

JAMESTOWN CITY COUNCIL AGENDA
REGULAR MEETING, MAY 3, 2021, 5:00 P.M.
COUNCIL ROOM, CITY HALL
JAMESTOWN, ND 58401

Due to ongoing public health concerns related to the COVID-19 pandemic, the City of Jamestown encourages citizens to participate remotely in public meetings. Public meeting agenda and minutes can be found at www.JamestownND.gov or contact us at info@JamestownND.gov or 701-252-5900.

Access the meeting remotely through Microsoft Teams. The link and phone will be available at 4:45 PM. The meeting begins at 5:00 PM.

Join on your computer or mobile app: [Click here to join the meeting](#) . Contact Info@JamestownND.gov for the video link at least two hours prior to the meeting.

**Or Call Phone 701-566-9575,
Conference ID: 460 559 009#**

The City Council chambers is open to the public during public meetings. Masks are required in City Hall. Before entering City Hall, all individuals should self-screen for COVID-19 symptoms or potential exposure. If unable to pass the screening protocol, individuals are expected to participate remotely for everyone's safety. Thank you.

NOTE: Some City staff and one or more City Council members may attend this meeting remotely.

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:

A. Roll Call:

2. PUBLIC HEARING:

A. HEARING FROM THE AUDIENCE: (Individuals may address the City Council about any item not contained on the agenda. A maximum of 15 minutes is allotted for the hearing. If the full 15 minutes are not needed, the City Council will continue with the agenda. The City Council will take no official action on items discussed at the hearing, with the exception of referral to staff or Committee.)

3. APPROVAL OF MINUTES:

- A. Minutes of the regular City Council meeting, April 5, 2021
- B. Minutes of the Board of Equalization meeting, April 13, 2021
- C. Minutes of the committee meetings, April 19 & 22, 2021
Moved by CM _____. Seconded by CM _____.

4. BIDS:

A. Opening bids for the sale of impounded/abandoned vehicles.

5. CONSENT AGENDA ITEMS:

To provide more time to discuss controversial or disputed issues, the Council will consider the items on the consent agenda together at the beginning of the public meeting. These items are considered to be routine and will be enacted by one motion. If a member of the City Council or public requests to be heard on one of these items, the Council will remove the item from the consent agenda and consider that item individually.

- A. Resolution to approve the requests for gaming site authorizations for the period July 1, 2021 – June 30, 2022, for the following:
 - 1) **James River Aerie #2337 FOE** for Frontier Fort Bar & Grill;
 - 2) **Knights of Columbus** for the Knights of Columbus, Corner Bar, Fred’s Den, Tapps Lounge and Jonny B’s Brickhouse;
 - 3) **North Dakota Buffalo Foundation, Inc.** for the Elks Club;
 - 4) **Progress Enterprises** for Office Bar, Shady’s, Buffalo Bar & Lounge and IDK Bar & Grill;
 - 5) **Vet’s Club, Inc.**, for the All Vets Club

- B. Resolution to approve the 2019 & 2020 abatement applications for 909 8th Ave NE, 58401, by reducing the true and full value for 2019 from \$113,900 to \$105,000 and reducing the true and full value for 2020 from \$115,300 to \$105,000.

- C. Resolution to approve the request from the Bank of North Dakota in connection with the loan made to Eagle Flats Apartments LLC by First Community Credit Union and approve the Mayor, City Administrator, and City Attorney to sign the Escrow Agreement, the Interest Buydown Agreement and the Opinion of Counsel upon review by the City Attorney.

- D. Resolution to approve extending the current COVID-19 Leave Policy to October 5, 2021, for employees who are vaccinated and include people who cannot be vaccinated for medical reasons.

- E. Resolution to approve the request from The Arts Center to act as the government grantee applicant for a community art project funded by this grant.

- F. Resolution to approve the allocation of State of ND CARES Act reimbursements in the amount of \$25,000 toward infrastructure and building repairs and improvements at the city-owned Frontier Village site to be paid from the Frontier Village Fund.

- G. Resolution to approve scheduling a public hearing to be held at the June 7, 2021, regular City Council meeting, at the Library Board’s request to establish a James River Valley Library Building Fund for the purpose of construction, addition, alteration, purchasing land or purchasing a building to be used as a public library according to the policies as established by the Library Board of Directors.

- H. Resolution to approve the request from JSDC to move forward on the pathway to success for Buffalo City Park by providing up to \$600,000 from Economic Development Funds, with the City Share to be \$480,000 and paid from the City Sales Tax Fund.

