

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JUNE 7, 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 and Schulz, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs. Absent: Council Member Nygaard and Parisien.

Council Member Schulz moved a Resolution to approve the minutes of the following meetings: Minutes of the regular council meeting, May 3, 2010; Minutes of the special council meeting, May 17, 2010; Minutes of the Board of Equalization, April 13 & May 17, 2010; Minutes of the committee meeting, May 25, 2010; Minutes of the committee meeting, May 27, 2010. Seconded by Council Member Kourajian. Roll Call No. 1 showed: 3 ayes, 0 nays, 2 absent. Carried.

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

Mayor Liechty moved to approve the following consent items:

- A. Resolution to approve the request from the City Advisory Study Committee for an extension of time to July 31, 2010, to complete its report to the City Council.
- B. Resolution to approve the request from Cork & Barrel to change their Class C off-sale alcoholic beverage license to a Class C on-off sale license, effective July 1, 2010.
- C. Resolution to approve requests for street dance permits for the following: Buffalo Lanes, Inc., for June 26, 2010; and Gilby, Inc. d/b/a Wonder Bar Sports Bar for June 19th - July 10th & July 23rd, 2010.
- D. Resolution to approve the request from Main Street Downtown Association to close 1st Avenue South and certain streets on July 10, 2010, for the White Cloud Parade & Classic Car show.
- E. Resolution to approve the request from St James Basilica for a special use permit to build a priest's residence on the property.
- F. Resolution to approve adjusting rental rates at the Civic Center, as proposed by the Civic Center Director, effective July 1, 2010.
- G. Resolution to approve the proposal from MVTL for the 2010 Groundwater Quality Assessment for the Jamestown Sanitary Landfill.
- H. Resolution to approve the request from Steve & Dustin Attleson of 803 3rd Ave SE to remove and replace 5-6 feet of gutter and repair driveway apron to be included in the City's 2010 Sidewalk, Curb & Gutter District #10-11.
- I. Resolution to authorize the extension of an additional \$2,500.00 per month subsidy through December, 2010, to Renaissance Recycling, LLC.
- J. Resolution to approve the performance bond from Butler Machinery Company, for the guaranteed deliver of one (1) Caterpillar 256C Skid Steer Loader, in the amount of \$43,866.00.
- K. Resolution to approve the performance bond from Schumacher Construction Company, for construction on 2010 Sidewalk, Curb & Gutter District #10-11, in the amount of \$69,359.50.

- L. Resolution to approve the following performance bonds of RDO Equipment Company:
- 1) For the guaranteed delivery of One (1) New 2010 John Deere, 770G, Motor Grader, for the Street Department, in the amount of \$205,750.00; and
 - 2) For the guaranteed buyback of the motor grader, in the amount of \$127,000.00, after 6 years or 4500 hours, whichever occurs first.
- M. Resolution to approve Payment No. 1, to Ulteig Engineers, for engineering services on the Sanitary Sewer Collection System Study, in the amount of \$52,896.00.
- N. Resolution to approve Estimate No. 1, to Central Specialties, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #10-41, in the amount of \$25,170.03.
- O. Resolution to approve Estimate No. 1, to PKG Contracting, Inc., for construction on Phase II, Water Plant Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$120,870.00.
- P. Resolution to approve Estimate No. 5, to Northern Excavating Co., Inc., for construction on Utility & Street Improvement District #09-51 (McElroy Addition), in the amount of \$93,277.99.
- Q. Resolution to approve Payment No. 20, 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 \$69,307.60.
- R. Resolution to approve Payment No. 2 (Inv No. 4059), to Interstate Engineering, Inc., for construction engineering services on Mill Hill (US 281 from 17th Street SW to 4th Avenue SW) Dowel Bar Retrofit, Grinding & CPR; Project STM-S-NHU-2-281(036)067, in the amount of \$11,166.02.
- S. Resolution to approve Payment No. 3 (Inv No. 4069), to Interstate Engineering, Inc., for engineering services on City Wide Storm Sewer Study, in the amount of \$14,108.40.
- T. Resolution to approve Payment No. 8 (Inv No. 4062), to Interstate Engineering, Inc., for engineering services on Flood Related Consultation, Surveying and Mapping, in the amount of \$192.00.
- U. Resolution to approve Payment No. 8 (Inv No. 4067), to Interstate Engineering, Inc., for engineering services on Downtown Railroad Parking Lots & Streets Improvement District #07-43, in the amount of \$25,918.35.
- V. Resolution to approve Payment No. 20 (Inv No. 4061) to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$333.00.
- W. 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.
- X. Resolution to allow the May indebtedness in the amount of \$1,648,334.50 consisting of \$408,208.94 payroll and \$1,240,125.56 general obligations.

