

JAMESTOWN CITY COUNCIL
REGULAR MEETING, MAY 6, 2019
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, April 1, 2019; minutes of the Board of Equalization meeting, April 9, 2019; and the committee meetings, April 23 and 25, 2019. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

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

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

- A. Resolution to approve the requests for gaming site authorizations for the period July 1, 2019 – June 30, 2020, for the following:
 - 1) **James River Aerie #2337 FOE** for Frontier Fort Bar & Grill;
 - 2) **Knights of Columbus** for the Wonder Bar Sports Bar, Knights of Columbus, Corner Bar, Fred's Den, Tapps Lounge;
 - 3) **North Dakota Buffalo Foundation, Inc.** for the Elks Club and Rock Taphouse;
 - 4) **Progress Enterprises** for Office Bar, Shady's, Buffalo Bar & Lounge and IDK Bar & Grill;
 - 5) **Vet's Club, Inc.**, for the All Vets Club
 - 6) **Horse Race North Dakota** for Jonny B's Brickhouse
- B. Resolution to approve the Jamestown Community Corrections agreement for a one-year extension, January 1, 2019 through December 31, 2019.
- C. Resolution to approve the Compassion Care Center special use permit application from GR Vending ND Dispensary 6, LLC.
- D. Resolution to approve the request from the Jamestown Fine Arts Association, Inc., d/b/a/ The Arts Center, for a street closing on 2nd St SW from 1st Ave to the alley, on June 6, 13, 20, 27, July 11, 18, 25, August 1, 8, 15, 22 and 29, 2019, for the weekly Downtown Arts Market and request a waiver of the street closing fees.
- E. Resolution to approve the request for a Resolution approving the Second Supplemental Indenture of Trust on the \$3,200,000 Heritage Centre of Jamestown, Inc., Project Series 2008 MIDA Bond.
- F. Resolution to approve the plat of Hope Apostolic Addition, Lot 1, Block 1, a re-plat of Lots 1 – 5, Block 14 of Original Plat of Jamestown, within the SW ¼ Section 25, T140N, R64W, Midway Township, City of Jamestown, Stutsman County, North Dakota. The property is located at 424 4th Ave NE.
- G. Resolution to approve the plat of Noah's Park View Addition, Lot 1, Block 1, a re-plat of Lots 12 and 13, Block 1 of Prairie Park Addition, within the NW ¼ Section 35, T140N, R64W, City of Jamestown, North Dakota. The property is located at 1608 and 1612 10th St SW.
- H. Resolution to approve the request for a special use permit on Jamestown College Subdivision, Block 2.

- I. Resolution to approve the plans and specifications and authorize the advertisement for bids for 2019 watermain replacement project.
- J. Resolution to approve Payment No. 2 (Inv 08387.05-2), to SRF Consulting Group, Inc., for 2019 Jamestown Planning and Zoning Technical Services, in the amount of \$5,786.95.
- K. Resolution to approve Payment No. 3 (Inv 08387.05-3), to SRF Consulting Group, Inc., for 2019 Jamestown Planning and Zoning Technical Services, in the amount of \$3,517.81.
- L. Resolution to approve Payment No. 16 (Inv 9006), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$461.80.
- M. Resolution to approve Payment No. 23 (Inv 62642), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$4,170.00.
- N. Resolution to approve Payment No. 58 (Inv 62610), to AE2S, for On Call engineering services, in the amount of \$2,024.05.
- O. Resolution to approve Payment No. 61 (Inv 62609), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- P. Resolution to approve Payment No. 5 (Inv 37482), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$1,284.00.
- Q. Resolution to approve Payment No. 6 (Inv 37480), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Closure Cell 1-4, Section 5-139-63, in the amount of \$717.50.
- R. Resolution to approve Payment No. 9 (Inv 37481-Final), to Interstate Engineering, Inc., for engineering services on the James River Tree Snagging Project, in the amount of \$456.00.
- S. Resolution to approve Payment No. 11 (Inv 37483), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$1,082.50.
- T. Resolution to approve Payment No. 13 (Inv 37479-Final), to Interstate Engineering, Inc., for engineering services on the 2018 Safe Routes to School Sidewalk District 18-21, in the amount of \$2,187.50.
- U. Resolution to approve Payment No. 22 (Inv 37477), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$9,109.50.
- V. Resolution to approve Payment No. 266 (Inv 37478), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$437.50.
- W. Resolution to approve Payment No. 267 (Inv 37484), in the amount of \$32,210.50, to Interstate Engineering, Inc., for engineering services on the following:
 - 1) City Department consultations (General), in the amount of \$10,362.50
 - 2) City Department consultations (Streets), in the amount of \$2,847.00
 - 3) City Department consultations (Sewer), in the amount of \$10,025.50
 - 4) City Department consultations (Water), in the amount of \$2,501.00
 - 5) City Department consultations (Solid Waste), in the amount of \$3,201.50
 - 6) City Department consultations (Storm Water), in the amount of \$3,273.00

