

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, APRIL 6, 2020  
OFFICIAL MINUTES

The regular meeting of the City Council was called to order by Mayor Heinrich at 5:03 P.M.

Due to health concerns during the COVID-19 pandemic, all members attended via phone conference. Public access to the meeting was provided by phone at 877-885-3221, Conference Code 8007228# and audio was available through Cable Services, Inc., Channel 67.

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

No one appeared to be heard at the public hearing.

Robin Iszler, Director, provided a 2019 Central Valley Health Annual Report and COVID-19 update. All council members stated they were impressed with the report and the agency's COVID-19 handling and response. CVH has reduced nursing services, is working with several community agencies on the response locally, holds a local press briefing twice weekly, and uses its CVHD Facebook page to communicate. Central Valley Health will be responding to case investigation when we have a positive case in the region.

Council Member Steele moved to approve the minutes of the regular council meeting March 2, 2020, the special council meetings, March 16 and 26, 2020; and minutes of the committee meeting March 26, 2020. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

City Attorney Ryan stated that there was an error in a bid bond from a company. An instrument signed by a Treasurer, rather than a President. A Treasurer cannot bind the company. This is now moot.

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

- A. Resolution to approve the request from Anne Carlsen Center for a special use permit for a building to be located on property east of the Jamestown Regional Medical Center.
- B. Resolution to approve the request from Fort Seward Reconstruction Board for a special use permit to operate a campground on Lots 3-6, plus ½ vacated alley, Block 44, Capitol Hill Addition, conditioned upon an amendment to the current lease agreement.
- C. Resolution to approve the Jamestown Tourism request for funds to repair/paint the Buffalo Monument to be funded by the Jamestown Tourism Capital Improvement Fund (Buffalo City Tourism Fund).
- D. Resolution to approve the bid award on Safe Routes to School (SRTS) Project TAU-2-987(042) to LD Concrete, in the amount of \$389,146.55, pending NDDOT concurrence.
- E. 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 one hundred (100%) five (5) year property tax exemption for Kevin D. & Colleen S. Koehn, (202 Lindwood Drive) pending approval by the State of North Dakota Department of Community Services.
- F. Resolution to approve the JSDC request to pay the JSDC's share of legal fees incurred by SEPA for the ND Soy vs SEPA lawsuit. The JSDC share through Feb 20, 2020 is \$108,314.41. This did not include the GRE share of legal fees. The JSDC approved and requests up to \$110,000 total, with the City's share being \$99,000 (90% City, 10% County), to be funded through the City Sales Tax Fund.

- G. Resolution to approve the JSDC request to support Workforce Recruitment and fund the Career Builders (Loan Repayment) Reimbursement Program at \$100,000 with the 80/20 City/County split, \$80,000 being the City's share, to be funded through the City Sales Tax Fund.
- H. Resolution to approve Change Order No. 1, to Braun Intertec, on Jamestown Sanitary Landfill SW-213, Tier 2 Sampling Project, Title V Air Quality Permit, CWSRF Project No. 380808-08, for a net increase in the contract price of \$1,572.62, with a completion date of July 30, 2020.
- I. Resolution to approve Payment No. 2 (Inv 08387.06-2), to SRF Consulting Group, Inc., for 2020 Jamestown Planning and Zoning Technical Services, in the amount of \$3,835.87.
- J. Resolution to approve Payment No. 67 (Inv 67335), to AE2S, for On Call engineering services, in the amount of \$667.25.
- K. Resolution to approve Payment No. 2 (Inv 40247), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Facility Valve Replacement, New Phase Energy, Gas Monitoring, in the amount of \$433.00.
- L. Resolution to approve Payment No. 2 (Inv 40249), to Interstate Engineering, Inc., for engineering services on 2020 Flood Mitigation, in the amount of \$2,932.80.
- M. Resolution to approve Payment No. 3 (Inv 40246), to Interstate Engineering, Inc., for engineering services on 2020 Roof Repairs at the Jamestown Civic Center, in the amount of \$1,566.90.
- N. Resolution to approve Payment No. 6 (Inv 40245), to Interstate Engineering, Inc., for engineering services on 2019 Safe Routes to School, in the amount of \$1,768.00.
- O. Resolution to approve Payment No. 8 (Inv 40244), to Interstate Engineering, Inc., for engineering services on the 2019 Watermain Replacement Project, in the amount of \$9,289.70.
- P. Resolution to approve Payment No. 12 (Inv 40243), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$3,991.50.
- Q. Resolution to approve Payment No. 292 (Inv 40248), in the amount of \$15,527.50, to Interstate Engineering, Inc., for engineering services on the following:
- 1) City Department consultations (General), in the amount of \$7,182.00
  - 2) City Department consultations (Streets), in the amount of \$3,078.00
  - 3) City Department consultations (Sewer), in the amount of \$1,185.00
  - 4) City Department consultations (Water), in the amount of \$1,675.50
  - 5) City Department consultations (Solid Waste), in the amount of \$1,855.00
  - 6) City Department consultations (Storm Water), in the amount of \$552.00
- R. 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.
- S. Resolution to allow the March indebtedness in the amount of \$4,476,827.38 consisting of \$523,056.09 payroll and \$3,953,771.29 general obligations.

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

Council Member Phillips moved a Resolution to approve and authorize City Administrator Sarah Hellekson to sign the NDDOT curb ramp construction agreements for improvements adjacent to City property for the Downtown Road Diet Project UGP-NHU-2-052(043)264. Seconded by Council Member Brubakken. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid to LD Concrete, for the 2020 Sidewalk, Curb & Gutter District 20-11, in the amount of \$55,002.50. Seconded by Council Member Phillips. City Engineer Dillman stated the engineer's estimate was \$54,400. The other bid submitted from Strata Corporation was \$75,370.00. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

City Attorney Ryan stated that of the five bids submitted for the Sanitary Sewer Main Lift Station Engine Generator, three bids were rejected for being non-responsive. Ryan and City Engineer Dillman will discuss additional communication to ensure potential bidders are aware of all requirements. City Engineer Dillman stated that both opened bids are well over the engineer's estimate so the item will be brought to the April 23, 2020, Public Works Committee. The low bids can be held for 60 days.

Council Member Buchanan moved to introduce an ordinance to amend and re-enact Section 2-5.9 of the City Code pertaining to residency qualification for employees.

The following ordinances, introduced by Council Member Brubakken, had their second readings:

- 1) Ordinance No. 1524, to amend and re-enact Section 21-02-10 of the City Code pertaining to Classification and Disposition of Traffic Offenses; Fees; Duties of halting officer.
- 2) Ordinance No. 1525, to amend and re-enact Section 21-04-06 of the City Code pertaining to Persons Under the Influence of Intoxicating Liquor or Any Other Drugs or Substances Not to Operate Vehicle; Penalty.
- 3) Ordinance No. 1526, to amend and re-enact Section 21-08-01 of the City Code pertaining to Immediate Notice of Accident; Penalty.
- 4) Ordinance No. 1527, to repeal Section 21-10-01 of the City Code pertaining to Leaving Motor Vehicles Unattended.
- 5) Ordinance No. 1528, to amend and re-enact Section 22-15.1 of the City Code pertaining to Firearms Loaded in Vehicle.
- 6) Ordinance No. 1529, to enact Section 22-53 of the City Code pertaining to Service Animal – Misrepresentation; Penalty.

Seconded by Council Member Phillips. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved to appoint Neil 'Tex' Weatherly to serve as the at-large member and Alicia Harstad to serve as the NDSU member representative on the Forestry Committee for three year terms to April 2023. Seconded by Council Member Phillips. Unanimous aye vote. Carried.

Council Member Phillips stated that people appreciate the press conferences held during the COVID-19 pandemic.

Council Member Phillips moved to adjourn at 6:47 PM. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

ATTEST:  
SARAH HELLEKSON, City Administrator

APPROVED:  
DWAINE HEINRICH, Mayor