

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JUNE 6, 2011
OFFICIAL MINUTES

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

The Pledge of Allegiance to the flag was recited.

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

Council Member Gumke moved to approve the minutes of the following meetings: Council meetings, May 2 and 16, 2011; and Committee meeting, May 26, 2011. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

A bid was received for the sale of an abandoned and impounded vehicle from Doran Wegner.

City Attorney Dalsted seated himself.

Council Member Kourajian moved to approve the following consent items:

- A. Resolution to approve an amendment to the JSDC Policies & Procedures Policy allowing the use of the Bank of ND Flex PACE Program.
- B. Resolution to reject the offer from James Torrance to purchase Lots 2, 3 & 7, Block 1, Beverly Hills 6th Addition, for \$1,200.00.
- C. Resolution to approve the request from Buffalo Lanes, Inc., to conduct a street dance in the parking lot and alley adjacent to the facility, on June 25th, 2011.
- D. Resolution to approve the request from the Wonder Bar Sports Bar to conduct street dances on 2nd St SW on June 17th, July 8th, and August 5th, 2011.
- E. Resolution to approve the request of the Fire Department to conduct the annual pancake feed on July 9, 2011, at the Fire Hall.
- F. Resolution to approve the request from John Corell to be allowed to hook-up to rural water on Lot 1, Block 1, Jamestown Hospital Healthcare Campus, as city water service is not available.
- G. Resolution to award bid for construction of the Downtown Quiet Zone to Lindberg Bros., Inc., in the amount of \$387,859.86.
- H. Resolution to approve the request from Central Valley Health District (Lots 1-4 & West 2.5' of Lot 5, Block 24, Original Addition) for repair of sidewalk, curb & gutter to be included in the 2011 Sidewalk, Curb & Gutter District #11-11.
- I. Resolution to accept the petition and authorize the construction of Gravel, Ditches and Culverts for the 13th Avenue & 13th Street SW area, and that the work be included in the 2012 Seal Coat, Patching, Construction and Reconstruction District.
- J. Resolution to direct City Staff to proceed with short term resolution to control the water concerns immediately adjacent to the landfill roadway near the MSW landfill.

- K. Resolution to authorize the acceptance of the Public Safety Interoperable Communications grant allocation, in the amount of \$16,692.86, with the City Share to be \$4,173.22.
- L. Resolution to reject the proposal from Renaissance Recycling for Curbside Recycling; and that a committee chaired by Mayor Andersen be established to study proposed changes to the Sanitation and Solid Waste Disposal operations to include curbside recycling.
- M. Resolution to approve Payment No. 1, to Gary Morlock Construction for construction on the Inert Cell 5 and 6, Cell 3B Development, Jamestown Landfills, in the amount of \$23,987.25.
- N. Resolution to approve Estimate No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #11-41, in the amount of \$48,907.66.
- O. Resolution to approve Estimate No. 1, to Lindberg Bros. Inc., for construction on 2011 Sidewalk, Curb & Gutter District #11-11, in the amount of \$33,306.52.
- P. Resolution to approve Payment No. 1 (Inv No. 77), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF LRAT Cover Replacement, in the amount of \$3,267.50.
- Q. Resolution to approve Payment No. 1 (Inv No.78), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF Headworks Improvement, in the amount of \$2,377.50.
- R. Resolution to approve Payment No. 2 & Final, to the ND Department of Transportation, for ER Project 2nd Street SW, Pavement, Project CER-2-987(035)039, in the amount of \$552.05.
- S. Resolution to approve Payment No. 2 & Final, to the ND Department of Transportation, for ER Project, 1st Street West Pavement, Project CER-2-987(036)040, in the amount of \$830.77.
- T. Resolution to approve Payment No. 2 & Final, to the ND Department of Transportation, for ER Project, 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 \$700.58.
- U. Resolution to approve Payment No. 3 & Final, to the ND Department of Transportation, for ER Project, 4th Avenue NW Pavement, Project CER-2-987(034)038, in the amount of \$592.03
- V. Resolution to approve Payment No. 3 (Inv No. 21468), to Ulteig Engineering, for construction engineering services on the East Business Loop Reconstruction Project No. SU-2-098(029)033, Project #11-42 (12th Street SE to I-94), in the amount of \$34,259.61.
- W. Resolution to approve Estimate No. 13, 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 \$577,289.29.
- X. Resolution to approve Payment No. 1 (Inv No. 6689), to Interstate Engineering, Inc., for Evaluation of Wastewater Treatment Facility Valves and Preparation of Plans for Replacement, in the amount of \$2,128.16.
- Y. Resolution to approve Payment No. 2 (Inv No. 6680), to Interstate Engineering, Inc., for engineering services on the Plant Influent Piping at Wastewater Treatment Plant, in the amount of \$2,672.50.
- Z. Resolution to approve Payment No. 2 (Inv No. 6684), to Interstate Engineering, Inc., for construction engineering services on the Sanitary Landfill Cell 3B, in the amount of \$2,342.00.

