

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JULY 1, 2019
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 to the flag was recited.

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

Council Member Buchanan moved to approve the minutes of the regular council meeting, June 3, 2019; special council meeting, June 18, 2019, and the committee meeting, June 18, 2019. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

A bid was received for the sale of an impounded/abandoned 2004 Chevrolet Suburban, from Carol Wiest.

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

- A. Resolution to re-affirm pledges of deposit as follows: Unison Bank - \$15,983,169.19; Wells Fargo Bank - \$8,960,238.53; Dacotah Bank - \$14,026,872.43.
- B. Resolution to accept the affidavit from Advantage Electric, Inc., that Check No. 15497 (Unison Bank), dated February 28, 2019, in the amount of \$2,573.11, has been lost or destroyed and authorize the issuance of a duplicate.
- C. Resolution to accept the affidavit from Diamond Vogel, that Check No. 15302 (Unison Bank), dated January 31, 2019, in the amount of \$79.00, has been lost or destroyed and authorize the issuance of a duplicate.
- D. Resolution to approve the application for Renaissance Zone Incentives for up to a five (5) year, one hundred percent (100%) state income tax exemption and a 100% five-year property tax exemption for Corinne A. Bennett, (207 Lindwood Drive) pending approval by the State of North Dakota Department of Community Services.
- E. Resolution to approve the request to amend Articles 3 and 4 of the existing Agreement dated July 26, 2016, between the City and AE2S for the Stormwater Utility Implementation Project.
- F. Resolution to approve the Minor Subdivision, Preliminary/Final plat of Ibes Addition, Lot 1, Block 1, a replat of Lots 2 and 3, Block 4, Meidinger Fourth Addition, within the SW ¼, Section 35, T140N, R64W, City of Jamestown, Stutsman County, North Dakota. The property is located at 1316 - 1320 15 ½ Ave SW, Jamestown, ND.
- G. Resolution to approve an ATM lease agreement with Carr Enterprises for the Civic Center.
- H. Resolution to approve Payment No. 2, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #19-41, in the amount of \$219,386.65.
- I. Resolution to approve Payment No. 2, to On The Level Construction, Inc., for construction on the Inert Cell 1-4, Final Cover, in the amount of \$72,432.00.
- J. Resolution to approve Payment No. 5 (Inv 08387.05-5), to SRF Consulting Group, Inc., for 2019 Jamestown Planning and Zoning Technical Services, in the amount of \$4,488.65.

- K. Resolution to approve Payment No. 18 (Inv 9299), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$5,555.02.
- L. Resolution to approve Payment No. 1 (Inv 37967), to Interstate Engineering, Inc., for engineering services on the 2019 Watermain Replacement Project, in the amount of \$129,009.72.
- M. Resolution to approve Payment No. 6 (Inv 37964), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$243.00.
- N. Resolution to approve Payment No. 8 (Inv 37963), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Closure Cell 1-4, Section 5-139-63, in the amount of \$8,033.90.
- O. Resolution to approve Payment No. 12 (Inv 37965), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$1,345.00.
- P. Resolution to approve Payment No. 24 (Inv 37962), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$559.00.
- Q. Resolution to approve Payment No. 270 (Inv 37966), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Facility Sludge, Grease Trap & LRATS Issues, in the amount of \$6,737.50.
- R. Resolution to approve Payment No. 271 (Inv 37968), in the amount of \$18,313.00, to Interstate Engineering, Inc., for engineering services on the following: City Department consultations (General), in the amount of \$8,094.00; 2) City Department consultations (Streets), in the amount of \$2,394.00; City Department consultations (Sewer), in the amount of \$3,375.00; City Department consultations (Water), in the amount of \$1,789.50; City Department consultations (Solid Waste), in the amount of \$740.50; City Department consultations (Storm Water), in the amount of \$1,920.00.
- S. 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.
- T. Resolution to allow the June indebtedness in the amount of \$1,758,183.49 consisting of \$507,912.89 payroll and \$1,250,270.60 general obligations.

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

Council Member Phillips moved a Resolution to amend the City Code Section 5-25 to allow off sale beer at gas stations as requested by S & R Truck Plaza. She explained that, although not in favor of the amendment, the motion needed to be made in the affirmative. No second. Motion failed.

Council Member Phillips declared a possible conflict on the agenda item concerning the lot purchase as she serves on the Tourism Committee with Mr. Johnson. Council Member Brubakken moved to allow Council Member Phillips to vote. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Phillips moved a Resolution to accept the offer from Sean Johnson to purchase Beverly Hills 3rd Addition, Lot 18, from the City of Jamestown, in the amount of \$1,000.00. Seconded by Council Member Brubakken. City Assessor Veil recommended the City accept the offer. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to award the bid for the sale of the impounded 2004 Chevrolet Suburban, to Carol Wiest, in the amount of \$3,530.00. Seconded by Council Member Steele. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

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 Jamestown College Subdivision, Block 3, City of Jamestown, Stutsman County, North Dakota, from R-3 to C-C. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1517, introduced by Council Member Brubakken, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Jamestown College Subdivision, Block 3, City of Jamestown, Stutsman County, North Dakota, from R-3 (General Multiple Dwelling District) to C-C (Central Core Commercial District), had its second reading. The property is located at 1100 7th St NE. Seconded by Council Member Steele. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1518, introduced by Council Member Steele, to amend and re-enact Section 22-49 of the Code of the City of Jamestown, pertaining to Weapons—Unlawful Discharge, had its second reading. (To allow Jamestown Regional Airport Employees and agents to mitigate wildlife hazards.) Seconded by Council Member Phillips. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1519, introduced by Council Member Buchanan, to amend Chapter 31, by adopting Article VIII, of the Code of the City of Jamestown pertaining to Stormwater, had its second reading. Seconded by Council Member Brubakken. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to approve and authorize Fergus Power and Pump to pump and dewater industrial by-product at the wastewater facility, in the amount of \$214,782, to be funded by the Sewer Fund. Seconded by Council Member Steele. Darrell Hournbuckle, Interstate Engineering, Inc., provided information. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to approve the request from Jamestown Hockey Booster Club Inc., for a site authorization to conduct gaming at the Gladstone Inn & Suites Conference Room on February 7, 2020. Seconded by Council Member Phillips. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to call a special meeting of the City Council at 10:00 a.m. on Thursday, July 11, 2019, in City Hall Council Chambers, for the purpose of discussing the stormwater utility and to establish a Stormwater Utility Fund and approve the Stormwater Utility Fees for the City of Jamestown. Seconded by Council Member Steele. Jamestown Regional Airport Director Katie Hemmer provided information about the airport's budget. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to approve the request from Corner Bar for a permit to conduct street dance on 2nd Street SW, from 1st Avenue westward to alley, on Saturday, July 27, 2019. Seconded by Council Member Steele. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved to adjourn at 6:00 PM. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor