

JAMESTOWN CITY COUNCIL
REGULAR MEETING, APRIL 1, 2013
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, Brubakken and Buchanan, City Attorney Dalsted, and City Administrator Fuchs. Absent: City Engineer Schwartzkopf.

Council Member Gumke moved to approve the minutes of the regular council meeting, March 4, 2013; minutes of the special council meetings, March 1, 6 & 13, 2013; and minutes of the committee meetings, March 19 & 21, 2013. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Bids were received for the sale of impounded/abandoned vehicles from Brian Hanson, Anthony J. Albrecht Darrel Wegner and Neil Baker.

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

- A. Resolution to authorize entering into the necessary agreements with Tyler Technologies for the phased procurement of accounting, tax and appraisal software for the City, in coordination with Stutsman County during 2013, through the use of interim city financing and inclusion in the 2014 City Budget.
- B. Resolution to approve the request from Two Rivers Printing for Economic Development Funds to provide for up to \$54,000 in Flex PACE interest buy down funds with the City Share to be \$43,200, and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from The Depot LLC, for an on-sale Beer & Wine License.
- D. Resolutions to authorize the submission of grant applications for Section 5311 and State Aid to Public Transit funding on behalf of Jamestown Taxi Service and committing the local share of funds necessary.
- E. Resolution to approve the plat of Creative Energy Addition.
- F. Resolution to approve the application for a charge account at the City Solid Waste Disposal Facility from ProTec Roofing, Inc.
- G. Resolution to approve the request from Jamestown Middle School Omega House relating to the annual storm drain stenciling project.
- H. Resolution to approve the week of June 3 – 8, 2013, for the Annual City Wide Clean-up Week.
- I. Resolution to approve the two (2) performance bonds from Schumacher Construction, Inc., for a Cold Storage Building for the Sanitation Department, in the amount of \$97,139.00, and for a Cold Storage Building for the Street Department, in the amount of \$96,596.00.
- J. Resolution to approve Payment No. 1 & Final (Inv No. 12067A-1), to CPS, for Jamestown Landfill 2012 Annual Ground Water Monitoring Report, in the amount of \$14, 379.00.

- K. Resolution to approve Payment No. 1 (Inv No. 33606), to AE2S, for engineering services on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$2,797.75.
- L. Resolution to approve Payment No. 1 (Inv No. 33607), to AE2S, for engineering services on Infrastructure I&C Support, in the amount of \$1,009.00.
- M. Resolution to approve Payment No. 2 (Inv No. 33608), to AE2S, for On Call engineering services, (Fire Flow Analysis), in the amount of \$706.00.
- N. Resolution to approve Payment No. 5 (Inv No. 13171), to Interstate Engineering, Inc., for 2012 Lift Station and Sewer System Improvements, in the amount of \$126,632.91.
- O. Resolution to approve Payment No. 5 (Inv No. 13293), to Interstate Engineering, Inc., for 2012 Water Tower & Distribution System Improvements, in the amount of \$20,236.00.
- P. Resolution to approve Payment No. 6 (Inv No. 13294), to Interstate Engineering, Inc., for Water & Sewer District 12-61 & 12-31 (Titan Addition), in the amount of \$3,302.00.
- Q. Resolution to approve Payment No. 25 (Inv No. 13292), to Interstate Engineering, Inc., for Phase II, Water System Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$616.54.
- R. Resolution to approve Payment No. 42 (Inv No. 13295), to Interstate Engineering, Inc., for engineering services on various City Department consultations, in the amount of \$4,445.00.
- S. 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.
- T. Resolution to allow the March indebtedness in the amount of \$1,876,063.48 consisting of \$428,160.25 payroll and \$1,447,903.23 general obligations.

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

Council Member Brubakken moved a Resolution to approve and authorize entering into an enterprise agreement with Buffalo City Tourism Foundation for financing. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the proposal from Apex Engineering regarding Capacity Analysis of existing Wastewater Treatment Facilities in regards to possible further gray water use by Great River Energy, with the total costs not to exceed \$44,500.00, and with Great River Energy to pay 50% of actual costs. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to table to the proposals for Geotechnical Services related to the retaining wall at the Frontier Village. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Discussion was held on the bids received March 20, 2013, for the New Elevated Water Tower. City Attorney Dalsted indicated that an irregular bid was received from Maguire Iron, Inc., Sioux Falls, SD. (Outer Envelope did not contain current contractor's license, but did have copy of an application for same.)

Council Member Buchanan moved to waive the irregularity of the bid from Maguire Iron, Inc. Seconded by Council Member Kourajian. Voice vote: 3 ayes, 2 nays (Andersen and Gumke), 0 absent. Carried.

The Maguire Iron, Inc., bid was opened and read as follows: Total bid amount of \$2,444,400.00 (Base Bid of \$2,429,400.00 and Alternate No. 1 at \$15,000.00).

Council Member Brubakken moved to table action on the bids for the New Elevated Water Tower until later in the meeting to allow engineers time to review the details of the Maguire Iron, Inc., bid. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to award the bid for the sale of the following impounded/abandoned vehicles: 2001 Chrysler PT Cruiser to Brian Hanson in the amount of \$1,255.00; Manco ATV 4 Wheeler to Anthony J. Albrecht in the amount of \$220.00; and 1983 Cushman 3 Wheel to Neil Baker in the amount of \$1,200.00. Seconded by Council Member Brubakken. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to introduce the first reading of an ordinance to amend and re-enact Section 6-7 of the City Code pertaining to the keeping of domestic animals.

A public hearing was held concerning Ordinance No. 1388 to change the zoning of the southeast portion of Lot 2, Berndt Addition, from M-2 (General Industrial and Manufacturing District) to POC (Public, Open Development and Conservation District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1388, introduced by Council Member Gumke, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of the southeast portion of Lot 2, Berndt Addition, from M-2 (General Industrial and Manufacturing District) to POC (Public, Open Development and Conservation District), had its second reading. Seconded by Council Member Brubakken. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning Ordinance No. 1389 to change the zoning of Lots 1 & 2, Block 4, Hi-Acres Hillcrest Addition, from R-1 (One Family Residential District) to POC (Public, Open Development and Conservation District). No one appeared to object and no written protests were received. The hearing was closed.

Doug Panchot, Director from Eventide Hi-Acres, affirmed that they would continue working with the adjacent neighbors to keep them updated on the project and maintain an open door policy.

Ordinance No. 1389, introduced by Council Member Brubakken, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Lots 1 & 2, Block 4, Hi-Acres Hillcrest Addition, from R-1 (One Family Residential District) to POC (Public, Open Development and Conservation District), had its second reading. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to appoint Liz Smith to serve as a member of the Shade Tree Committee for a term to expire April 2015. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Buchanan moved a Resolution to approve the Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures for the City of Jamestown to help ensure that all obligations will be in compliance with all applicable federal regulations. Seconded by Council Member Kourajian. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve and authorize the issuance and sale of \$830,000 Wastewater Treatment Revenue Bond, Series 2013. Seconded by Council Member Brubakken. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to recognize the United Technologies Employee Association as an other public spirited organization and to authorize the issuance of a raffle permit with the drawing to be held April 18, 2013. Seconded by Council Member Gumke. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kourajian moved a Resolution to recognize Migrant Health Services as an other public spirited organization and to authorize the issuance of a charity local permit for April 20, 2013, subject to review by City Attorney. Seconded by Council Member Buchanan. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid to Sanitation Products, Inc., for a New Three Wheel High Dump Sweeper—Street Department, in the amount of \$171,110.00, less \$22,500.00 for trade-in of 2006 Elgin Street Sweeper, Serial No. P48315, for a net bid of \$148,610.00. Seconded by Council Member Brubakken. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Discussion was held on the bids received March 28, 2013, for the Jamestown Fire Station Re-roofing—Fire Department project. City Attorney Dalsted indicated that an irregular bid was received from Herzog Roofing, Inc. (Bid arrived after bid opening time.)

Council Member Gumke moved to not waive the irregularity of the bid from Herzog Roofing, Inc. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to award the bid to Pierce Roofing & Sheet Metal, Inc., Fargo, ND, for the Jamestown Fire Station Re-roofing—Fire Department, in the total amount of \$178,673.00 (Base Bid of \$173,632.00 and Alternate G-1 Sealant of \$5,041.00). Seconded by Council Member Gumke. Roll Call No. 12 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to return to the table the bids for the New Elevated Water Tower. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to award the bid to CB&I, Inc., Plainfield, IL, for the New Elevated Water Tower for the City of Jamestown, in the total amount of \$2,036,000.00 (Base bid of \$2,011,000.00 and Alternate No. 1 of \$25,000.00), contingent on approval by the ND Health Department. Seconded by Council Member Brubakken. Roll Call No. 13 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

ATTEST:
JEFF FUCHS, City Administrator

APPROVED:
KATIE ANDERSEN, Mayor