

**Finance & Legal Committee  
Building, Planning & Zoning Committee  
Civic Center & Promotion Committee  
Police & Fire Committee  
Public Works Committee  
February 18, 2021 Minutes**

Present: Heinrich, Buchanan, Kamlitz, Steele, Geroux, Ryan and Hellekson, Ahmad, Blackmore, Dillman, Edinger, Fosse, Hanson, Laber, Michel, O'Neill, Reuther, Rowell, Stroh, Sveum, and Veil. Absent: Schloegel.

**FINANCE & LEGAL COMMITTEE**

Chair Heinrich convened the meeting at 4:08 p.m.

Buchanan moved to recommend the City Council approve the request from Dean and Wanda Albers to exchange their property located at 101 2<sup>nd</sup> Ave SE, for the city's vacant property located at 1100 Railroad Drive, directing the City Attorney to draft the agreement, and staff to prepare for the land exchange. Seconded by Steele. City Engineer Technician Tyler Michel responded to questions and stated that the Land Use Transportation Plan highlights the 2<sup>nd</sup> Ave site for redevelopment. Michel said staff will monitor any future building plans at the Railroad Drive site to mitigate drainage issues, a concern in that location. Unanimous aye vote. Carried.

Steele moved to recommend the City Council approve the City Administrator contract. Seconded by Kamlitz. Unanimous aye vote. Carried.

Steele moved to recommend the City Council request the City Attorney draft an ordinance for City Permitting Small Cell Facilities in the NDDOT Right of Ways. Assistant City Attorney Geroux stated that the small cell facilities are used to boost signals. The NDDOT provided cities with a contract placing the responsibility and enforcement of the NDDOT rules on the City and giving the City more control with an ordinance in place. Geroux suggested adopting an ordinance, then the contract. NDDOT Urban Engineer Michael Johnson said the SEC does allow the City to establish a reasonable fee. Kamlitz stated that there is a small cell facility here now on private property. Seconded by Kamlitz. Unanimous aye vote. Carried.

Steele moved to recommend the City Council approve the request from Izumi Sushi & Hibachi, for an On-Sale Class D liquor license at 2612 8<sup>th</sup> Ave SW, for the period ending June 30, 2021. Seconded by Buchanan. Unanimous aye vote. Carried.

Kamlitz moved to recommend the City Council approve the request from NDSH Employee Wellness Committee to be recognized as an other public spirited organization and to authorize the issuance of a raffle permit. Seconded by Steele. Unanimous aye vote. Carried.

Kamlitz moved to recommend the City Council approve the request to allow chickens to be kept within City limits at 1301 4<sup>th</sup> St NE. Seconded by Steele. Property owners were not available to answer questions. Council members requested more information from the property owners prior to the City Council meeting if this is to be passed by the City Council. Building Inspector Blackmore noted he was unaware of the request and the owners had not submitted the required information to his office. Unanimous aye vote. Carried.

Buchanan moved to recommend the City Council approve granting State of ND CARES Act reimbursements in the amounts of \$200,000 to the Jamestown Parks and Recreation District to modify restroom facilities in the parks as the District determines to meet ADA compliance, and to approve \$300,000 toward the City's share of the aerial fire truck purchase. Seconded by Kamlitz. Heinrich stated that by providing this now, the Jamestown Parks and Recreation District could leverage the funds to seek additional funding in the form of grants and matches, so the City would provide the funds immediately upon approval. Unanimous aye vote. Carried.

Heinrich stated that the appointment applications for the James River Valley Library System Board will be considered at the March 1, 2021, City Council meeting.

Chair Heinrich stated that he wants two committee meeting dates in March and moving forward.

The meeting adjourned at 4:40 p.m.

### **BUILDING, PLANNING & ZONING COMMITTEE**

Chair Kamnitz convened the meeting at 4:40 p.m.

Buchanan moved to recommend the City Council approve the Jamestown Land Use Transportation Plan Audit as revised. Seconded by Steele. Building Inspector Blackmore provided a summary. Heinrich asked that page two be reworded specifically regarding the 4<sup>th</sup> Ave underpass. Unanimous aye vote. Carried.

Steele moved to recommend the City Council approve the Minor Subdivision, Preliminary Plat of Hidden River Acres, being with that part of Government Lot 1 of Section 26, Township 140 North, Range 64 West of the Fifth Principal Meridian, lying and being North of a line extended from the intersection of the South boundary line of 9th Street with the East boundary line of said Government lot westward of the middle of the James River, City of Jamestown, Stutsman County, North Dakota. The property is located at 901 4th Ave NW. Seconded by Heinrich. Unanimous aye vote. Carried.

Steele moved to recommend the City Council approve the request for a Future Land Use Plan Amendment to a portion of Government Lot 1 within the NE ¼ of Section 26, Township 140N, Range 64W, Lying and being North of a line extended from the intersection of the South boundary line of 9th Street with the East boundary of said lot, consisting of 8.4 acres in Stutsman County, North Dakota from Urban Residential – Low Density to Commercial. The property is located at 901 4th Ave NW (Proposed Hidden River Acres). Seconded by Heinrich. Unanimous aye vote. Carried.

Steele moved to recommend the City Council introduce the first reading of an ordinance to amend and re-enact Ordinance No. 329 by amending the District Map to change the zoning of a portion of Government Lot 1 within the NE ¼ of Section 26, Township 140N, Range 64W, Lying and being North of a line extended from the intersection of the South boundary line of 9th Street with the East boundary of said lot, consisting of 8.4 acres in Stutsman County, North Dakota from R-1A (One-Family Residential District and Duplex or Two-Family District) to P-U-D (Plan Unit Development). The property is located at 901 4th Ave NW. (Proposed Hidden River Acres). Seconded by Heinrich. Unanimous aye vote. Carried.

