

JAMESTOWN CITY COUNCIL
REGULAR MEETING, MAY 2, 2016
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 Kourajian, Gumke, Brubakken and Buchanan, City Attorney Ryan, and City Administrator Fuchs.

Council Member Buchanan moved to approve the minutes of the regular council meeting, April 4, 2016; Board of Equalization meeting, April 12, 2016; and minutes of the committee meetings, April 19 and 21, 2016. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

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

- A. Resolution to approve the requests for gaming site authorizations for the period July 1, 2016 – June 30, 2017, for the following:
 - a. **James River Aerie #2337 FOE** for Frontier Fort Bar & Grill;
 - b. **Knights of Columbus** for the Wonder Bar Sports Bar, Knights of Columbus, Vet's Club and Corner Bar;
 - c. **North Dakota Buffalo Foundation, Inc.** for the Elks Club;
 - d. **Progress Enterprises** for Office Bar, Shady's, Buffalo Bar & Lounge and IDK Bar & Grill;
- B. Resolution to approve the request for a gaming site authorization for the ND Buffalo Foundation Inc., at the Civic Center on June 8, 2016.
- C. Resolution to approve the request from JSDC for \$25,000.00 from the Economic Development Fund for continuing matching funds for the North Dakota Trade Office for the 2016-2018 biennium, with the City Share to be \$20,000.00.
- D. Resolution to approve the request from JSDC for \$34,824.00 from the Economic Development Fund to pay South Central Dakota Regional Council dues for 2016 with the City Share to be \$21,939.00.
- E. Resolution to go on record as to allow the continued operation of the CenturyLink, Cable Services, Inc., and the Daktel Communications LLC systems until the new franchise ordinances have been adopted.
- F. Resolution to award the bid for a new motor grader to RDO Equipment Company, in the amount of \$270,000.00 with a guaranteed buyback of \$169,100.00, for a net cost of \$100,900.00 to include a \$0 cost of repairs for 4500 hours or six years.
- G. Resolution to award the bid for the 2016 Sidewalk, Curb & Gutter District #16-11 to LD Concrete, Jamestown, ND, in the amount of \$58,127.05.
- H. Resolution to authorize the submission of a DWSRF loan application to the ND Public Finance Authority to fund the Southwest Water Main Replacement Project District #16-62.
- I. Resolution to authorize the Jamestown Chamber of Commerce Beautification Committee to draft a Request for Proposal for a private contractor to provide curbside recycling services for the City of Jamestown, and to submit the draft to the Public Works Committee for consideration.

- J. Resolution to approve Payment No. 3 (Inv 08387.02-3), to SRF Consulting Group, Inc., for Jamestown Planning and Zoning Technical Services, Amendment No. 3, in the amount of \$4,730.00.
- K. Resolution to approve Payment No. 15 (Inv 4946), to Apex Engineering Group, Inc., for Jamestown Wastewater Consulting Services (Cargill), in the amount of \$2,392.00.
- L. Resolution to approve Payment No. 27 (Inv 47642), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- M. Resolution to approve Payment No. 1 (Inv 26933), to Interstate Engineering, Inc., for engineering services on Sewer & Water District #16-31 & 16-61 (200 Blk/3rd St NW), in the amount of \$6,137.34.
- N. Resolution to approve Payment No. 1 (Inv 26934), to Interstate Engineering, Inc., for engineering services on SW Water Main Replacement District #16-62 (10 Blk area), in the amount of \$34,611.30.
- O. Resolution to approve Payment No. 8 (Inv 26931), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill West Half of Cell 3B, in the amount of \$487.50.
- P. Resolution to approve Payment No. 97 (Inv 26916), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$1,107.50.
- Q. Resolution to approve Payment No. 98 (Inv 26917), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$2,971.98.
- R. Resolution to approve Payment No. 99 (Inv 26918), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Sewer), in the amount of \$832.50.
- S. Resolution to approve Payment No. 100 (Inv 26930), to Interstate Engineering, Inc., for engineering services on various City Department consultations (SolidWaste), in the amount of \$3,515.00.
- T. 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.
- U. Resolution to allow the April indebtedness in the amount of \$4,637,667.19 consisting of \$491,383.92 payroll and \$4,146,283.27 general obligations.