- X. 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.
- Y. Resolution to allow the April indebtedness in the amount of \$2,470,178.64 consisting of \$523,932.22 payroll and \$1,946,246.42 general obligations.
- Z. Resolution to approve the request from North Dakota Buffalo Foundation for a site authorization to conduct gaming at the Jamestown Civic Center on June 12, 2019.

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

Council Member Brubakken moved a Resolution to award the bid for the 2019 Seal Coat, Patching, Construction & Reconstruction District #19-41 to Border States Paving, Inc., in the amount of \$1,996,890.00. Seconded by Council Member Phillips. City Engineer Dillman addressed the Council. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to award the bid for the 2019 Sidewalk, Curb & Gutter District #19-11 to LD Concrete, in the amount of \$41,652.50. Engineering Technician Liebig addressed the Council. Seconded by Council Member Steele. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

After discussion was held regarding the bids received for the Jamestown Civic Center, Exchequer Room and Hanson Room Portable Walls, City Attorney Ryan opened and read the bid from SP&E, Inc. The bid received from IPGS Enterprises, LLC d/b/a Tristate Specialties, was determined to not in proper form and was not opened. Civic Center Director Fosse answered questions. Pending review by City staff, the bid award will be later in the meeting.

Council Member Steele moved a Resolution to approve the request from Journey Behavioral Solutions for the City of Jamestown to act as the sponsoring government for the Community Development Block Grant project Journey Behavioral Solutions to be conducted from March 15, 2019, through March 15, 2022, and managed by the South Central Dakota Regional Council. Seconded by Council Member Brubakken. Traci Redlin, SCDRC, and Shaulee Iverson, President, Journey Behavioral Solutions, addressed the City Council. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to uphold the required \$5,000 security deposit for an antenna on a city water tower despite the request from i3G Media to waive the requirement for its antenna on the city's water tower. Seconded by Council Member Steele. City Engineer Dillman, Tanea Clocksene, i3G Media, and Jordan Bitts, i3G Media, answered questions. Roll Call No. 5 showed: 1 aye (Brubakken), 4 nays, 0 absent. Did not pass.

Council Member Buchanan moved a Resolution to refer the matter to Finance and Legal Committee for discussion of guidelines from the city attorney. Seconded by Council Member Phillips. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved to introduce the first reading of an ordinance to amend and re-enact Chapter 2, Article IX, of the City Code pertaining to the Forestry Department.

Council Member Steele moved to introduce the first reading of an ordinance to amend and re-enact Sections 3, 4, 5 and 7, Appendix C, of the City Code pertaining to zoning regulations.

Ordinance No. 1514, introduced by Council Member Buchanan, to grant a non-exclusive gas distribution system franchise agreement to Montana Dakota Utilities, had its second reading. Seconded by Council Member Phillips. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid for the Jamestown Civic Center, Exchequer Room and Hanson Room Portable Walls, to SP&E, Inc., in the amount of \$61,900. Seconded by Council Member Phillips. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved to appoint James C. Dixon to serve as a member on the Forestry Committee to fill the unexpired term of Colleen Grenz, April 2021. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Buchanan moved to appoint Laurie Ann Podoll to serve as a member on the Forestry Committee for a three-year term to April 2022. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Steele moved to appoint Timothy R. Nill to serve as a member on the Board of Adjustments to fill the unexpired term of Harvey Schuh, January 2021. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to recognize the North Dakota Patriot Guard as an other public spirited organization and authorize the issuance of a raffle permit. Seconded by Council Member Phillips. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a Resolution to approve the recommendation of the City Forester Selection Committee and offer the position to Erik Laber, at Range 38, Step 1. Seconded by Council Member Phillips. Deputy City Auditor Sveum provided information. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor