

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, DECEMBER 4, 2017  
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 Phillips, Gumke Brubakken and Buchanan, City Attorney Ryan, and City Administrator Fuchs.

Council Member Buchanan moved to approve the minutes of the regular council meeting, November 6, 2017, special council meetings, November 20 & 21, 2017; and committee meeting, November 21, 2017. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

No bids were received for impounded/abandoned vehicles.

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

- A. Resolution to approve the request from the JSDC for up to \$47,000 from the Economic Development Fund to contract with AE2S for the development of a Strategic Communications/Workforce Marketing Program with the City Share to be \$37,600, and paid from the City Sales Tax Fund.
- B. Resolution to approve amending the Resolution adopted July 25, 2017, which approved the request from JSDC for \$2,847,502.71 from Economic Development Funds for the creation of an Airport Business Park, and to correct the City Share from \$2,238,752.44 to the amount of \$2,562,752.44.
- C. Resolution to authorize a letter of support from the City of Jamestown to allow the University of Jamestown and the Jamestown College Foundation's proposed USDA financing for the acquisition, renovation and construction of select facilities on the University's campus.
- D. Resolution to approve entering into a Contract for Professional Services with the South Central Dakota Regional Council for administration of the CDBG – ASI, Inc. / City of Jamestown Dewey Apartments Project.
- E. Resolution to approve the City Appraiser job description for the City Assessor's Office and to establish the pay at Range 34 on the City Employee Pay Scale.
- F. Resolution to approve the plat of Loose Addition, a replat of Auditor's Lots 4-7 and Lots 4-6 together with part of the NE ¼ and part of the SE ¼ of Section 4, Township 139N, Range 64W, of the fifth principal meridian, Stutsman County, North Dakota. The property is located along 81st Ave SE between 36th & 37th St SE, Jamestown, ND.
- G. Resolution to accept a Special Roads Fund Grant from the North Dakota Department of Transportation for the Frontier Village Access Road Project, in the amount of \$110,468.
- H. Resolution to enter into a Cost Participation and Maintenance Agreement with the NDDOT for the ADA Curb Ramps – ND 20, 1<sup>st</sup> Ave. N to 12<sup>th</sup> Ave. NE.
- I. Resolution to authorize proceeding with a mill and overlay of the pavement section, under the city street project, of 17<sup>th</sup> Street SW from US Hwy 281 S westward to I -94.

- J. Resolution to create a special assessment district for the Safe Routes to School's Sidewalk Construction Project.
- K. Resolution to approve Change Order No. 2 to Border States Paving, Inc., on the 20<sup>th</sup> St. SW – JRMC to Menards construction project for an increase in the contract price of \$1,485.00.
- L. Resolution to approve Payment No. 2, to Burski Excavating, Inc., for construction on Cell 4 Liner and Cell 2/3 Partial Final Cover, in the amount of \$190,278.07.
- M. Resolution to approve Payment No. 2, to Swanberg Construction, Inc., for construction on Automatic Rake Bar Screen Improvements, in the amount of \$192,615.00.
- N. Resolution to approve Payment No. 3 (Inv 55473), to AE2S, for services on New City Administrator Search, in the amount of \$12,897.44.
- O. Resolution to approve Payment No. 5 (Inv 7100), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$2,580.00.
- P. Resolution to approve Estimate No. 6, to Border States Paving, Inc., for construction on 5<sup>th</sup> Street NE (12<sup>th</sup> Ave to 27<sup>th</sup> Ave NE), Paving Improvements District #16-42, in the amount of \$228,681.10.
- Q. Resolution to approve Estimate No. 6, to Border States Paving, Inc., for construction on 20th St SW roadway from Menards to Jamestown Regional Medical Center, District #16-43, in the amount of \$493,944.50.
- R. Resolution to approve Estimate No. 6, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction and Reconstruction District #17-41, in the amount of \$86,040.38.
- S. Resolution to approve Payment No. 10 (Inv 08387.03-10), to SRF Consulting Group, Inc., for 2017 Jamestown Planning and Zoning Technical Services, in the amount of \$4,582.02.
- T. Resolution to approve Payment No. 42 (Inv 55477), to AE2S, for On Call engineering services, in the amount of \$1,071.95.
- U. Resolution to approve Payment No. 45 (Inv 55476), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- V. Resolution to approve Payment No. 6 (Inv 32919), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$45,245.39.
- W. Resolution to approve Payment No. 7 (Inv 32918), to Interstate Engineering, Inc., for engineering services on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$390.00.
- X. Resolution to approve Payment No. 10 (Inv 32917), to Interstate Engineering, Inc., for engineering services on the Jamestown Sanitary Sewer Raker Facility Screening Report and Construction, in the amount of \$2,152.96.
- Y. Resolution to approve Payment No. 10 (Inv 32915), to Interstate Engineering, Inc., for engineering services on 5<sup>th</sup> Street NE (12<sup>th</sup> Ave to 27<sup>th</sup> Ave NE), Paving Improvements District #16-42, in the amount of \$13,384.96.

