

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, JANUARY 4, 2021  
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, Assistant City Attorney Geroux, and City Administrator Hellekson.

Council Member Steele moved to approve the minutes of the regular council meeting December 7, 2020; minutes of the special council meeting, December 17, 2020; and minutes of the committee meeting December 17, 2020. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

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

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

- A. Resolution to re-affirm pledges of deposit as follows: Unison Bank - \$16,499,101.89; Wells Fargo Bank - \$7,380,169.63; Dacotah Bank - \$20,169,308.65.
- B. Resolution to accept the proposal from SRF Consulting for Planning and Zoning Technical Services for 2021 in an amount not to exceed \$60,000.
- C. Resolution to approve and recommend to Stutsman County the 2018, 2019 and 2020 abatement applications for 909 9<sup>th</sup> Ave NE, 58401, in the amount of \$147,600 for 2018, in the amount of \$152,500 for 2019, and in the amount of \$154,500 for 2020.
- D. Resolution to approve and recommend to Stutsman County the 2019 and 2020 abatement applications for 518 14<sup>th</sup> St NE, 58401 in the amount of \$155,530 for 2019, and in the amount of \$157,500 for 2020. Seconded by Steele. City Assessor Veil provided information. Unanimous aye vote. Carried.
- E. Resolution to accept the updated Special Assessment Policy and to publish notice of a public hearing to be held at the February 1, 2021, City Council meeting.
- F. Resolution to approve the request from the ND Department of Human Services to approve an MOU between the Jamestown Police Department and the South Central Human Services Center for the collection of abandoned property, unknown substances or illicit/controlled substances, and authorize the Police Chief to enter into the agreement on behalf of the City.
- G. Resolution to approve the changes to the Frontier Village vendor leases, authorize the City Attorney to modify the leases, and authorize the City Administrator to enter into the agreements.
- H. Resolution to approve the verbiage for the engraved pavers for the Main Street Road Diet Project, the pavers and installation to be paid by the NDDOT, and the engraving to be paid by the Jamestown Downtown Association with grant funds.
- I. Resolution to approve the following pertaining to the 2021 Seal Coat, Patching, Construction and Reconstruction District No. 21-41:
  - 1) To create the district.
  - 2) To direct the preparation of a preliminary engineering report concerning the district.
  - 3) To approve the preliminary engineering report on the district.
  - 4) To declare it necessary to construct the district and direct the City Administrator to publish notice of a public hearing concerning the district.

- J. Resolution to approve the State Transportation Improvement Projects List (STIP List) and recommend a final prioritized list to the City Council for approval at the January 4, 2021, City Council meeting.
- K. Resolution to approve Change Order No. 2, to CC Steel, LLC, for construction on Sanitary Sewer Lift Station Improvements 20-31 (Lift Station No. 20), for a net increase in the contract price of \$8,250.00, and completion time to March 1, 2021.
- L. Resolution to approve Final Balancing Change Order No. 4, to Scherbenske Inc., for a net decrease in the contract price of \$65,377.09, for the 2020 Watermain Improvement Project (J19-00-088, City Project 20-61).
- M. Resolution to approve Payment No. 1, to Park Construction Company, for construction on the James River Bank Stabilization Project, Phase 3, in the amount of \$169,082.68.
- N. Resolution to approve Payment No. 1 & Final, to Advantage Electric Inc., for construction on the Sanitary Sewer Main Lift Station Generator, in the amount of \$287,500.00.
- O. Resolution to approve Payment No. 1 (Inv 1373), to AE2S Operations, LLC, for OpWorks Renewal (Software & Hosting/Maintenance), in the amount of \$480.00.
- P. Resolution to approve Payment No. 4 (Inv 71702), to AE2S, for I&C Needs Assessments, in the amount of \$766.75.
- Q. Resolution to approve Payment No. 5, to Scherbenske, Inc., for construction on 2020 State Hospital Water Line District 20-62, in the amount of \$94,522.49.
- R. Resolution to approve Payment No. 7&Final, to Scherbenske, Inc., for construction on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$36,781.47.
- S. Resolution to approve Payment No. 11 (Inv 08387.06-11), to SRF Consulting Group, Inc., for 2020 Jamestown Planning and Zoning Technical Services, in the amount of \$5,858.02.
- T. Resolution to approve Payment No. 75 (Inv 71700), to AE2S, for On Call engineering services, in the amount of \$206.75.
- U. Resolution to approve Payment No. 1 (Inv 42718), to Interstate Engineering, Inc., for engineering services on Civic Center Roof Removal and Replacement of NW Quarter, Area A, in the amount of \$576.00.
- V. Resolution to approve Payment No. 8 (Inv 42716), to Interstate Engineering, Inc., for engineering services on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$5,971.00.
- W. Resolution to approve Payment No. 9 (Inv 42717), to Interstate Engineering, Inc., for engineering services on 2020 State Hospital Water Line District 20-62, in the amount of \$25,394.38.
- X. Resolution to approve Payment No. 12 (Inv 42714), to Interstate Engineering, Inc., for engineering services on Sanitary Sewer Lift Station Improvements District 20-31 (Main Lift and Lift Station No. 20), in the amount of \$2,964.00.

