

JAMESTOWN CITY COUNCIL
REGULAR MEETING, MARCH 1, 2010
OFFICIAL MINUTES

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

The Pledge of Allegiance to the flag was recited.

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

Council Member Parisien moved to approve the minutes of the following meetings: Regular council meeting, February 1, 2010; Special city council meeting, February 16, 2010; and Committee meetings, January 19, February 16 & 18, 2010. Seconded by Council Member Schulz. Unanimous aye vote. Carried.

Council Member Parisien moved to approve the following consent items:

- A. Resolution to approve the request from Sheldon Oviatt for a Class C On-Off Sale alcoholic beverage license for the premises at 200 First Avenue South (Lots 13 & 14, Block 38, Original Addition).
- B. Resolution to approve the request from JMSSAK Investments, LLC, for a Class C On-Off Sale alcoholic beverage license for the premises at 110 Second Street NW (Lot 5 except the W1/2, All Lots 6-11 & Pt of Lot 12, Block 24, Original Addition).
- C. Resolution to approve the request from the North Dakota Buffalo Association for a gaming site authorization at the Civic Center, April 21, 2010, during Life's Focus.
- D. Resolution to approve entering into a five year lease agreement with the Frontier Village Association, Inc., for the Frontier Village Site.
- E. Resolution to approve the Water Utility Cost of Service and Rate Study recommendations to adjust water rates as follows:
 - Business: \$17.62 for the first 400 Cubic Feet of water used per month, plus \$2.16/100 CF for all water used in excess of 400 CF.
 - Residential: \$17.62 for the first 400 Cubic Feet of water used per month, plus \$2.16/100 CF for all water used in excess of 400 CF.
 - Commercial (Multiple Res.): \$8.81 per living unit for the first 200 Cubic Feet of water used per living unit per month, plus \$2.16/100 CF for all water used in excess of 200 CF per living unit.
 - Mobile Home Courts: \$8.81 per living unit for the first 200 Cubic Feet of water used per living unit per month, plus \$2.16/100 CF for all water used in excess of 200 CF per living unit.
- F. Resolution to award the bids to R.M. Stoudt, Inc., for the following vehicles:
 - 1) One (1) 4X4 full-size ½ Ton Pickup for the Wastewater Treatment Plant Facility, in the amount of \$23,978.85, less \$2,200.00 for trade-in (1997 GMC ½ Ton Pickup, VIN 1GTEK14M7VZ529774), for a net bid of \$21,778.85; and
 - 2) One (1) 4X4 full-size ¾ Ton Pickup for the Wastewater Treatment Plant Facility, in the amount of \$22,911.49, less \$4,000.00 for trade-in (2000 GMC ¾ Ton Pickup, VIN 1GTGK24RXR172072), for a net bid of \$18,911.49.
- G. Resolution to accept and approve the 2010 City Standard Specifications for construction, as prepared by the City Engineering Department.

- H. Resolution to accept and approve the Engineer's Report for Seal Coat, Patching, Construction and Reconstruction District #10-41.
- I. Resolution to approve Payment No. 17, 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 \$13,750.64.
- J. Resolution to approve Payment No. 4, (Inv No. 3346) to Interstate Engineering, Inc., for preliminary engineering services on Viaduct Utilities and Pavement Replacement, STM-SU-2-987(032)036, in the amount of \$6,656.80.
- K. Resolution to approve Payment No. 7 (Inv No. 3341), to Interstate Engineering, Inc., for engineering services on Downtown Railroad Parking Lots & Streets Improvement District #07-43, in the amount of \$15,828.73.
- L. Resolution to approve Payment No. 2 (Inv No. 3340), to Interstate Engineering, Inc., for design engineering services on Facility Plans for Water System Improvement, Treated Water Transmission Line and Water Plant Improvements, Phase II, DWSRF Project 4700498-03, in the amount of \$100,044.04.
- M. Resolution to approve Payment No. 5 (Inv No. 3352Final), to Interstate Engineering, Inc., for construction engineering services on 3rd Street East Mill and Overlay from BNSF tracks to 87th Avenue, STM-SU-2-987(031)035, in the amount of \$5,249.78.
- N. 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.
- O. Resolution to allow the February indebtedness in the amount of \$1,946,969.72 consisting of \$418,225.67 payroll and \$1,528,744.05 general obligations.