- AA. Resolution to approve Payment No. 2 (Inv No. 6683), to Interstate Engineering, Inc., for construction engineering services on the Inert Landfill Cells 5 & 6, in the amount of \$2,740.50.
- BB. Resolution to approve Payment No. 2 (Inv No. 6690), to Interstate Engineering, Inc., for engineering services for 2011 Flood Event, in the amount of \$11,568.90.
- CC. Resolution to approve Payment No. 3 (Inv No. 6681), to Interstate Engineering, Inc., for engineering services on the Solid Waste Baling Facility Modifications and Baler Equipment Replacement, in the amount of \$4,973.60.
- DD. Resolution to approve Payment No. 4 (Inv No. 6678), to Interstate Engineering, Inc., for construction engineering services on Transportation Enhancement for US Highway 281, Project No. S-TNU-2-281(033)066, in the amount of \$207.36.
- EE. Resolution to approve Payment No. 11 (Inv No. 6679), to Interstate Engineering, Inc., for construction engineering services on Phase II, Water System Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$19,533.28.
- FF. Resolution to approve Payment No. 30 (Inv No. 6685) to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$7,801.50.
- GG. 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.
- HH. Resolution to allow the May indebtedness in the amount of \$2,069,024.09 consisting of \$413,637.98 payroll and \$1,655,386.11 general obligations.

Seconded by Council Member Gumke. Consent Roll Call No. 1 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke moved a Resolution to deny the request for abatement from Debra Wilhelm for Lot 6, Clabot's 2nd Addition (940 2nd Ave NW), by reducing the true and full value from \$135,500 to \$35,000.

Seconded by Council Member Kourajian. Roll Call No. 2 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council requested the Building Inspector, City Assessor and Fire Chief to complete an inspection and determine the condition of the home.

Lance Brower appeared before the City Council to express his view relative to ADA accessible parking in the downtown area and stated he would like to see the current street-side parking to remain as those areas are more convenient during winter months than the areas located in the parking lots.

Mayor Andersen moved a Resolution to direct that City Staff use its discretion in proceeding with a Change Order proposal for pedestrian crossings to meet ADA guidelines in the downtown area and that street-side ADA accessible parking in the downtown area remain as is. Seconded by Council Member Gumke. Roll Call No. 3 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Kourajian moved a Resolution to approve Payment No. 7 (Inv No. 6682), to Interstate Engineering, Inc., for construction engineering services on Downtown Railroad Parking Lots & Streets Improvement District #07-43, Transportation Enhancement Project, in the amount of \$3,328.88. Seconded by Council Member Gumke. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 absent. Carried.

A public hearing was held concerning the special assessments on the 2010 Sidewalk, Curb & Gutter District #10-11. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Gumke moved a Resolution to approve the special assessments on 2010 Sidewalk, Curb & Gutter District #10-11, in the total amount of \$48,436.88, with the City Share at \$47,095.82, and benefited properties to be assessed in the amount of \$1,341.06. Seconded by Council Member Nygaard. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Nygaard moved a Resolution to approve the request from Trax Bar, LLC, for the following:

- 1) To change from a Class C alcoholic beverage license to a Class D alcoholic beverage license;
- 2) To grant the issuance of an off-sale beer license; and
- 3) To restrict the establishment to non-smoking only.

Seconded by Council Member Kourajian. Roll Call No. 6 showed: 4 ayes, 0 nays, 1 absent. Carried.

The back patio portion of Trax Bar was not included with the licenses above as there were concerns with capacity, drainage, utilities and trash in that area.

Council Member Kourajian moved a Resolution to award the bid for the sale of an abandoned and impounded 1993 Ford, Taurus, (VIN 1FALP52U1PG272067) to Doran Wegner, in the amount of \$265.00. Seconded by Council Member Nygaard. Roll Call No. 7 showed: 4 ayes, 0 nays, 1 absent. Carried.

It was noted that sanitation collection had resumed back to the alleys June 6, 2011.

Council Member Gumke moved a Resolution to approve participation with the Jamestown Park Board in the local share of repair work at McElroy Park (Bank Stabilization) at 50% on any portion not paid from other sources. Seconded by Council Member Kourajian. Roll Call No. 8 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Kourajian moved to adjourn. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

ATTEST:

JEFF FUCHS
City Administrator

APPROVED:

KATIE ANDERSEN
Mayor