

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 8, 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.

Larae Casavant, 804 6th Ave SE, spoke during the Hearing from the Audience and stated the trailers and campers parked on the street prevent sufficient street sweeping and block her view. The matter will be referred to staff.

A public hearing was held because the City of Jamestown has used Community Development Block Grant (CDBG) funds from the State of North Dakota, Division of Community Services (DCS). CDBG funds are intended to provide decent housing, suitable living environments and economic opportunities, principally for very low and low income persons through rehabilitation and preservation, economic/job development and public facilities improvements. The project in Jamestown, ND was \$110,000 Main Street Façade Improvements, Project 4455-SL18-MS, \$10,000 for administrative costs.

The City Council asked for comments on this project and other community development and housing needs, including the needs of very low and low income persons, as well as other needs in the community that might be addressed through the CDBG program, and the performance of the City of Jamestown in carrying out its community development responsibilities related to the \$110,000.00 Community Development Block Grant (CDBG) Project No. 4455-SL18-MS for the Main Street Façade Improvements, and obtain citizen views and to respond to proposals and questions. Oral and/or written comments are considered in deciding whether the monies were used for the purpose intended by this project. No one appeared to comment and no written comments were received. Traci Redlin, SCDRC Interim Executive Director, stated they administered the program for the City. The public hearing was closed.

Council Member Buchanan moved to approve the minutes of the regular council meeting August 3, 2020; minutes of the special council meeting, August 20, 2020; and minutes of the committee meeting August 27, 2020. Seconded by Council Member Steele. Unanimous aye vote. Carried.

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

- A. Resolution to approve a Letter of Support for grant funds for the Great Plains Housing Authority for a U.S. Housing and Urban Development (HUD) Lead Hazard Reduction Grant for the testing and removal of lead hazards in single family, multi-family, owner, rental, and multi-use buildings; the first time a ND agency will apply for this HUD grant, which coincides with the mandated U.S. EPA Lead and Copper drinking water requirements.
- B. Resolution to approve the updated City of Jamestown Title VI plans and policies in compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and statutes, the amended Drug and Alcohol Testing Policy in compliance with the Drug-Free Workplace Act of 1988, in compliance with all applicable federal regulations governing workplace anti-drug and alcohol programs, and governing transit industry where applicable.
- C. Resolution to approve and authorize signing of the Department of Transportation North Dakota State Aid for Public Transit Funding Agreement for Section 5311 and State Aid to Public Transit funding on behalf of Jamestown Taxi Service, and committing the local share of funds necessary as budgeted for (State FY 2021) CY 2020 - 2021.

- D. Resolution to approve the request from IDK Employee Group to be recognized as an other public spirited organization and authorize the issuance of a raffle permit.
- E. Resolution to approve the request from ARD Properties LLC, for a Special Use Permit for property located in the the NW 1/4, Section 27, Township 140 North, Range 64 West of the fifth principal meridian, Midway Township, Stutsman County, North Dakota. The property is located at 8126 34th St SE.
- F. Resolution to approve and accept the SRF Consulting Group, Inc. quote to conduct the five-year land use transportation plan assessment at a maximum of \$13,819, to be paid from the General Fund.
- G. Resolution to approve the development and implementation of a City Industrial Wastewater Discharge Pretreatment Permitting and Compliance Program beginning in 2021 as mandated by the State of North Dakota Department of Environmental Quality, and in compliance with the U.S. EPA.
- H. Resolution to approve entering into an agreement with CPS to provide the 2020 Annual Municipal Solid Waste Landfill Groundwater Monitoring Report and additional consultation regarding the City's Groundwater Monitoring Plan.
- I. Resolution to approve entering into an agreement with Interstate Engineering, Inc., for the 2021 Water Main Improvement District.
- J. Resolution to approve Payment No. 1, to Scherbenske, Inc., for construction on 2020 State Hospital Water Line District 20-62, in the amount of \$232,600.91.
- K. Resolution to approve Payment No. 3, to Scherbenske, Inc., for construction on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$533,646.39.
- L. Resolution to approve Payment No. 4, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District 20-41, in the amount of \$754,716.02.
- M. Resolution to approve Payment No. 7 (Inv 08387.06-7), to SRF Consulting Group, Inc., for 2020 Jamestown Planning and Zoning Technical Services, in the amount of \$6,770.60.
- N. Resolution to approve Payment No. 71 (Inv 69916), to AE2S, for On Call engineering services, in the amount of \$1,470.50.
- O. Resolution to approve Payment No. 1 (Inv 41604), to Interstate Engineering, Inc., for engineering services on NDDEQ Facility Financial Assurance Summary Workbook Instructions for Jamestown Sanitary Landfill SW-213, in the amount of \$108.00.
- P. Resolution to approve Payment No. 4 (Inv 41599), to Interstate Engineering, Inc., for engineering services on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$34,720.12.
- Q. Resolution to approve Payment No. 5 (Inv 41600), to Interstate Engineering, Inc., for engineering services on 2020 State Hospital Water Line District 20-62, in the amount of \$9,750.38.
- R. Resolution to approve Payment No. 6 (Inv 41601), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Facility Valve Replacement, New Phase Energy, Gas Monitoring, in the amount of \$2,562.50.

