

**Finance & Legal Committee  
Building, Planning & Zoning Committee  
Civic Center & Promotion Committee  
July 23, 2019, Minutes**

Present: Heinrich, Buchanan, Brubakken, Steele, Ryan, Hellekson, Dillman, Edinger, Fosse, Laber, Reuther, Sveum and Veil. Absent: Phillips.

**FINANCE & LEGAL COMMITTEE**

Brubakken moved to recommend approval of maintaining the stop loss coverage at \$20,000 per member and establishing the monthly premium rates for the City of Jamestown Employee Group Health Plan for the fiscal year September 1, 2019, through August 31, 2020, to maintain the status under the Affordable Care Act and as follows:

	<u>City Share</u>	<u>Employee Share</u>	<u>Total</u>
Single Plan	\$673.14	-0-	\$673.14
Single Plus Dependent	\$827.80	\$322.20	\$1,150.00
Family Plan	\$981.76	\$703.12	\$1,684.88

Seconded by Heinrich. Unanimous aye vote. Carried.

Brubakken moved to recommend approving the request from the JSDC for 2020 South Central Dakota Regional Council Dues from Economic Development Funds, in the amount of \$36,458.00, with the City Share to be \$22,969.00 and paid from the City Sales Tax Fund. Seconded by Steele. Connie Ova, JSDC CEO, stated that the dues are based 50% on property tax value and 50% on population. Jennifer Schultes, SCDRC, stated that the 2020 dues are typically paid by the City in January annually, although the SCDRC's fiscal year is April 1 to March 31. At this time, she projects a stable budget for the organization. Unanimous aye vote. Carried.

Heinrich moved to recommend approval of the recommendation and request from the JSDC for Economic Development Funds for Train ND, in the amount of \$45,000, with the City Share to be \$36,000 and paid from the City Sales Tax Fund. Seconded by Steele. Connie Ova, JSDC CEO, addressed the Committee. The Train ND program has been achieving its objectives in our region, training 400 people so far in 2019. Fargo is providing a job training center just for Fargo. Unanimous aye vote. Carried.

Heinrich moved to recommend authorizing the City Administrator and staff to work with John Shockley, Ohnstad Twitchell, the City's representative, to draft a project specific plan, draft a tax abatement agreement, and schedule a public hearing regarding the request from EPIC Companies to form a tax increment finance district for the upper four floors of student housing at a proposed mixed-use facility on the University of Jamestown campus. Seconded by Steele. John Shockley, Ohnstad Twitchell, addressed the Committee, providing information regarding tax increment financing, the specific request as it was presented to the City, and what is required. The developers will own the building on land still owned by the university. Tena Lawrence, Executive VP, UJ, stated that the tenants would be limited to UJ students, graduate students or UJ employees. The UJ intends to purchase the facility from the developer. Lawrence stated that over 100 students currently live off campus. Todd Berning, EPK, stated that the completed facility will be worth about \$12 million, combined residential and commercial building, generating \$30,000,000 annual revenue from the commercial floor. The residential floors combined are anticipated to generate less revenue. Unanimous aye vote. Carried.

Brubakken moved to recommend approving the request from Stutsman Harley Davidson to conduct a dance in the dealership parking lot on September 7, 2019. Seconded by Heinrich. Steele asked if the dance permit includes permission to serve alcohol. City Administrator Hellekson responded that the dance permit is only to hold a dance. The permission to serve alcohol would be separate since this business does not hold a liquor license. There has been no such application at this time for this location on this date. Unanimous aye vote. Carried.

Brubakken moved to recommend approving the request to recognize Ryker's Run for Little Hearts as an other public spirited organization and authorize the issuance of a raffle permit. Seconded by Steele. Unanimous aye vote. Carried.

Steele moved to recommend the first reading of an ordinance to amend and re-enact Section 25.5 to increase the City Sales Tax by one-half percent from two percent (2%) to two and one-half percent (2.5%) effective January 1, 2020. Seconded by Heinrich. Heinrich stated that this will create additional revenue to support the Civic Center and public infrastructure. Unanimous aye vote. Carried.

Buchanan moved to recommend approving the City Attorney's request to enter into an agency access agreement with the State of North Dakota to access programs utilized in complying with Marsy's law. Seconded by Brubakken. City Attorney Ryan explained that the agreement should exist between the City and the State with the City designated as the system user and access to the program regulated. Unanimous aye vote. Carried.

Meeting adjourned at 4:50 PM.

### **BUILDING, PLANNING & ZONING COMMITTEE**

Steele called the meeting to order at 4:50 PM.

A public hearing was held concerning the notice of floodway encroachment at 916 2<sup>nd</sup> Ave NW. No written comments were received.

City Assessor Veil provided information about the two decks constructed in the floodway without permits. City staff had begun addressing the issue over a year ago in response to a complaint. Veil stated the City Ordinance restricts structures in the floodway to minimize impacts on flooding in order to protect lives and property. Steele asked what the implications are for allowing structures in the floodway. Veil stated that it could affect Jamestown's NFIP (flood) insurance number. The City is required to enforce the regulations and ordinance and minimize the risk of flooding to protect property. At minimum, the City is required to follow the existing regulations. City Attorney Ryan stated that the Committee is hearing from anyone on this matter during this hearing.

Rod Pettys, 916 2<sup>nd</sup> Ave NW, stated he removed one deck and promised to remove the other, but chose not to remove it. Pettys showed the committee members photos of his existing deck and a stack of photos of structures of unknown locations. Pettys stated he is an expert builder. Pettys stated that the Army Corps of Engineers granted him permission build a deck in the river. Heinrich asked for proof of permission. Pettys said he didn't have proof of permission to build and is unable to tear down the remaining deck.

The hearing was closed. Brubakken moved to authorize City staff to remove the deck. Brubakken withdrew his motion.

Heinrich moved to table the findings of facts and determination of remedy for an unpermitted structure in the floodway and floodway encroachment for Rodney and Shari Pettys until August 20, 2019. Seconded by Buchanan. Unanimous aye vote. Carried.

Informational: The committee received appointment applications for the Planning Commission which will be placed on the August 5, 2019, City Council agenda.

The meeting adjourned at 5:27 PM.

### **CIVIC CENTER AND PROMOTION COMMITTEE**

Heinrich convened the Committee at 5:27 PM.

City Attorney Ryan stated that the City received one bid for the Jamestown Civic Center Roofing Removal and Replacement Area "A" Project from Herzog Roofing, Detroit Lakes, Minnesota. The notary was omitted entirely.

City Engineer Dillman stated that there were two bids received for the Jamestown Civic Center Expansion Joint Removal and Replacement Project. The first from Stickey, Thompson, ND for \$39,740. City Attorney Ryan stated that the second bid from Midcontinental Restoration, Fort Scott, KS, was not opened as the dates were omitted on the notary. That is waivable by City Council.

Sarah Hellekson, City Administrator