Seconded by Council Member Schulz. Consent Roll Call No. 2 showed: 3 ayes, 0 nays, 2 absent. Carried.

A public hearing was held concerning special assessments for Seal Coat, Patching, Construction & Reconstruction District #09-41. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Kourajian moved a Resolution to accept and approve the special assessments for Seal Coat, Patching, Construction & Reconstruction District #09-41, as submitted by the Special Assessment Commission, in the amount of \$2,289,059.54, with the City Share to be \$202,747.50, and with a balance to assess against benefited properties in the amount of \$2,068,312.04. Seconded by Council Member Schulz. Roll Call No. 3 showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Nygaard seated himself.

A public hearing was held concerning special assessments for U.S. Highway 281 South Improvement District #07-42. No one appeared to object and no written protests were received. The hearing was closed.

Mayor Liechty moved a Resolution to accept and approve the special assessments for U.S. Highway 281 South Improvement District #07-42, as submitted by the Special Assessment Commission, in the amount of \$386,185.43, with the City Share to be \$38,618.54, and with a balance to assess against benefited properties in the amount of \$347,566.89. Seconded by Council Member Schulz. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 absent. Carried.

A public hearing was held concerning special assessments for Sanitary Sewer District #08-31. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Kourajian moved a Resolution to accept and approve the special assessments for Sanitary Sewer District #08-31, as submitted by the Special Assessment Commission, in the amount of \$15,846.88, to be assessed to benefited properties within the district. Seconded by Council Member Nygaard. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Schulz moved a Resolution to award the bid, contingent on ND Health Department approval, for the Forcemain Replacement from the Main Sewer Lift Station to the City Wastewater Treatment Plant to Riley Bros. Construction, Inc., in the amount of \$1,061,575.00. Seconded by Council Member Kourajian. Roll Call No. 6 showed: 4 ayes, 0 nays, 1 absent. Carried.

Mayor Liechty moved a Resolution to award the bid, contingent on ND Department of Transportation approval, for the Downtown Railroad Parking Lots & Streets Improvement District #07-43, Project TEU-2-987(028)032, to

Border States Paving, Inc., in the amount of \$759,037.89. Seconded by Council Member Schulz. Roll Call No. 7 showed: 4 ayes, 0 nays, 1 absent. Carried.

Mayor Liechty moved a Resolution to approve the request from APX Alarm Security Solutions, Inc., for an annual Transient Merchant License. Seconded by Council Member Kourajian. Roll Call No. 8 showed: 4 ayes, 0 nays, 1 absent. Carried.

Sherri Easterday, representative of Last Leg Taxi, appeared before the City Council to ask questions relative to the taxi subsidy. She was informed the item has been placed on the agenda for the Finance & Legal Committee meeting scheduled for June 24, 2010.

Council Member Schulz moved a Resolution to disapprove the request from Team Boomerang, to be recognized as an other public spirited organization. Seconded by Council Member Nygaard. Roll Call No. 9 showed: 4 ayes, 0 nays, 1 absent. Carried.

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

ATTEST:

APPROVED:

JEFF FUCHS
City Administrator

CLARICE LIECHTY
Mayor