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

Council Member Gumke moved a Resolution to approve the request from JSDC to provide \$75,000.00 in matching funds from the Economic Development Fund for the New Energy Spirit Biomass Refinery, LLC, contingent upon approval of the APUC request, with the City Share to be \$67,500.00. Seconded by Council Member Brubakken.

Gerry D'Amour and Jennifer Cross appeared before the Council to ask questions regarding the use of funds for this project.

Roll Call No. 2 on the Resolution showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid for the 2016 Seal Coat, Patching, Construction & Reconstruction District #16-41 to Border States Paving, Inc., in the amount of \$1,841,367.55. Seconded by Council Member Gumke.

Gerry D'Amour appeared before the Council to request that more communication takes place with the residents affected by the work with the annual roadway/street projects.

Roll Call No. 3 on the Resolution showed: 5 ayes, 0 nays, 0 absent. Carried.

Mike Manstrom, Dougherty & Company, LLC, and Katie Bertsch, Ohnstad Twichell Firm, appeared before the Council to summarize the process with the bonds for construction of the TRAC Facility.

Doug Hogan, Amy Walters, Joan Morris, Roy Musland and Mark Ukestad spoke in support of allowing the taxes collected after satisfaction of the bonds be made available to the Park District.

After discussion, consensus of the Council was to amend the Joint Powers Agreement to allow the taxes collected after satisfaction of bonds be made available to Park District.

Council Member Gumke moved a Resolution to approve entering into the Joint Powers Agreement with the Jamestown Park District relative to the 1% City Sales Tax for the construction of the TRAC Facility, as amended, to allow the taxes collected after satisfaction of bonds be made available to Park District. Seconded by Council Member Buchanan. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

The request to purchase Lot 6, Block 1, I-94 Business Park Addition, for \$70,000.00, was withdrawn by Jon Goplen.

Council Member Kourajian moved a Resolution to accept the plans & specifications for the Cavendish Water Tower Interior Recoating Project and to authorize the Advertisement for Bids for the project. Seconded by Council Member Gumke. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Rob and Donna Lindberg appeared before the Council to question the zoning of property adjacent to their business being used as a shooting range. They indicated noise and safety issues interfere with tenants renting or possibly purchasing their property.

Council consensus was to refer this item to the May 24, 2016, Building, Planning & Zoning Committee meeting.

Keith Meidinger, Warren Williams, and Steve Oberlander, appeared before the Council to request the City to improve the condition of the roadway near their properties.

The Council requested Interstate Engineering, Inc., to review the matter and present their findings at the May 26, 2016, Public Works Committee meeting.

Mayor Andersen moved to appoint LeRoy Gross to serve as the City employee representative and Ramone Gumke as the City Council representative on the Pension Committee for one year terms to expire March 2017. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to award the bid to Scherbenske, Inc., for construction on Sanitary Sewer & Water District #16-31 & 16-61 (200 Block of 3rd Street NW), in the amount of \$66,522.40. Seconded by Council Member Gumke. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken excused himself.

Council Member Buchanan moved a Resolution to award the bid to Scherbenske, Inc., for construction on SW Water Main Replacement District #16-62 (Approximately 10 Blocks located on 5th Avenue SW, 15th Street SW and 16th Street SW), in the amount of \$983,937.60, contingent on approval from the ND State Health Department and SRF. Seconded by Council Member Kourajian. Roll Call No. 7 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Buchanan moved a Resolution to approve the amended Resolution authorizing the issuance and sale of \$525,000 Solid Waste Treatment Revenue Bond, Series 2016. Seconded by Council Member Gumke. Roll Call No. 8 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 1 (AE2S Inv 47782) to Stutsman County Water Resource Board (per Enterprise Agreement) for work completed by AE2S on the Jamestown Stormwater Master Plan Study, in the amount of \$15,000.00. Seconded by Council Member Buchanan. Roll Call No. 9 showed: 4 ayes, 0 nays, 1 absent. Carried.

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

ATTEST:

JEFF FUCHS, City Administrator

APPROVED:

KATIE ANDERSEN, Mayor