Landfill Cell 4A Liner and Cell 2/3 Partial Final Cover, for an increase in the contract price of \$8,182.32.

- F. Resolution to approve Change Order No. 3, to Swanberg Construction, Inc., for Automatic Rake Bar Screen Improvements, for a net decrease in the contract price of \$7,235.00.
- G. Resolution to approve Payment No. 1, to Border States Paving, Inc., for the New Retaining Wall at Frontier Village, in the amount of \$159,550.56.
- H. Resolution to approve Payment No. 4 (Inv 08387.04-04), to SRF Consulting Group, Inc., for 2018 Jamestown Planning and Zoning Technical Services, in the amount of \$3,871.70.
- I. Resolution to approve Payment No. 5, to Burski Excavating, Inc., for construction on Cell 4 Liner and Cell 2/3 Partial Final Cover, in the amount of \$19,188.00.
- J. Resolution to approve Payment No. 9 (Inv 7755), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$330.00.
- K. Resolution to approve Payment No. 15 (Inv 58061), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$3,468.00.
- L. Resolution to approve Payment No. 48 (Inv 57899), to AE2S, for On Call engineering services, in the amount of 212.25.
- M. Resolution to approve Payment No. 50 (Inv 57898), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- N. Resolution to approve Payment No. 2 (Inv 34587), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$1,824.00.
- O. Resolution to approve Payment No. 3 (Inv 34581), to Interstate Engineering, Inc., for the New Retaining Wall at Frontier Village, in the amount of \$17,617.04.
- P. Resolution to approve Payment No. 5 (Inv 34580), to Interstate Engineering, Inc., for engineering services on the 2018 Safe Routes to School Sidewalk District 18-21, in the amount of \$4,856.50.
- Q. Resolution to approve Payment No. 6 (Inv 34579), to Interstate Engineering, Inc., for engineering services on the Water Treatment Plant Roofing, in the amount of \$1,402.12.
- R. Resolution to approve Payment No. 12 (Inv 34576), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$9,049.62.
- S. Resolution to approve Payment No. 15 (Inv 34573), 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 \$5,052.74.
- T. Resolution to approve Payment No. 15 (Inv 34574), to Interstate Engineering, Inc., for engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$2,260.44.
- U. Resolution to approve Payment No. 16 (Inv 34575), to Interstate Engineering, Inc., for engineering services on the Jamestown Sanitary Sewer Raker Facility Screening Report and Construction, in the amount of \$2,163.64.

- V. Resolution to approve Payment No. 239 (Inv 34577), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$410.00.
- W. Resolution to approve Payment No. 240 (Inv 34582), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$5,928.00.
- X. Resolution to approve Payment No. 241 (Inv 34583), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$4,612.00.
- Y. Resolution to approve Payment No. 242 (Inv 34584), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$1,615.50.
- Z. Resolution to approve Payment No. 243 (Inv 34585), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$6,365.50.
- AA. Resolution to approve Payment No. 244 (Inv 34586), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Storm Water), in the amount of \$243.00.
- BB. 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.
- CC. Resolution to allow the May indebtedness in the amount of \$1,903,651.89 consisting of \$492,335.02 payroll and \$1,411,316.87 general obligations.
- DD. Resolution to approve Estimate No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #18-41, in the amount of \$144,771.64.
- EE. Resolution to approve Payment No. 2 & Final, to Strata Corporation, for Street Lighting on 20th St SW roadway from Menards to Jamestown Regional Medical Center, District #16-43), in the amount of \$12,368.65.
- FF. Resolution to approve Payment No. 5 & Final, to Swanberg Construction, Inc., for construction on Automatic Rake Bar Screen Improvements, in the amount of \$41,905.00.
- GG. Resolution to approve Estimate No. 7, to Border States Paving, Inc., for construction on 5th Street NE (12th Ave to 27th Ave NE), Paving Improvements District #16-42, in the amount of \$6,734.46.

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

Council Member Buchanan asked Travis Dillman, City Engineer, about water quality in the NW area and water shutoffs since last year. Dillman explained that the temporary water last year did not pass the tests. The above ground water lines have been disinfected and passed the tests, so the project to line the pipes has begun. The project will last all summer through October, 2018. Areas of the NW will be brought back into service as they are completed.

