

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 4, 2018
OFFICIAL MINUTES

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

The Pledge of Allegiance was recited.

Roll Call showed the following members present: Mayor Heinrich, Council Members Steele, Phillips, Brubakken, City Attorney Ryan, and City Administrator Hellekson. Absent: Council Member Buchanan.

A public hearing was held concerning the proposed issuance of revenue bonds by Duluth Economic Development Authority on behalf of Essentia Health and Its Affiliates. Laura Hovland, Essentia Health, appeared to answer questions. Heinrich requested changes to the documents including references to the property at 401 3rd St SE as formerly owned rather than is owned by Essentia or Innovis twice on page one of the Resolution, and in the Certificate of Officers document number two replacing duly appointed and acting Mayor and City Administrator with duly appointed and elected Mayor and City Administrator. Amy Cobb Curran, Chapman and Cutler LLP, responded by phone that the original bonds were used to finance the initial property at 401 3rd St SE in Jamestown, which was later sold. Federal Internal Revenue Code Section 147(f) requires that the Jamestown City Council conduct a public hearing related to the 2008D bond series refunding and the bond issuance, and that the City Council approve the issuance of the bonds. No one from the public spoke to the matter. The hearing was closed.

Council Member Phillips moved a Resolution to approve the issuance of revenue bonds by Duluth Economic Development Authority on behalf of Essentia Health and Its Affiliates subject to the changes requested by Mayor Heinrich and changes approved by the City Attorney. Seconded by Council Member Steele. Roll Call No. 1 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Phillips moved to approve the minutes of the regular city council meeting, August 6, 2018; minutes of the committee meetings, August 21 and 23, 2018. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

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

- A. Resolution to approve a license agreement with Seckerson Family Properties V for the current easements with Evergreen Land Development.
- B. Resolution to approve the request of Christine Witt for Renaissance Zone incentives by granting a (5) five-year 100% property tax exemption, and to recommend the State of ND grant a (5) five-year, 100% state income tax exemption on Lot 4, Block 1, Lindberg Addition (206 Lindwood Drive SW).
- C. Resolution to approve the request from JSDC Economic Development Funds for Jamestown Tourism Grant, in the amount of \$75,000, with the City Share to be \$60,000, paid from the City Sales Tax Fund.
- D. Resolution to approve increasing the filing fee, from \$200 to \$400, regarding preliminary plats pertaining to Section 6, Appendix B of the City Code, and bill costs above \$400.
- E. Resolution to approve the purchase of eighteen (18) portable radios for the Fire Department at the quoted price of \$36,576, to be paid from the 2018 budgeted account in the General Fund.

- F. Resolution to approve awarding the bid for One (1) New Motor Grader, Five (5) Year Use – Unit A, Street Department, to RDO Equipment Company, in the amount of \$280,750.00, with guaranteed buyback of \$177,800.00 and guaranteed maximum repairs 3000 hours or five (5) years, for a net total cost of \$102,950.00.
- G. Resolution to approve awarding the bid for One (1) New Motor Grader, Six (6) Year Use – Unit B, Street Department, to RDO Equipment Company, in the amount of \$280,750.00, with guaranteed buyback of \$151,100.00 and guaranteed maximum repairs 4500 hours or six (6) years, for a net total cost of \$129,650.00.
- H. Resolution to approve Change Order No. 1, to Border States Paving, Inc., for construction on 5th Street NE (12th Ave to 27th Ave NE), Paving Improvement District #16-42, to install underground piping from the storm water pond to the city storm sewer system, for a net increase in the contract price of \$7,770.00.
- I. Resolution to approve Payment No. 1, to Scherbenske, Inc., for construction on the James River Tree Snagging & Cleaning, in the amount of \$54,481.50.
- J. Resolution to approve Payment No. 3 & Final, to C L Linfoot, for construction on the Water Treatment Plant Roofing, in the amount of \$10,341.50.
- K. Resolution to approve Payment No. 3, to LD Concrete, for construction on 2018 Sidewalk, Curb & Gutter District #18-11, in the amount of \$13,622.40.
- L. Resolution to approve Payment No. 4, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #18-41, in the amount of \$648,185.93.
- M. Resolution to approve Payment No. 7 (Inv 08387.04-07), to SRF Consulting Group, Inc., for 2018 Jamestown Planning and Zoning Technical Services, in the amount of \$4,542.21.
- N. Resolution to approve Payment No. 7, to Scherbenske, Inc., for construction on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$228,947.58.
- O. Resolution to approve Payment No. 8, to Burski Excavating, Inc., for construction on Cell 4 Liner and Cell 2/3 Partial Final Cover, in the amount of \$147,946.32.
- P. Resolution to approve Payment No. 18 (Inv 59262), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$3,250.56.
- Q. Resolution to approve Payment No. 51 (Inv 59216), to AE2S, for On Call engineering services, in the amount of \$2,284.75.
- R. Resolution to approve Payment No. 53 (Inv 59215), to AE2S, for engineering services on the Infrastructure I&C Support, in the amount of \$135.00.
- S. Resolution to approve Payment No. 1 (Inv 35570), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Closure Cell 1-4, Section 5-139-63, in the amount of \$28,350.00.
- T. Resolution to approve Payment No. 4 (Inv 35564), to Interstate Engineering, Inc., for engineering services on the James River Tree Snagging Project, in the amount of \$2,178.50.

