

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 2, 2014
OFFICIAL MINUTES

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

The Pledge of Allegiance to the flag was recited.

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

Council Member Buchanan moved to approve the minutes of the regular council meeting, August 4, 2014; minutes of the special council meeting, August 19, 2014; and minutes of the committee meeting, August 19, 2014. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

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

- A. Resolution to approve the request from JSDC for \$33,810 from the Economic Development Fund to pay South Central Dakota Regional Council dues for 2015 with the City Share to be \$21,300 and paid from the City Sales Tax Fund.
- B. Resolution to approve the request from the JSDC for \$75,000 from the Economic Development Fund for the continuation of matching grant funding for tourism, with the City Share to be \$60,000 and paid from the City Sales Tax Fund.
- C. Resolution to approve the request from JSDC for \$43,000 from the Economic Development Fund to provide a Flex PACE Interest Buy-down for the Jamestown Regional Airport Authority hangars project, with the City Share to be \$34,400 and paid from the City Sales Tax Fund.
- D. Resolution to approve request from JSDC for up to \$642,900 from the Economic Development Fund to provide for the community share to participate in Flex PACE Affordable Housing multi-family housing projects with the City Share to be up to \$642,900 and paid from the City Sales Tax Fund; but to delay implementation of the program until such time as all program details have been worked out.
- E. Resolution to approve the purchase of a Human Resources module license from Tyler Technologies, in the amount of approximately \$5,750, and annual maintenance of \$1,750.
- F. Resolution to approve covenants prohibiting any ground disturbance activities on Lot 2, Block 1, of Hammer Addition, Lots 5 through 11, Block 1, Homestead III Addition, Lots 1 and 2, Block 2, Homestead III Addition, and Lots 7-9, Block 6, Homestead Addition, except under the authority of the ND State Historical Society. (Undeveloped property south of 7th Street SW between 12th Avenue SW and 10th Avenue SW). Consideration of the offer(s) to purchase Lot 5, Block 1, Homestead III.
- G. Resolution to approve a Land Use Plan amendment for the proposed Lots 1 - 7, Block 1, Scherbenske Third Estates Subdivision, from Low Density Residential and Industrial to Low Density Residential, and for the proposed Lot 8, Block 1, Scherbenske Third Estates Subdivision, from Low Density Residential and Industrial to Industrial.
- H. Resolution to approve the final plat of Scherbenske Third Estates Subdivision, a replat of Lots 3-12, Block 2, Scherbenske Estates, and Lot 4, RTS First Addition.
- I. Resolution to approve the final Plat of Scherbenske Industrial Addition, within the SE ¼ of Section 31-140-63.

- J. Resolution to approve Payment No. 1 (Inv No. 39575), to AE2S, for engineering services on Wastewater Treatment Plant SCADA Upgrade, in the amount of \$34,715.37.
- K. Resolution to approve Payment No. 2, to Strata Corporation, for construction on 2014 Sidewalk, Curb & Gutter District #14-11, in the amount of \$45,377.07.
- L. Resolution to approve Payment No. 3, to Pierce Lee Roofing, LLC, f. Pierce Roofing & Sheet Metal, Inc., for construction on Jamestown Fire Station Reroof Project, in the amount of \$36,690.57.
- M. Resolution to approve Payment No. 4, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #14-41, in the amount of \$217,268.56.
- N. Resolution to approve Payment No. 7 (Inv No. 08387.00-7), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, in the amount of \$5,051.16.
- O. Resolution to approve Payment No. 8 (Inv No. 183297-08), to CB&I, Inc., for construction on Elevated Welded Steel Tank Water Storage Reservoir, DWSRF Project No. 4700498-04, in the amount of \$177,970.00.
- P. Resolution to approve Payment No. 9 (Inv No. 5230102785R), to Energy Services Group, LLC, for the Jamestown Civic Center Energy Services Agreement, in the amount of \$472,862.00.
- Q. Resolution to approve Payment No. 9 (Inv No. 39418), to AE2S, for engineering services on Infrastructure I&C Support, in the amount of \$13,120.75.
- R. Resolution to approve Payment No. 11 (Inv No. 39419), to AE2S, for On Call engineering services (Water Utility), in the amount of \$126.07.
- S. Resolution to approve Payment No. 17 (Inv No. 39417), to AE2S, for engineering services on Jamestown Water Treatment Plant Backwash Discharge, in the amount of \$812.25.
- T. Resolution to approve Payment No. 5 (Inv No. 19719), to Interstate Engineering, Inc., for engineering services on (3rd St NE) Paving, Water & Sewer District #13-42, 13-63 & 13-33, in the amount of \$2,868.48.
- U. Resolution to approve Payment No. 6 (Inv No. 19722Revised), to Interstate Engineering, Inc., for engineering services on Water System Improvements to serve City Water to GRE, in the amount of \$5,276.50.
- V. Resolution to approve Payment No. 10 (Inv No. 19718), to Interstate Engineering, Inc., for engineering services on the Sanitary Landfill Expansion, in the amount of \$2,985.00.
- W. Resolution to approve Payment No. 15 (Inv No. 19720), to Interstate Engineering, Inc., for engineering services on 2012 Lift Station and Sewer System Improvements, District 12-32, in the amount of \$2,489.06.
- X. Resolution to approve Payment No. 17 (Inv No. 19721), to Interstate Engineering, Inc., for engineering services on 2012 Water Tower & Distribution System Improvements, in the amount of \$29,103.24.
- Y. Resolution to approve Payment No. 55 (Inv No. 19723), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Solid Waste Dept), in the amount of \$3,052.55.