Council Member Buchanan moved a Resolution to approve Payment No. 4, to Scherbenske, Inc., for construction on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$4,980.59; and to approve Payment No. 10 (Inv 34578), to Interstate Engineering, Inc., for engineering services on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$12,798.72. Seconded by Council Member Gumke. Roll Call No. 2 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 #17-41. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Phillips moved a Resolution to approve the special assessments for Seal Coat, Patching, Construction and Reconstruction District #17-41, in the total amount of \$2,170,000.00, with the City Share to be \$402,066.63, with the balance of \$1,767,933.37 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.

Council Member Brubakken moved a Resolution to not open the bid received from Wallwork Truck Center for One (1) New Gravel Body and Hoist (Tandem Axle Truck Mounted), Street Department, as it did not have a bid bond; and to award the bid to Northern Truck Equipment Corporation, in the amount of \$18,515.00. Seconded by Council Member Phillips. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to not open the bid received from Nelson International for the As-Is Direct Sale of a 2008 GMC, 6CY Dump Truck with Slide In Snow Hauling Box, Street Department, as it did not have a bid bond. Seconded by Council Member Gumke. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid for One (1) New Tandem Axle Truck (Cab & Chassis), Street Department, to Nelson International, in the amount of \$76,916.00; less \$750.00 Navistar rebate; and less \$14,000.00 on the trade-in unit (2008 GMC, 6CY Dump Truck with Slide In Snow Hauling Box), for a net bid price of \$62,166.00. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to reject the bid received from Wallwork Truck Center for One (1) New Tandem Axle Truck (Cab & Chassis) for the Water Department, as it did not conform to specifications, and to rebid and re-advertise. Seconded by Council Member Brubakken. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to not open the bid from Nelson International for the As-Is Direct Sale of a 2002 Sterling Tandem Axle Cab & Chassis, Water Department, and to rebid and re-advertise. Seconded by Council Member Brubakken. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Blackmore informed the City Council that the structure and debris at 154 Sunnyside Trailer Park was removed by the City. The City will bill the mobile home owner, and if costs are not paid, then assess the mobile home park for the costs.

Council Member Gumke moved to introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of 10 acres located within the NW ¼ and the NE ¼ of Section 27, T140, R64W, Midway Township, Stutsman County, North Dakota, from A-1, Agricultural District to M-2, General Industrial & Manufacturing District. The property is located along 34th St SE approximately 1,000 feet east of the Bypass.

Mayor Andersen moved to appoint Laurel Haroldson to serve as a member of the Central Valley Health District for a five year term to expire July 2023. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to approve the request from Jamestown Gymnastic Club for a site authorization to conduct gaming at the Gladstone Inn & Suites (Anton Klaus Room - Conference Center) on September 10, 2018. Seconded by Council Member Phillips. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve the request from North Dakota Buffalo Foundation, Inc., for a site authorization to conduct gaming at the Rock Taphouse site for the period July 1, 2018 through June 30, 2019. Seconded by Council Member Phillips. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the request from James Valley Street Machines to close the western side of parking lot at S & R Truck Plaza on June 13 and August 15, 2018, from 1:00 PM to 10:00 PM, for the 60' Experience. Steve Jaskoviack and Dale Redinger stated that the sixty foot drag race attracts 30 vehicles and are requesting to close the road. Harold Sad, Street Foreman, will inspect the City's frontage road before and after the event for damage. Jaskoviack and Redinger stated they will pay for any damage to the road caused by their event. Seconded by Council Member Phillips. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the request from Jamestown El Zagal Shrine Clowns to close 2nd Street SW from 1st Avenue S to 2nd Avenue SW, on Saturday, July 14, 2018, from Noon to Midnight, for the Jamestown Shrine Clowns 70th Birthday Party in the Arts Park. Seconded by Council Member Phillips. Dave Hillerud stated that he received permission from the Corner Bar and the Arts Center to hold the event, but that the Wonder Bar hasn't responded at this time. Mayor Andersen noted that the evening street dance and serving of alcohol requires the group to apply for a permit. Roll Call No. 12 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve the appointment of Joe Rowell to the position of Water Superintendent, at Range 63, Step 12. Mayor Andersen stated that Joe Rowell is a 13-year city employee. Seconded by Council Member Gumke. Roll Call No. 13 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve and authorize entering into an engineering services agreement with Interstate Engineering, Inc., for the Water Treatment Plant to provide assistance as needed. Seconded by Council Member Phillips. Roll Call No. 14 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to approve and authorize entering into an engineering services agreement with Interstate Engineering, Inc., for the Waste Water Treatment Plant to provide assistance as needed. Seconded by Council Member Brubakken. Roll Call No. 15 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

SARAH HELLEKSON, City Administrator

APPROVED:

KATIE ANDERSEN, Mayor