- U. Resolution to approve Payment No. 5 (Inv 35566), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$7,752.00.
- V. Resolution to approve Payment No. 5 (Inv 35563), to Interstate Engineering, Inc., for the New Retaining Wall at Frontier Village, in the amount of \$567.50.
- W. Resolution to approve Payment No. 7 (Inv 35562), to Interstate Engineering, Inc., for engineering services on the 2018 Safe Routes to School Sidewalk District 18-21, in the amount of \$897.00.
- X. Resolution to approve Payment No. 9 (Inv 35561), to Interstate Engineering, Inc., for engineering services on the Water Treatment Plant Roofing, in the amount of \$1,027.20.
- Y. Resolution to approve Payment No. 13 (Inv 35560), to Interstate Engineering, Inc., for engineering services on NW Water Main Replacement Project District 17-61 (11Blocks), in the amount of \$25,585.60.
- Z. Resolution to approve Payment No. 15 (Inv 35559), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$18,221.05.
- AA. Resolution to approve Payment No. 18 (Inv 35557), to Interstate Engineering, Inc., for engineering services on 5th Street NE (12th Ave to 27th Ave NE), Paving Improvements District #16-42, in the amount of \$3,659.25.
- BB. Resolution to approve Payment No. 18 (Inv 35558), to Interstate Engineering, Inc., for engineering services for construction of road from Menards to Jamestown Regional Medical Center, in the amount of \$1,111.15.
- CC. Resolution to approve Payment No. 252 (Inv 35565) in the amount of \$21,453.00, to Interstate Engineering, Inc., for engineering services on the following:
 - a. City Department consultations (General), in the amount of \$7,644.00
 - b. City Department consultations (Streets), in the amount of \$3,648.00
 - c. City Department consultations (Sewer), in the amount of \$2,549.50
 - d. City Department consultations (Water), in the amount of \$6,343.50
 - e. City Department consultations (Solid Waste), in the amount of \$1,025.00
 - f. City Department consultations (Storm Water), in the amount of \$243.00
- DD. 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.
- EE. Resolution to allow the August indebtedness in the amount of \$4,688,790.60 consisting of \$489,191.46 payroll and \$4,199,599.14 general obligations.

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

Council Member Brubakken moved a Resolution to approve Change Order No. 2, to Scherbenske, Inc., for construction on NW Water Main Replacement Project District 17-61 (11Blocks), for a time extension on the completion date to September 21, 2018. Seconded by Council Member Phillips. Josh Clocksene, Scherbenske Inc., stated that properties within project will have regular water service by next week and the project will be substantially complete by September 21, 2018. Roll Call No. 3 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Brubakken moved a Resolution to approve the purchase of a replacement siren in the SE area of the city at the quoted price of \$25,439, to be paid from the General Fund. Seconded by Council Member Steele. Chief Reuther stated that the original bid did include the electrician costs. Roll Call No. 4 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Steele thanked the Jamestown Police and Fire Departments, Stutsman County Sheriff's Office, Rural Fire Department, Jamestown Ambulance, National Guard, and others for hosting a successful National Night Out. He also thanked the Jamestown Police Department for his ride-along last week. He was impressed by their cooperation and coordination.

Council Member Phillips reported that the Library Reopening is September 12, 2018, from 10:00 AM to 5:00 PM. The Centennial Celebration is scheduled in February 2019. The Drop-Off Coats for Kids locations are now at Ava Maria and the Salvation Army. The JRMC Cancer Center Open House is September 30, 10:30 AM to 1:00 PM. The Jamestown Regional Entrepreneurial Center is helping small businesses and individuals with workshops, classes and advice. Council Member Phillips also attended the 2018 Fargo Veterans Administration Summit in Jamestown last week, which focused on helping local veterans. Several mental health advocates also attended.

Council Member Brubakken moved a Resolution to table the request from Sprint Spectrum LP, a Delaware limited partnership, to place three (3) additional radio antennas on the City's 12th Ave NE Water Tower. Seconded by Council Member Steele. Brubakken requested the issue be tabled until the City Attorney presents revised rates and fees for discussion to the September Finance and Legal Committee. Tony Rodin, representative from Valley Plains Equipment, stated that Valley Plains is also interested in leasing space. Water Superintendent Rowell provided information regarding higher bids when antennae are present. City Engineer Dillman responded to a question regarding structural integrity and age. Roll Call No. 5 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Brubakken moved a Resolution to approve the request from El Zagel Shriners Jamestown Clowns for a gaming site authorization to conduct gaming at Stutsman Harley Davidson on June 22, 2019. Seconded by Council Member Phillips. Roll Call No. 6 showed: 4 ayes, 0 nays, 1 absent. Carried.

Council Member Phillips moved to adjourn. Seconded by Council Member Steele. Unanimous aye vote. Carried.

ATTEST:

SARAH HELLEKSON, City Administrator

APPROVED:

DWAINE HEINRICH, Mayor