

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, AUGUST 3, 2020  
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 Buchanan, Kamlitz, Steele and Schloegel, City Attorney Ryan, and City Administrator Hellekson.

Council Member Kamlitz moved to approve the minutes of the regular council meeting July 6, 2020; minutes of the special council meeting, July 27, 2020; and minutes of the committee meeting July 23, 2020. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

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

- A. Resolution to approve the Application for Abatement for 1317 5<sup>th</sup> St NE (74-2033000) and recommend that the Stutsman County Commission approve the request from Hometown Living LLC for an abatement of real estate taxes on the Lot 3, Block 1, Dakotah Hills Addition (1317 5<sup>th</sup> St NE), by reducing the 2019 true and full value from \$2,825,300 to \$2,000,000.
- B. Resolution to approve the application for Renaissance Zone Incentives for Amy Anderson, (208 Lindwood Drive) for state income tax up to five (5) years at one hundred percent (100%) exemption, and a property tax exemption at one hundred percent (100%) for five (5) years, pending approval by the State of North Dakota Department of Community Services.
- C. Resolution to approve the request from JSDC for funding for a market and financial feasibility assessment for Buffalo City Park from Economic Development Funds, in the amount of \$25,000, with the City Share to be \$20,000 and paid from the City Sales Tax Fund.
- D. Resolution to approve the request from JSDC for 2021 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.
- E. Resolution to approve the request from JSDC for the Give Get Grow Campaign for matching funds from Economic Development Funds, in the amount of \$5,000.00, with the City Share to be \$4,000.00 and paid from the City Sales Tax Fund.
- F. Resolution to approve the Easement Agreement with the State of North Dakota, subject to City Attorney review, for a 99-year term for the purpose of constructing, maintaining, and replacing a water distribution system within the tract of land described in the agreement as located within the west half of Section 6, T139N, R63W of the Fifth Principle Meridian, being within Bloom Township, Stutsman County, North Dakota and northeast quarter of Section 1, T139N, R64W of the Fifth Principal Meridian, being within Midway Township, Stutsman County, North Dakota.
- G. Resolution to approve the request from ARD Properties, LLC, for a Future Land Use Plan Amendment for Auditor's Lot 27-12, located in the Northwest Quarter Section 27, Township 140 North, Range 64 West of the fifth principal meridian, Midway Township, Stutsman County, North Dakota, from Agricultural/Rural Open Space to Industrial. The property is located at 8126 34<sup>th</sup> St SE.
- H. Resolution to approve the plans and specifications for City of Jamestown James River Riverbank Restoration Project.

- I. Resolution to approve the Agreement with AE2S for an Instrumentation and Controls System Support Services Assignment Needs Assessment at the Water Treatment Plant and System Sites, in the amount of \$19,700, to be paid from the Water Utilities Fund pending City Attorney review.
- J. Resolution to approve Change Order No 1, to Scherbenske Inc., for 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), for a net decrease in the contract price of \$2,946.00.
- K. Resolution to approve Payment No. 2, to Braun Intertec Corporation, on Jamestown Sanitary Landfill SW-213, Tier 2 Sampling Project, Title V Air Quality Permit, (CWSRF Project No. 380808-08), in the amount of \$12,656.16.
- L. Resolution to approve Payment No. 2, to LD Concrete, for construction on 2020 Sidewalk, Curb & Gutter District 20-11, in the amount of \$12,801.58.
- M. Resolution to approve Payment No. 2, to Scherbenske, Inc., for construction on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$277,383.84.
- N. Resolution to approve Payment No. 3, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District 20-41, in the amount of \$458,493.61.
- O. Resolution to approve Payment No. 6 (Inv 08387.06-6), to SRF Consulting Group, Inc., for 2020 Jamestown Planning and Zoning Technical Services, in the amount of \$5,852.04.
- P. Resolution to approve Payment No. 8, to Scherbenske, Inc., for construction on 2019 Watermain Replacement Project, in the amount of \$48,869.57.
- Q. Resolution to approve Payment No. 3 (Inv 41224), to Interstate Engineering, Inc., for engineering services on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$25,940.70.
- R. Resolution to approve Payment No. 4 (Inv 41225), to Interstate Engineering, Inc., for engineering services on 2020 State Hospital Water Line District 20-62, in the amount of \$4,183.40.
- S. Resolution to approve Payment No. 6 (Inv 41227), to Interstate Engineering, Inc., for engineering services on 2020 Flood Mitigation, in the amount of \$684.00.
- T. Resolution to approve Payment No. 7 (Inv 41222), to Interstate Engineering, Inc., for engineering services on Sanitary Sewer Lift Station Improvements (Main Lift and Lift Station No. 20), in the amount of \$1,296.00.
- U. Resolution to approve Payment No. 9 (Inv 41223), to Interstate Engineering, Inc., for engineering services on 2019 Safe Routes to School, in the amount of \$19,958.96.
- V. Resolution to approve Payment No. 12 (Inv 41221), to Interstate Engineering, Inc., for engineering services on the 2019 Watermain Replacement Project, in the amount of \$2,981.58.
- W. Resolution to approve Payment No. 16 (Inv 41219), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$3,998.30.
- X. Resolution to approve Payment No. 22 (Inv 41220), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$3,920.00.