- S. Resolution to approve Payment No. 7 (Inv 41603), to Interstate Engineering, Inc., for engineering services on 2020 Flood Mitigation, in the amount of \$342.00.
- T. Resolution to approve Payment No. 8 (Inv 41597), to Interstate Engineering, Inc., for engineering services on Sanitary Sewer Lift Station Improvements (Main Lift and Lift Station No. 20), in the amount of \$4,574.16.
- U. Resolution to approve Payment No. 10 (Inv 41598), to Interstate Engineering, Inc., for engineering services on 2019 Safe Routes to School, in the amount of \$7,765.80.
- V. Resolution to approve Payment No. 13 (Inv 41596), to Interstate Engineering, Inc., for engineering services on the 2019 Watermain Replacement Project, in the amount of \$1,695.06.
- W. Resolution to approve Payment No. 17 (Inv 41594), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$6,866.68.
- X. Resolution to approve Payment No. 23 (Inv 41595), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$882.50.
- Y. Resolution to approve Payment No. 31 (Inv 41593), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$4,562.88.
- Z. Resolution to approve Payment No. 297 (Inv 41602), in the amount of \$19,491.00, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
 (General), in the amount of \$7,159.00;
 (Streets), in the amount of \$5,335.00;
 (Sewer), in the amount of \$2,370.00;
 (Water), in the amount of \$1,026.00;
 (Solid Waste), in the amount of \$1,435.00;
 (Storm Water), in the amount of \$2,166.00.
- AA. 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.
- BB. Resolution to allow the August indebtedness in the amount of \$5,139,144.79 consisting of \$541,109.63 payroll and \$4,598,035.16 general obligations.
- CC. Resolution to approve Payment No. 3 & Final, 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 \$5,011.24.
- DD. Resolution to approve Payment No. 9, to Scherbenske, Inc., for construction on 2019 Watermain Replacement Project, in the amount of \$14,675.00.

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

Council Member Heinrich moved a Resolution to award the bid for the James River Phase 3 Riverbank Restoration Project, to Park Construction, in the amount of \$853,907.25. Seconded by Council Member Steele. Ben Aaseth, Interstate Engineering Project Engineer, stated that four of the five bids were opened. One bid was noncompliant. The apparent low bid is Park Construction, below the engineer's estimate. City

Attorney Ryan recommended the City Council not open the noncompliant bid due to a material defect in the bid bond. Steve Attleson, RTS Shearing General Counsel, requested the City Council open their bid. Steele stated that all companies must follow all requirements. Tyler Sarkowski, Scherbenske Inc. President, spoke to the statutory bond oversight. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve the purchase of the recycling vector truck from Sanitation Products, in the amount of \$517,895. Seconded by Council Member Steele. Engineering Tech II Michel explained the difference in vehicle types, its use, and that another city saved time, water and doubled amount of work completed. Administrator Hellekson provided fund balances. Steele computed \$50,000 saved over period of truck use. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to approve a Resolution authorizing the issuance and sale of \$3,170,000 Wastewater Treatment Revenue Bond, Series 2020B (Sewer Lift Stations 1, 11 and 20). Seconded by Council Member Schloegel. Hellekson explained the Bank of ND CWSRF loan, the projects and special assessment. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to introduce an ordinance to amend and re-enact Section 4 - Establishment of Districts, and to enact Section 5.4.4, Uses Permitted - Planned Unit Development (new section), all of Appendix C of the City Code as recommended by the Planning and Zoning Commission.

A public hearing was held concerning a request to change 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. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1539, 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 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, had its second reading. The property is located at 8126 34th St SE. Seconded by Council Member Kamlitz. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to appoint Council Member Schloegel to serve as the City Council representative on the James River Valley Library System Board for a term to expire when the council member's term on the City Council expires. Seconded by Mayor Heinrich. Unanimous aye vote. Carried.

Council Member Schloegel moved a Resolution to approve the request from Blue Jay Football Boosters to be recognized as an other public spirited organization and authorize the issuance of a raffle permit. Seconded by Council Member Steele. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to adjourn at 5:50 PM. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor