

JAMESTOWN CITY COUNCIL
REGULAR MEETING, AUGUST 5, 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, Assistant City Attorney Geroux, and City Administrator Hellekson.

Council Member Buchanan moved to approve the minutes of the regular council meeting, July 1, 2019; special council meeting, July 16, 2019, and the committee meetings, July 23 & 25, 2019. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

No bids were received for the sale of impounded/abandoned vehicles.

Council Member Brubakken moved to waive the irregularity of the bid received for the Jamestown Civic Center Roofing Removal and Replacement Area "A" Project and open the bid. Seconded by Council Member Phillips. City Attorney Geroux advised that the City Council may waive the irregularity of the bid if it chooses. Unanimous aye vote. Carried.

Council Member Brubakken moved to open the bid. Seconded by Council Member Buchanan. Unanimous aye vote. Carried. The bid award will be considered later in the meeting.

Two bids were received for the Jamestown Civic Center Expansion Joint Removal and Replacement Project. One bid was opened on bid opening day. City Attorney Geroux recommended not opening the other bid due to an irregularity that could not be waived. Council Member Buchanan moved to waive the irregularity of one bid. Failed for lack of second. The bid award will be considered later in the meeting.

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

- A. Resolution to approve 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: Single Plan [City-\$673.14, Employee -0-, Total-\$673.14]; Single Plus Dependent Plan [City-\$827.80, Employee-\$322.20, Total-\$1,150.00]; Family Plan [City-\$981.76, Employee-\$703.12, Total-\$1,684.88].
- B. Resolution to approve 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.
- C. Resolution to approve 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.
- D. Resolution to authorize 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.
- E. Resolution to approve the request from Stutsman Harley Davidson to conduct a dance in the dealership parking lot on September 7, 2019.

- F. Resolution to approve the request to recognize Ryker's Run for Little Hearts as an other public spirited organization and authorize the issuance of a raffle permit.
- G. Resolution to approve 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.
- H. Resolution to accept the New Phase Energy conclusions and recommendations from the Feasibility Study of the Biogas-to-Renewable Natural Gas Project for the City of Jamestown Wastewater Treatment Plant and to approve correction of maintenance concerns and initiate the digester gas resource data collection program and amend the contract.
- I. Resolution to approve the 2019-2020 Minnesota Valley Laboratories, Inc., testing cost proposals to monitor ground water, storm water, leachate and landfill gas to meet the landfill permits and storm water permits, at a total cost of \$59,384.00.
- J. Resolution to enter into an agreement with Interstate Engineering, Inc., for the design of plans and specifications of the 2019-2020 NDDOT Safe Routes to School Project which will be specially assessed to the Jamestown Public School District.
- K. Resolution to accept the affidavit from Hunter Zimmerman, that Check No. 8357 (Municipal Court), dated June 26, 2019, in the amount of \$270.00, has been lost or destroyed and authorize the issuance of a duplicate.
- L. Resolution to approve Payment No. 1, to Scherbenske, Inc., for 2019 Watermain Replacement Project, in the amount of \$210,701.31.
- M. Resolution to approve Payment No. 2 & Final (Inv 0002011630), to ND Department of Transportation, for 2018 Safe Routes to School Sidewalk District 18-21, Project TAU-2987(039) – SRTS Sidewalk, in the amount of \$2,468.57.
- N. Resolution to approve Payment No. 3, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #19-41, in the amount of \$291,718.78.
- O. Resolution to approve Payment No. 3, to On The Level Construction, Inc., for construction on the Inert Cell 1-4, Final Cover, in the amount of \$119,612.95.
- P. Resolution to approve Payment No. 6 (Inv 08387.05-6), to SRF Consulting Group, Inc., for 2019 Jamestown Planning and Zoning Technical Services, in the amount of \$5,049.41.
- Q. Resolution to approve Payment No. 19 (Inv 9390), to Apex Engineering Group, for services on Jamestown Wastewater Treatment Facility Capacity Assessment, in the amount of \$1,476.58.
- R. Resolution to approve Payment No. 1 (Inv 38245), to Interstate Engineering, Inc., for engineering services on Roof Repairs at the Jamestown Civic Center, in the amount of \$4,495.00.
- S. Resolution to approve Payment No. 1 (Inv 38246), to Interstate Engineering, Inc., for engineering services on Caulking Repairs at the Jamestown Civic Center, in the amount of \$3,709.00.
- T. Resolution to approve Payment No. 2 (Inv 38243), to Interstate Engineering, Inc., for engineering services on the 2019 Watermain Replacement Project, in the amount of \$9,905.42.
- U. Resolution to approve Payment No. 9 (Inv 38242), to Interstate Engineering, Inc., for engineering services on the Inert Landfill Closure Cell 1-4, Section 5-139-63, in the amount of \$6,561.38.