- Y. Resolution to approve Payment No. 296 (Inv 41226), in the amount of \$14,489.50, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows: (General), in the amount of \$5,814.00; (Streets), in the amount of \$5,041.00; (Sewer), in the amount of \$1,640.00; (Water), in the amount of \$798.00; (Solid Waste), in the amount of \$512.50; (Storm Water), in the amount of \$684.00.
- 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 \$2,983,345.37 consisting of \$528,621.62 payroll and \$2,454,723.75 general obligations.
- BB. Resolution to approve Payment No. 1 (Inv 2099822 & 2099823), to the ND Department of Transportation, for construction completed on 2019-2020 Safe Routes to School, in the amount of \$72,993.26.

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

A public hearing was held concerning the special assessments on the 2019 Sidewalk, Curb & Gutter District #19-11. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Steele moved a Resolution to approve the special assessments on 2019 Sidewalk, Curb & Gutter District #19-11, in the total amount of \$67,074.21, with the City Share-Departments at \$37,622.02, and benefited properties to be assessed in the amount of \$29,452.19. Seconded by Council Member Kamlitz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Heinrich moved to introduce an ordinance pertaining to the appropriation of the General and Special Funds for the fiscal year January 1, 2021, through December 31, 2021.

Mayor Heinrich moved to introduce an ordinance pertaining to the appropriation of the Revenue and Special Funds for the fiscal year January 1, 2021, through December 31, 2021.

Council Member Steele moved to introduce an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of Auditor's Lot 27-12, located in the Northwest Quarter Section 27, Township 140 North, Range 64 West of the fifth principal meridian, Midway Township, Stutsman County, North Dakota, from A-1 and C-2 to M-2. The property is located at 8126 34th St SE.

A public hearing was held concerning request to change zoning of LANDS IN JAMESTOWN, S31, T140, R63, NE 1/4 NE 1/4 SE 1/4 31-140-63 KNOWN AS PARCEL B 10 ACRES, City of Jamestown, Stutsman County, North Dakota, rezoned from M2 & R1 to strictly M2. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1536, introduced by Council Member Steele, to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of LANDS IN JAMESTOWN, S31, T140, R63, NE 1/4 NE 1/4 SE 1/4 31-140-63 KNOWN AS PARCEL B 10 ACRES, City of Jamestown, Stutsman County, North Dakota, rezoned from M2 (General Industrial and Manufacturing District) & R1 (One-Family Residential District) to strictly M2. The property is located at 2400 10th St SE, had its second reading. Seconded by Council Member Buchanan. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Heinrich moved to appoint Paulette Ritter to serve as a member of the Planning Commission for a five year term to expire August 2025. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

Council Member Steele moved a Resolution to approve the Major Subdivision, Final plat of LD Concrete Addition, being within the City of Jamestown, Midway Township, Stutsman County, North Dakota, Lands in Jamestown, S31, T140, R63, NE 1/4 NE 1/4 SE 1/4 31-140-63 known as Parcel B 10 Acres. The property is located at 2400 10<sup>th</sup> St SE. Seconded by Council Member Schloegel. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve the request from Sabir's Buffalo Grill for an On-Off Sale liquor license at 103 1<sup>st</sup> Avenue South for the period ending June 30, 2021. Seconded by Council Member Steele. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved a Resolution to approve upgrading the server and software for the City's outdoor warning sirens, which serves as the community's outdoor warning system, at a cost of \$12,170, \$10,431.43 to be paid by the City Public Building Site Fund, and \$1,738.57 to be paid by Stutsman County. Seconded by Council Member Kamlitz. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to refer the five-year land use transportation plan assessment to the August Building, Planning and Zoning Committee meeting. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

The zoning ordinance revision is part of the Planning Commission tasks and currently being conducted by that Commission.

Council Member Steele moved a Resolution to approve Change Order No. 1, to Scherbenske Inc., for 2020 State Hospital Water Line Replacement District 20-62 at no change in the contract price to extend the completion 27 days to still be operational this fall with cleanup spring of 2021. Seconded by Council Member Schloegel. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent.

Council Member Schloegel moved to adjourn at 5:34 PM. Seconded by Council Member Steele. Unanimous aye vote. Carried.

ATTEST:  
SARAH HELLEKSON, City Administrator

APPROVED:  
DWAINE HEINRICH, Mayor