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

Mayor Liechty moved a Resolution to concur with the ND Department of Transportation in developing a new Land Use and Transportation Plan for the City of Jamestown and agree to pay 20% (approximately \$55,000) of the cost of the project and to require a written yearly report by the Planning Commission for the plan to be submitted to the City Council. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved to table and send back to the Planning Commission the submission of the application to the ND Department of Transportation for a utility easement across I-94 right-of-way for a city waterline for the new Jamestown Hospital water supply system. Seconded by Council Member Schulz. Roll Call No. 3 showed: 2 ayes, 3 nays (Nygaard, Parisien and Kourajian), 0 absent. NOT CARRIED.

Mayor Liechty moved to deny submission of an application to the ND Department of Transportation for a utility easement across I-94 right-of-way for a city waterline for the new Jamestown Hospital water supply system. Died for lack of a second.

Council Member Nygaard moved a Resolution to approve submission of an application to the ND Department of Transportation for a utility easement across I-94 right-of-way for a city waterline for the new Jamestown Hospital water supply system. Seconded by Council Member Kourajian.

Mayor Liechty stated concerns with the proposed water line location and the future plans of the area.

Steve Aldinger, Interstate Engineering, Inc., summarized their firms activity regarding the proposed water main to be serving the Jamestown Regional Medical Center.

Council Member Parisien moved to table the submission of an application to the NDDOT relative to a utility easement across I-94 right-of-way for a city waterline until the Planning Commission has an opportunity to review it. Died for lack of a second.

Roll Call No. 4 on the original Resolution, to approve submission of the application, showed: 2 ayes, 3 nays (Liechty, Parisien, Schulz), 0 absent. NOT CARRIED.

Mayor Liechty moved a Resolution to approve payments to Interstate Engineering, Inc., for engineering services on Emergency Repair as follows: Payment No. 1 (Inv No. 3342), for 4th Street NW Pavement, Project No. CER-2-987(034)038, in the amount of \$7,343.18; Payment No. 1 (Inv No. 3343), for 2nd Street SW, Pavement, Project CER-2-987(035)039, in the amount of \$1,606.63; Payment No. 1 (Inv No. 3344), for 1st Street West Pavement, Project CER-2-987(036)040, in the amount of \$2,182.52; and Payment No. 1 (Inv No. 3345), for 17th Street SE and 27th Avenue SE Pavement between US 52 and 27th Avenue SE Country Club Avenue, Project CER-2-987(037)041, in the amount of \$8,328.85. Seconded by Council Member Schulz. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved to introduce the first reading of an ordinance to amend and re-enact Section 25.5-24 and 25.5-26 of the City Code of the City of Jamestown pertaining to dedication of 1% City Sales Tax proceeds and termination date of 1% City Sales Tax.

Mayor Liechty moved to introduce the first reading of an ordinance to amend and re-enact Sections 25-60 and 25-61 of the City Code pertaining to designation of areas and notices for temporary prohibition of parking and violations thereof.

Council Member Schulz moved a Resolution to approve the request from the Jamestown Rotary Club, to be recognized as an other public spirited organization, and to issue a permit to conduct a raffle on April 18, 2010. Seconded by Council Member Parisien. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Liechty moved a Resolution to approve the recommendation from the City Administrator for the filling of the Utility Operations Director. Seconded by Council Member Parisien. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schulz moved a Resolution to approve the requests for special permits to allow the outdoor sale and consumption of alcoholic beverages for the St. Patrick's Day Run on March 20, 2010, in approved areas, to the following: Buffalo Lanes, Inc., Jsmdak Investments, LLC, Frontier Fort Bar & Grill, Office Bar & Lounge, Shady's, Vets Club, and Wonder Bar Sports Bar. Seconded by Council Member Nygaard. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to approve the request of the North Dakota Buffalo Foundation, Inc., for a gaming site authorization to conduct gaming at Jsmdak Investments, LLC (Jimmies Grill - Elks - Dublin Pub), for the period ending June 30, 2010. Seconded by Mayor Liechty. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS
City Administrator

CLARICE LIECHTY
Mayor