- V. Resolution to approve Payment No. 25 (Inv 38240), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$205.00.
- W. Resolution to approve Payment No. 272 (Inv 38241), to Interstate Engineering, Inc., for Special Services for Compliance to Health Department Permit for Landfill, in the amount of \$3,282.00.
- X. Resolution to approve Payment No. 273 (Inv 38247), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Facility Sludge, Grease Trap & LRATS Issues, in the amount of \$5,322.82.
- Y. Resolution to approve Payment No. 274 (Inv 38244), in the amount of \$23,068.00, to Interstate Engineering, Inc., for engineering services on the following: 1) City Department consultations (General), in the amount of \$7,554.00; 2) City Department consultations (Streets), in the amount of \$3,843.00; 3) City Department consultations (Sewer), in the amount of \$7,230.50; 4) City Department consultations (Water), in the amount of \$1,869.00; 5) City Department consultations (Solid Waste), in the amount of \$1,221.50; 6) City Department consultations (Storm Water), in the amount of \$1,350.00.
- Z. 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.
- AA. Resolution to allow the July indebtedness in the amount of \$2,896,433.27 consisting of \$523,254.05 payroll and \$2,373,179.22 general obligations.
- BB. Resolution to approve Payment No. 60 (Inv 63422), to AE2S, for On Call engineering services, in the amount of \$177.05.
- CC. Resolution to approve Payment No. 61 (Inv 63856), to AE2S, for On Call engineering services, in the amount of \$1,565.02.
- DD. Resolution to approve Payment No. 24 (Inv 64070), to AE2S, for engineering services on Jamestown Stormwater Utility Implementation, in the amount of \$41,047.51.

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

Council Member Phillips moved to introduce the first reading of an ordinance to amend and re-enact Section 25.5 of the City Code 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.

Council Member Buchanan moved to introduce the first reading of an ordinance pertaining to the appropriation of the General and Special Funds for the fiscal year January 1, 2020, through December 31, 2020.

Council Member Brubakken moved to introduce the first reading of an ordinance pertaining to the appropriation of the Revenue and Special Funds for the fiscal year January 1, 2020, through December 31, 2020.

Council Member Phillips moved to appoint Donald Frye, Mitchell Ostlie, Brian Paulson to serve as members of the Planning Commission with five-year terms to expire August 2024. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Brubakken moved a Resolution to approve the request from Jonny B's Brickhouse to conduct a dance in the parking lot behind the business, on September 6, 2019. Seconded by Council Member Phillips. Jon Beyer, owner and general manager, addressed the City Council. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a Resolution to approve the request from Buffalo Lanes, Inc., for an alley closure between 9th St and 10th St SE from 3:00 PM, August 10, 2019, to 1:00 AM, August 11, 2019, for a Cornhole Tournament & music. Seconded by Council Member Brubakken. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved a Resolution to approve the request from Buffalo Lanes, Inc., to allow the sale and consumption of alcoholic beverages in the rear (east) parking lot and alley from 6:00 PM, August 10, 2019, to 12:00 AM, August 11, 2019, for a Cornhole Tournament & music. Seconded by Council Member Steele. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the request to recognize Layered Education Association as an other public spirited organization and authorize the issuance of a raffle permit. Seconded by Council Member Phillips. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid to Herzog Roofing, Detroit Lakes, MN, for the Jamestown Civic Center Roofing Removal and Replacement Area "A" Project, in the amount of \$103,000. Seconded by Council Member Phillips. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid to Sticky Construction, Thompson, ND, for the Jamestown Civic Center Expansion Joint Removal and Replacement Project, in the amount of \$39,740. Seconded by Council Member Steele. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Phillips moved to adjourn at 5:40 PM. Seconded by Council Member Steele. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor