

JAMESTOWN CITY COUNCIL
REGULAR MEETING, NOVEMBER 5, 2018
OFFICIAL MINUTES

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

The Pledge of Allegiance to the flag was recited.

Roll Call showed the following members present: Mayor Heinrich, Council Members Phillips, Steele, Brubakken, and Buchanan, City Attorney Ryan, and City Administrator Hellekson.

Council Member Buchanan moved to approve the minutes of the regular council meeting, October 1, 2018; the committee meetings October 23 and 25, 2018. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

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

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

- A. Resolution of support of ND Cares and application to ND Cares to improve understanding of the needs and services for military service members, veterans, their families and survivors close to home, which involves designating a local steering committee.
- B. Resolution to accept the proposed Section 125 employee benefit plan with the City's current AFLAC provider at no cost to the City with tax savings for participating full-time employees enrolled in the benefit plan, and authorize the City Administrator to enter into a three-year contract for no-cost administration of the benefit plan.
- C. Resolution to accept the 2017 City Audit Report as prepared by Schauer & Associates, PC.
- D. Resolution to accept the UGP-2-052(043)264 Cost Participation and Maintenance Agreement for the \$3,100,000 City of Jamestown Urban Grant Program Project, for which the City must match ten percent of the project costs estimated at \$310,000, to be funded through the City's Special Assessment Deficiency Fund.
- E. Resolution to approve the request from the County to allow the Stutsman County Commission to lower the purchase price of tax foreclosed properties to an estimated market value as determined by the County Tax Director, of which the City will still receive the proportionate share of the sales price, including specials.
- F. Resolution to approve and authorize the agreement beginning January 1, 2019, with the State of North Dakota for the land located in the S1/2, SW1/4 of Section 1-139-64, Stutsman County, ND, upon which sits the city's water storage and reservoir, for an annual lease payment funded by the utility.
- G. Resolution to approve the licenses and permit fee adjustments for 2019.
- H. Resolution to approve the final plat of Stoudt Addition, Lot 1, Block 1, a replat of a portion of Blocks 2 and 3 of Mall Woods Addition, within the NE ¼ of Section 2, T139N, R64W, being within the City of Jamestown, Stutsman County, North Dakota. The property is located at 900 23rd St SW.

- I. Resolution to approve Change Order No. 1, to Strata Corporation, for the 2018 Safe Routes to School Sidewalk District 18-21 (PCC Sidewalk, ADA Curb Ramps, and Incidental Items), for a net increase in the contract price of \$2,219.88, and extending the completion date of the project by one day for the additional work.
- J. Resolution to approve Change Order No. 2, to Strata Corporation, for the 2018 Safe Routes to School Sidewalk District 18-21 (PCC Sidewalk, ADA Curb Ramps, and Incidental Items), for a net increase in the contract price of \$4,446.20, to be completed in October or November, weather permitting.
- K. Resolution to approve Payment No. 1, to On The Level Construction, Inc., for construction on the Inert Cell 1-4, Final Cover, in the amount of \$83,290.05.
- L. Resolution to approve Payment No. 2&Final, to Border States Paving, Inc., for the New Retaining Wall at Frontier Village, in the amount of \$13,944.95.
- M. Resolution to approve Payment No. 3&Final, to Scherbenske, Inc., for construction on the James River Tree Snagging & Cleaning, in the amount of \$12,758.20.
- N. Resolution to approve Payment No. 4, to LD Concrete, for construction on 2018 Sidewalk, Curb & Gutter District #18-11, in the amount of \$19,454.63.
- O. Resolution to approve Payment No. 6, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #18-41, in the amount of \$119,973.63.
- P. Resolution to approve Payment No. 9 (Inv 08387.04-09), to SRF Consulting Group, Inc., for 2018 Jamestown Planning and Zoning Technical Services, in the amount of \$5,334.35.
- Q. Resolution to approve Payment No. 9, to Scherbenske, Inc., for construction on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$16,513.10.
- R. Resolution to approve Payment No. 10, to Burski Excavating, Inc., for construction on Cell 4 Liner and Cell 2/3 Partial Final Cover, in the amount of \$173,499.51.
- S. Resolution to approve Payment No. 11, 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 \$3,323.15.
- T. Resolution to approve Payment No. 11 (Inv 8371), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$1,155.00.
- U. Resolution to approve Payment No. 20 (Inv 60229), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$198.00.
- V. Resolution to approve Payment No. 53 (Inv 60114), to AE2S, for On Call engineering services, in the amount of \$509.71.
- W. Resolution to approve Payment No. 55 (Inv 60112), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- X. Resolution to approve Payment No. 3 (Inv 36228), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Closure Cell 1-4, Section 5-139-63, in the amount of \$6,447.30.

- Y. Resolution to approve Payment No. 7 (Inv 36230), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$2,038.50.
- Z. Resolution to approve Payment No. 9 (Inv 36227), to Interstate Engineering, Inc., for engineering services on the 2018 Safe Routes to School Sidewalk District 18-21, in the amount of \$17,637.38.
- AA. Resolution to approve Payment No. 15 (Inv 36226), to Interstate Engineering, Inc., for engineering services on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$5,040.25.
- BB. Resolution to approve Payment No. 17 (Inv 36225), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$23,335.75.
- CC. Resolution to approve Payment No. 20 (Inv 36223), 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 \$4,662.75.
- DD. Resolution to approve Payment No. 20 (Inv 36224), to Interstate Engineering, Inc., for engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$1,482.00.
- EE. Resolution to approve Payment No. 254 (Inv 36229) in the amount of \$22,161.50, to Interstate Engineering, Inc., for engineering services on the following:
 - a. City Department consultations (General), in the amount of \$9,215.50
 - b. City Department consultations (Streets), in the amount of \$1,140.00
 - c. City Department consultations (Sewer), in the amount of \$4,922.00
 - d. City Department consultations (Water), in the amount of \$5,057.50
 - e. City Department consultations (Solid Waste), in the amount of \$1,127.50
 - f. City Department consultations (Storm Water), in the amount of \$699.00
- FF. 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.
- GG. Resolution to allow the October indebtedness in the amount of \$4,769,987.65 consisting of \$503,895.14 payroll and \$4,266,092.51 general obligations.

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

Council Member Buchanan moved to amend the 2019 utility rates to include a minimum monthly fee for both garbage and water services according to the type of property or service provided. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Buchanan moved a Resolution to approve the utility rate adjustments for 2019, as amended. Seconded by Council Member Brubakken.

After further discussion, Council Member Buchanan moved to amend the motion to include a three month minimum requirement for walk-up garbage and recycling service. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Roll Call No. 2 on the Resolution, as amended, showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to amend the motion for the Declaration of Slum and Blighted Area to include an area north of the railroad tracks to 5th Street N. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to approve the Declaration of Slum and Blighted Area and authorize the application for state funding to improve slum or blighted areas of the City's main street, which includes the area between 2nd Avenue E and 2nd Avenue W from 9th Street S to 5th Street N, which application and program requires no matching City funds. Seconded by Council Member Phillips. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to change the zoning of property located at 124 3rd Avenue SE from M-1 to C-1. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1513, introduced by Council Member Brubakken, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Jamestown Original, Block 31, E100' of Lot 16 & 17, and E100' of S20' of Lot 18, from M-1 (Limited Industrial and Manufacturing District) to C-1 (Local Commercial District), had its second reading. The property is located at 124 3rd Avenue SE. Seconded by Council Member Phillips. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved to adjourn. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

ATTEST:

SARAH HELLEKSON, City Administrator

APPROVED:

DWAINE HEINRICH, Mayor