

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, JULY 7, 2008  
OFFICIAL MINUTES

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

Roll Call showed the following members present: Mayor Liechty, Council Members Kourajian, Nygaard, Parisien and Schulz and Deputy City Auditor Sveum. Absent: City Administrator Fuchs and City Attorney Dalsted.

Council Member Schulz moved to approve the minutes of the final council meeting, June 24, 2008, as printed. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Kourajian moved to approve the minutes of the organizational meeting, June 24, 2008. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Council Member Parisien moved to approve the following consent items:

- A. Resolution to re-affirm pledges of deposit as follows:

|                              |                |
|------------------------------|----------------|
| First Community Credit Union | \$5,454,250.00 |
| Unison Bank                  | \$8,446,115.78 |
| Wells Fargo Bank             | \$3,167,899.58 |
| USBank Jamestown             | \$ 563,431.05  |
- B. Resolution to approve the Replat of Lots 1-4, Block 2, The Meadows Addition.
- C. Resolution to approve and authorize entering into a Professional Services Contract with South Central Dakota Regional Council to provide administration services for the CDLF loans for Precision Results and Champ Industries.
- D. Resolution to allow Estimate No. 2, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #08-41, in the amount of \$536,216.69.
- E. Resolution to approve Payment No. 3, to Ulteig Engineers, for engineering services on the Project Concept Report and Preliminary Design for the East Business Loop Reconstruction Project No. SU-2-987(029)033, in the amount of \$33,768.05.
- F. Resolution to approve Payment No. 6, to Interstate Engineering, Inc., for engineering services on various city department consultations, in the amount of \$4,349.50.
- G. Motion to accept the reports of the Municipal Judge, Fire Department, Inspection Department, Forestry Department, Promotion and Tourism Center, Central Valley Health Unit, Jamestown Safe Community Task Force, and financial status.
- H. Resolution to allow the June indebtedness in the amount of \$1,866,323.69 consisting of \$362,777.96 payroll and \$1,503,545.73 general obligations.

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

Council Member Parisien moved a Resolution to approve the adoption of a policy relating to Public Notice Requirement in addition to those required by Appendix C, Zoning Regulations Generally, Section 11 of the City of Jamestown Code. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

City Attorney Dalsted seated himself.

Mayor Liechty moved a Resolution to approve the reports of the Police Department (junk notice information to be added in future) and Public Works Departments. Seconded by Council Member Schulz. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty declared a conflict of interest with the Jamestown College request for issuance of MIDA bonds due to her financial involvement with the project.

Council Member Schulz moved to allow Mayor Liechty to discuss and vote on the motion. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

A public hearing was held concerning the request from Jamestown College for authorization to issue Municipal Industrial Development Bonds, in an amount not to exceed \$1,100,000.00, to finance the renovation of Taber Hall. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Parisien moved to approve and authorize the issuance of Municipal Industrial Development Bonds (Jamestown College Project) Series 2008, in an amount not to exceed \$1,100,000.00, to finance the renovation of Taber Hall. Seconded by Council Member Nygaard. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved to adopt the following Resolutions pertaining to Storm Sewer District #08-71:

- 1) To set up and establish the district.
- 2) To direct Interstate Engineering, Inc., to prepare a report of the general nature, purpose and feasibility, and an estimate of costs for the district.
- 3) To direct Interstate Engineering, Inc., to prepare plans and specifications for the construction of the district.
- 4) To accept and approve the plans, specifications, as prepared by Interstate Engineering, Inc.
- 5) To advertise for bids for construction of the district.

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

A public hearing was held concerning an ordinance to change the zoning of Block 72, Klaus Third Addition (James House), from R-2-A (One to Twelve Family Residential District) to R-3 (General Multiple Dwelling District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1341, introduced by Council Member Heinrich, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Block 72, Klaus Third Addition (James House), from R-2-A (One to Twelve Family Residential District) to R-3 (General Multiple Dwelling District). Seconded by Council Member Schulz. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Elsa Zimmerman, 815 2<sup>nd</sup> Avenue NE, appeared before the council with concerns on fireworks.