- Y. Resolution to approve Payment No. 14 (Inv 42715), to Interstate Engineering, Inc., for engineering services on 2019-2020 Safe Routes to School District 20-21, in the amount of \$640.00.
- Z. Resolution to approve Payment No. 17 (Inv 42713), to Interstate Engineering, Inc., for engineering services on the 2019 Watermain Replacement Project 19-61, in the amount of \$2,009.00.
- AA. Resolution to approve Payment No. 21 (Inv 42711), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$18,314.72.
- BB. Resolution to approve Payment No. 27 (Inv 42712), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$1,734.50.
- CC. Resolution to approve Payment No. 302 (Inv 42719), in the amount of \$18,156.76, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
  - (General), in the amount of \$6,498.00;
  - (Streets), in the amount of \$4,546.00;
  - (Sewer), in the amount of \$3,066.00;
  - (Water), in the amount of \$1,296.00;
  - (Solid Waste), in the amount of \$570.00;
  - (Storm Water), in the amount of \$2,180.76.
- DD. 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.
- EE. Resolution to allow the December indebtedness in the amount of \$3,046,640.15 consisting of \$510,453.01 payroll and \$2,536,187.14 general obligations.

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

Council Member Schloegel moved a Resolution to approve the letter in support of the James River Valley Library System's future plans. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Steele moved a Resolution to approve extending the temporary moratorium through February 5, 2021, on the enforcement of the City of Jamestown Municipal Code Section 5-3 pertaining to the sale and possession of alcohol on a public right-of-way at the location of an on-sale license holder with a City permit, to include extending the temporary moratorium on off-sale liquor sold with food by on-sale liquor license holders. Seconded by Council Member Kamlitz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to introduce the first reading of an ordinance to annex property located at 2806 8<sup>th</sup> Ave SW, Jamestown, ND, legally described as LOWRY'S SUBDIVISION, BLOCK 12, LOTS 1 AND 2, & THE EAST 7.70' OF LOT 3, & ONE HALF OF THE VACATED ALLEY ADJACENT TO THE SOUTH SIDE OF THE SAID LOTS 1 AND 2, & EAST 7.70' OF LOT 3 (CERTIFICATE OF SURVEY #0230635), within the SE1/4 of Section 2, T139N, R64W, Woodbury Township, Stutsman County, North Dakota.

Council Member Steele moved to appoint Timothy Nill to serve as a member of the Board of Adjustment for a three-year term to expire January 2024. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

Council Member Kamlitz moved to appoint Kevin Gebhardt to serve as a member of the Civil Service Commission for a five-year term to expire January 2026. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Steele moved to appoint David Barnick to serve as the city resident member and Brian Kamlitz to serve as the city council representative of the County Weed Board for a four-year term to expire December 2024. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

Council Member Buchanan moved to appoint Trent Hillerud to serve as a member of the Fire Code Board of Appeals for a three-year term to expire November 2023. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

Council Member Kamlitz moved to appoint David Steele to serve as the city council representative of the Law Enforcement Center Governing Board for a four-year term to expire December 2024. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

Council Member Buchanan moved a Resolution to approve the revised environmental assessment by Terracon of 211, 213 and 217 Second Ave SW, Jamestown, formerly the Eagles building, as reviewed by the City Engineer and the City Building Inspector, and authorizing the Mayor to sign the environmental assessment on behalf of the City. Seconded by Council Member Kamlitz. Building Inspector Blackmore stated that he and City Engineer reviewed the environmental assessment and provided comments to Terracon and Commonwealth staff. Terracon is making changes and will provide a revised environmental assessment for review and signature. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a Resolution to approve the City publication of a Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds for the Commonwealth Development Corporation's Eagle Flats project at 217 Second Ave SW, Jamestown. Seconded by Council Member Schloegel. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve Exhibit 2 to the Parking Sublease and Agreement as requested by Commonwealth Development Corporation pertaining to the Eagle Flats project at 211, 213 and 217 Second Ave SW, which is adjacent to the city-owned parking lot located at 116 3rd St SW Jamestown, ND, and authorize the Mayor to sign said Exhibit 2 (City's Consent) of the agreement on behalf of the City. Seconded by Council Member Steele. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to authorize the Mayor as the Certifying Officer for the City to sign the Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds for the Commonwealth Development Corporation's Eagle Flats project. Seconded by Council Member Schloegel. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve extending COVID leave for city employees through June 30, 2021, similar to the federal mandate for 2020 to provide up to 80 hours of paid sick and family leave under the Emergency Paid Sick Leave and Emergency Family Medical Leave provisions under the Families First Coronavirus Response Act, carrying over the number of COVID hours each employee had at the end of December 31, 2020, and new employees beginning with 80 COVID leave hours on their start date. Seconded by Council Member Schloegel. City Administrator Hellekson explained that the COVID leave is not federally mandated in 2021, but will be helpful in ensuring staff continues to quarantine when they become ill or exposed. Council Member Schloegel requested that the COVID leave for vaccinated staff and those exempted for medical reasons be discussed in a few months. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

The Mayor explained the Governor's request that the City participate in the North Dakota Rapid Antigen Test Program to mitigate the spread of COVID-19 in Jamestown. Council Member Steele stated that people seem to have access to tests currently. There was no motion. Mayor Heinrich will explain to the ND National Guard that the City of Jamestown has sufficient testing capacity at this time.

Council Member Schloegel moved to adjourn at 5:55 PM. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

ATTEST:  
SARAH HELLEKSON, City Administrator

APPROVED:  
DWAINE HEINRICH, Mayor