Z. 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.

AA. Resolution to allow the August indebtedness in the amount of \$5,289,623.34 consisting of \$467,483.61 payroll and \$4,822,139.73 general obligations.

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

Council Member Buchanan moved to table using an estimated \$350,000 from the City Sales Tax Fund, on behalf of the Stutsman County Water Board and the four adjacent townships, to be used for funding a Storm Water Drainage Study for the area surrounding the City of Jamestown with the scope of the study to be drafted by the City Engineer. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Kourajian moved a Resolution to approve and authorize an amendment to the Planning and Zoning Technical Services Contract with SRF Consulting to provide for additional funding of approximately \$25,000 for services to be provided by the firm for the remainder of the year. Seconded by Council Member Brubakken. Roll Call No. 2 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Buchanan moved to table the request from JSDC for \$88,267 from the Economic Development Fund for roof replacement on the Economic Development Center building, with the City Share to be \$81,000 and paid from the City Sales Tax Fund. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to approve establishing the definition for affordable housing in the city for 2 bedroom apartment rental and utilities, to be equal to 80% of the median household income based on the 2010 census times 30% divided by 12. (Formula using income of \$45,679 times 80% times 30% divided by 12 equals \$813 for 1 bedroom, \$913 for 2 bedroom and \$1,013 for three bedroom.) Seconded by Council Member Gumke. Roll Call No. 3 showed: 2 ayes, 2 nays(Kourajian and Buchanan), 1 absent. NOT CARRIED.

Council Member Brubakken moved a Resolution to approve Change Order No. 2, to RTS Shearing, LLC, for Paving, Water & Sewer District #13-42, 13-63 & 13-33, (3rd St NE Improvements--25th to 27th Ave), for an increase in the contract price of \$1,283.49. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Brubakken moved a Resolution to approve Payment No. 5 & Final, to RTS Shearing, LLC, for Paving, Water & Sewer District #13-42, 13-63 & 13-33, (3rd St NE Improvements--25th to 27th Ave), in the amount of \$4,630.37. Seconded by Council Member Kourajian. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Brubakken moved to introduce the first reading of an ordinance pertaining to the appropriation of the General and Special Funds for the fiscal year January 1, 2015, through December 31, 2015.

Council Member Brubakken moved to introduce the first reading of an ordinance pertaining to the appropriation of the Revenue and Special Funds for the fiscal year January 1, 2015, through December 31, 2015.

Discussion was held relative to the Bus Stop Shelter. Consensus of the Council was to place the item on the September Finance & Legal Committee.

Council Member Kourajian moved a Resolution to approve the requests from Corner Bar to conduct street dances at 2nd Street SW/100 Block(East ½), on September 5, 2014, from 4PM to 2AM; and on September 20, 2014, from 2PM to 2AM. Seconded by Council Member Brubakken. Roll Call No. 6 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Brubakken moved a Resolution to approve the request from Cork & Barrel to conduct a street dance at 4th Street SW/200 Block(East ½), on September 12, 2014, from 5:30 PM to 12AM. Seconded by Council Member Kourajian. Roll Call No. 7 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Brubakken moved a Resolution to approve Payment No. 2, to Swanberg Construction, Inc., for construction on Pump Station Improvements, DWSRF Project No. 4700498-05, in the amount of \$220,780.00. Seconded by Council Member Kourajian. Roll Call No. 8 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Buchanan moved a Resolution to accept the affidavit from the Sears Commercial One that Check No. 2458 (Unison Bank), dated May 30, 2014, in the amount of \$95.74, has been lost or destroyed and authorize the issuance of a duplicate. Seconded by Council Member Kourajian. Roll Call No. 9 showed: 4 ayes, 0 nays, 1 absent. Carried.

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

ATTEST:
JEFF FUCHS, City Administrator

APPROVED:
RAMONE GUMKE, President of the Council