The Police Department had received 44 fireworks calls and issued one citation. The Fire Department had one fire call.

Donald Wegner, 1506 11<sup>th</sup> Avenue SW, gave information to the City Council relative to the chemical used by the Vector Control Department to spray for mosquitoes and how the chemical affected the fish in his backyard pond. He asked that the City not spray within 150' of his residence.

The City Council referred this issue to the July Public Works Committee.

Mayor Liechty moved to appoint Laurel Haroldson to serve as the City representative of the Central Valley Health Unit for a five year term to expire July 2013. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Charlie Kourajian to serve as a Council representative of the County Zoning Board with a four year term to expire June 2012. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Barbara Laraway to serve as a member of the Library Board for a three year term to expire July 2011. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Ken Schulz to serve as the City Council representative of the Library Board for a three year term to expire July 2011. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Mayor Liechty moved to appoint Patrick Nygaard to serve as the City Council representative of the Pension Committee to fill the unexpired term of Dwaine Heinrich which expires March 2009. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

The appointment to the Renaissance Zone Authority and appointment of a Special City Prosecutor were delayed.

Council Member Schulz moved to approve the request from Wonder Bar Sports Bar for permits to conduct street dances on Friday, August 1, 2008, and Friday, August 29, 2008, on 2nd Street SE from 8:00 PM to Midnight. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Nygaard moved to approve the request from Wonder Bar Sports Bar to dispense alcoholic beverages at the Jamestown Regional Airport, on Saturday and Sunday, August 23 and 24, 2008, for the Drag Races (Rain dates of September 6 and 7, 2008). Seconded by Council Member Parisien.

After discussion and question relative to the hours, Council Member Nygaard and Parisien withdrew their motion.

Council Member Schulz moved to approve the request from Buffalo Lanes, Inc., for a permit to conduct a street dance on Friday, July 18, 2008, at 2501 3rd Avenue SW, from 7:00 P.M. to 12:00 Midnight. Seconded by Council Member Nygaard. Unanimous aye vote. Carried.

Council Member Schulz moved to approve the request from Buffalo Lanes, Inc., for a permit to dispense alcoholic beverages at 2501 3rd Avenue SW on Friday, July 18, 2008, for the N.D. Harley Owners Group (HOG Rally) Convention. Seconded by Council Member Parisien.

After discussion, it was determined that City ordinance does not allow dispensing of alcoholic beverages by a licensed establishment on any private property. Voice vote on

the motion as read showed: 0 ayes, 5 nays, 0 absent. NOT CARRIED.

Council Member Schulz moved to place on the council agenda the request from Buffalo Lanes, Inc., for a permit to conduct a street dance adjacent to their building on Friday, July 18, 2008. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Schulz moved to approve the request from Buffalo Lanes, Inc., for a permit to conduct a street dance in the alley and parking lot adjacent to Buffalo Lanes on Friday, July 18, 2008, from 7:00 PM to Midnight. Seconded by Council Member Parisien. Unanimous aye vote. Carried.

Council Member Kourajian moved to approve the request from the Stutsman County Memorial Museum to close off 3rd Avenue SE from 3rd Street to 4th Street on Friday, July 11, 2008, from 4:00 P.M. to 9:00 P.M., for an Ice Cream Social and Jamestown Classic Car Club Buffalo Rally Pre-registration. Seconded by Mayor Liechty. Unanimous aye vote. Carried.

Council Member Parisien moved to approve the request from the ND Buffalo Foundation to close off the Buffalo Scenic Road west of the amphitheater parking lot to Louis L'Amour Lane west of Water Plant sidewalk on Saturday, July 12, 2008, from 6:00 A.M. to 10:00 P.M., for the White Cloud Birthday Celebration and Jamestown Classic Car Club Buffalo Rally. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

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

ATTEST:

APPROVED:

JAY SVEUM, Deputy City Auditor

CLARICE LIECHTY, Mayor