Discussion relating to shouses (a shop and a house under one roof). Building Inspector Blackmore explained that the City has some ordinances which prohibit these shouses to be developed. Blackmore, presented options developed by the Planning Commission, including creating an ordinance that would allow these shouses in the extraterritorial zone, require a minimum lot size, or establish design requirements.

Steele noted that these type of structures already exist in Jamestown. Steele asked for a subcommittee to work on this and bring it to this committee for discussion of ideas.

Tom Schultz, Countryside Estates, provided detail of his project and stated that in absence of corrugated metal specifically prohibited as siding on a home, he wants a determination right now on whether he can move forward because he is in a hurry.

Blackmore stated that the City can have a policy in place with the final reading at the May 3 Council meeting.

Schultz stated that the timeline does not work for him and he disagrees with the City Building Inspector's interpretation of the City Building Code.

City Administrator Hellekson stated that the City Building Inspector's job is interpreting and applying the Building Code.

Blackmore requested Committee direction to create an ordinance to allow corrugated steel, and other architectural features which would have a final reading May 3.

Tom Schultz said the timeline doesn't work for him and wants a decision now.

The City Attorney was asked whether the City Council could grant Schultz a variance to put corrugated metal siding on houses. City Attorney Ryan stated no, because a variance is about the characteristic of the property, not the type of siding.

Planning Commission Chair Hillerud said nothing in City Code currently prevents a house if Schultz conforms to the ordinance.

Hillerud asked again whether a review committee should be established.

Buchanan moved to table. Died for lack of a second.

Heinrich moved to place the item on the City Council agenda to determine whether Ordinance No. 1393 (Section 8.8, Appendix C of the City Code) applies to only outbuildings or whether it also applies to single family dwellings. Seconded by Steele. Unanimous aye vote. Carried.

Heinrich moved to forward to the City Council, without recommendation, the Special Use Permit Application submitted by Scott and Shannon Bintz for the property located at 8382 31 ½ Street SE Jamestown, ND. Seconded by Steele. Building Inspector Blackmore stated that the original building had corrugated steel and the owners finished it. There are corrugated steel buildings surrounding the property. Steele said he is concerned that lot size is unknown. Blackmore stated that there may be intent to replat it. Heinrich stated that if the decision is deferred until the March City Council meeting, this item should be forwarded without recommendation. Unanimous aye vote. Carried.

The meeting adjourned at 5:37 p.m.

### **POLICE & FIRE COMMITTEE**

Chair Buchanan convened the committee at 5:37 p.m.

Fire Chief Reuther stated that the department received the new rescue tools which were approved by the Council in October. The tools will be installed on the vehicles once the firefighters receive training. Chief Reuther thanked GRE for their donation toward the purchase of the new aerial fire truck.

The meeting adjourned at 5:39 p.m.

### **PUBLIC WORKS COMMITTEE**

Chair Steele convened the committee at 5:39 p.m.

Heinrich moved to recommend the City Council approve the plans and specifications and authorize the advertisement for bids for 2021 Seal Coat, Patching, Construction and Reconstruction District No. 21-41. Seconded by Kamlitz. Unanimous aye vote. Carried.

Heinrich moved to recommend the City Council approve and authorize entering into an engineering agreement with Interstate Engineering for radio read water meters. Seconded by Kamlitz. City Engineer Dillman stated that he and the City Attorney were working through procurement options. Unanimous aye vote. Carried.

Wastewater Biogas Energy: Joe Regnery, Tim Eggeman and Jim Imbler of New Phase Energy provided a proposal and presentation for alternatives and options for moving forward with an alternative monetization of the digester biogas at the Wastewater Treatment Plant. This information and a proposal was requested by staff, Heinrich and Committee Chair Steele. Committee members expressed caution regarding unknown elements due to development, economy, and national issues. Regnery stated that the project opportunity will still be there in a year and the performance of the digesters will continue to maintain a safe operational profile. Heinrich expressed the City's appreciation to NPE for helping get issues addressed at the Wastewater Plant in the past year and stated that the reluctance has nothing to do with NPE or the work done so far.

Buchanan moved to pause the biogas energy project at the Wastewater Plant for six months and review it in July, 2021. Seconded by Kamlitz. Unanimous aye vote. Carried.

Kamlitz moved to recommend the City Council approve the plans and specifications and authorize the advertisement for bids for the rehabilitation of the Master Lift Station and coating of Lift Station 11. Seconded by Heinrich. Darrell Hournbuckle stated that the proposed bid opening is 1:15 p.m. on March 30, 2021, at City Hall. Unanimous aye vote. Carried.

City Engineer Dillman provided project updates and highlighted the U.S. EPA Lead & Copper Rule. Water Superintendent Rowell talked about the Lead & Copper Rule and that it will involve most of the community.

Darrell Hournbuckle, Interstate Engineering, Inc., and Cullen Wells, AE2S, reviewed the SCADA controls system report. The system is mixed and controls water, wastewater and stormwater at various levels. Some are newly replaced, some are old or partially upgraded, and some are very old and no longer working nor able to access data. Several options were presented with information gathering, planning and prioritizing being the main objective at this time. Committee members are asked to consider what to fund and funding sources.

The meeting adjourned at 6:05 p.m.

Sarah Hellekson, City Administrator