- Z. Resolution to approve Payment No. 12 (Inv 32916), to Interstate Engineering, Inc., for engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$21,832.62.
- AA. Resolution to approve Payment No. 200 (Inv 32920), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$1,929.50.
- BB. Resolution to approve Payment No. 201 (Inv 32921), to Interstate Engineering, Inc., for engineering services on various City Department consultations (General), in the amount of \$5,340.00.
- CC. Resolution to approve Payment No. 202 (Inv 32922), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Streets), in the amount of \$3,291.50.
- DD. Resolution to approve Payment No. 203 (Inv 32923), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Water), in the amount of \$2,627.00.
- EE. Resolution to approve Payment No. 204 (Inv 32924), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Solid Waste), in the amount of \$1,235.00.
- FF. Resolution to approve Payment No. 205 (Inv 32925), to Interstate Engineering, Inc., for engineering services on various City Department consultations (Storm Water), in the amount of \$955.00.
- 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 November indebtedness in the amount of \$3,846,730.87 consisting of \$488,936.59 payroll and \$3,357,794.28 general obligations.

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

Council Member Buchanan moved a Resolution to enter into a license agreement, to be prepared by the City Attorney, with i3G Media to allow i3G radio to install antennae on the water tower located at 1704 4<sup>th</sup> Ave. SW and to place a small building within the fenced in area to house related equipment. Seconded by Council Member Phillips. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved to introduce the first reading of an ordinance pertaining to entering into a franchise agreement with Northern Plains Electric Cooperative.

A public hearing was held concerning an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Tahrn Trailer Court, Block 1, Lots 12-13 and Tahrn Trailer Court 2<sup>nd</sup> Addition, Block 1, Lots 5-9 & Block 2, Lots 1-3, located within the extraterritorial jurisdiction of the City of Jamestown, Stutsman County, North Dakota, from C-2 (General Commercial District) to R-1 (One Family Residential District). No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1501, 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 Tahrn Trailer Court, Block 1, Lots 12-13 and Tahrn Trailer Court 2<sup>nd</sup> Addition, Block 1, Lots 5-9 & Block 2, Lots 1-3, located within the

extraterritorial jurisdiction of the City of Jamestown, Stutsman County, North Dakota, from C-2 (General Commercial District) to R-1 (One Family Residential District), had its second reading. Seconded by Council Member Brubakken. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1502, introduced by Council Member Buchanan, to ENACT the following sections to the Code of the City of Jamestown: Sec. 21-03-25 pertaining to prohibiting the use of a wireless communications device while operating a vehicle. (This ordinance reflects state law NDCC 39-08-23); Sec. 21-03-26 pertaining to prohibiting the use of a wireless communications device by a minor operating a vehicle. (This ordinance reflects state law NDCC 39-08-24); Sec. 21-03-27 pertaining to failure to maintain control of a vehicle while the driver is distracted. (This ordinance reflects state law NDCC 39-08-25); and to AMEND AND RE-ENACT Sec. 21-06-03 pertaining to speed limitations. (This ordinance reflects state law NDCC 39-09-02). Seconded by Council Member Phillips. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Andersen moved to appoint Gary Staab to serve as a member of the Jamestown Regional Airport Authority for a five year term to expire December 2022. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Mayor Andersen moved to appoint Harvey Schuh to serve as a member of the Board of Adjustments for a three year term to expire January 2021. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Brubakken moved to table to the December committee meeting the proposed agreement with Jamestown Community Correction Program. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Gumke moved a Resolution to approve Payment No. 1, to Strata Corporation, for Street Lighting on 20<sup>th</sup> St SW roadway from Menards to Jamestown Regional Medical Center, District #16-43, in the amount of \$141,704.35. Seconded by Council Member Phillips. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to approve the proposal from Josh Smaage for the City of Jamestown Website Redesign. Seconded by Council Member Phillips. Roll Call No. 6 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