- I. Resolution to approve the Major Subdivision, **Preliminary Plat of St. James Second Addition** to Calvary Cemetery, a portion of Block 16 of Southwood Second Addition, City of Jamestown, North Dakota. The property is located at 1513 17th St SW.

5. CONSENT AGENDA ITEMS – Continued:

- J. Resolution to approve the Minor Subdivision, **Preliminary Plat of Lux Addition**, Replat of Lot 4, Block 1 of Trillium First Addition and a Metes and Bounds Parcel of Vacated Block 21 of McGinnis' Second Addition and Second Street SE within the Southeast Quarter of Section 25, T140N, R64W, City of Jamestown, Stutsman County, North Dakota. The property is located at 907 2nd St SE.
- K. Resolution to approve the Future Land Use Plan Amendment for **Auditor's Lot 27-11, Midway Township (Part of Proposed Country Ready Mix Subdivision)**, within the Northwest Quarter and Northeast Quarter of Section 27, T140N, R64W, City of Jamestown, Stutsman County, North Dakota from Agricultural District to Industrial.
- L. Resolution to approve the Minor Subdivision, **Preliminary/Final Plat of Country Ready Mix Subdivision**, replat of Country Grain Cooperative Subdivision & Auditor's Lot 27-11, Midway Township, within the Northwest Quarter and Northeast Quarter of Section 27, T140N, R64W, City of Jamestown, Stutsman County, North Dakota. The property is located at 8144 34th St SE.
- M. Resolution to approve the Future Land Use Plan Amendment for **Part of the Southwest Quarter and part of the Southeast Quarter of Section 27 (Proposed Loose Bypass Subdivision)**, Township 140N, R64W of the Fifth Principal Meridian, Midway Township, Stutsman County, North Dakota, Extraterritorial Lands of the City of Jamestown, from Agricultural/Rural Open Space District to Community & Regional Commercial and Rural Residential.
- Rural Residential
Proposed Loose Bypass Subdivision
Block 3, Lots 3, 4, 6, 7, 8 & 9
Block 4, Lots 6 & 8
- Community & Regional Commercial
Proposed Loose Bypass Subdivision
Block 1, Lot 1
Block 2, Lots 1 & 2
Block 3, Lots 1, 2 & 5
Block 4, Lots 1, 2, 3, 4, 5 & 7
Block 5, Lots 1, 2, 3 & 4
- N. Resolution to approve the request from Coca-Cola Bottling Company High Country for a one-year extension to the 2016 Beverage Agreement and reduction in payments to the Civic Center due to the unforeseen COVID-19 interruptions in operations.
- O. Resolution to approve the purchase of automatic locks at both Fire Stations to be paid from the Public Building Fund.
- P. Resolution to approve holding a citywide cleanup May 10 through 14.
- Q. Resolution to approve the specifications and to authorize the advertisement for bids for the Solid Waste Department dozer to share with the Water Department and as budgeted in the Equipment Replacement Fund.
- R. Resolution to approve \$1,427,500 to be assessed to the North Dakota State Hospital Water Line Project District 20-62, as appropriated and as directed by the sixty-fifth legislative assembly before June 30, 2021.

5. CONSENT AGENDA ITEMS – Continued:

- S. Resolution to approve the plans and specifications for Sanitary Landfill Cell 3B Final Cover Construction, CWSRF 380808-08, and to authorize the advertisement for bids.
- T. Resolution to approve an RFP process to select a design consulting engineer through the NDDOT process for the 12th Ave SE improvements for 2022 construction, the local share of 19% or approximately \$260,000 to be paid by the City's COVID relief funds.
- U. Resolution to approve the bid award for One (1) New Compact Track Loader, Street Department, to RDO Equipment, in the amount of \$49,475.00
- V. Resolution to approve Payment No. 3 (Inv 08387.07-3), to SRF Consulting Group, Inc., for 2021 Jamestown Planning and Zoning Technical Services, in the amount of \$5,912.91.
- W. Resolution to approve Payment No. 3 (Inv 2155759), to the ND Department of Transportation, for engineering services on US 281 / US 52 Road Diet, NDDOT Project UGP-NHU-2-052(043)264, PCN 22279 — US 52 from 8th Ave NW to 8th St S, in the amount of \$1,868.37.
- X. Resolution to approve Payment No. 5, to Park Construction Company, for construction on the James River Bank Stabilization Project, Phase 3, in the amount of \$5,528.91.
- Y. Resolution to approve Payment No. 78 (Inv 73613), to AE2S, LLC, for On Call engineering services, I&C Water (\$200.00) & I&C Wastewater-LS11 (\$240.00), for a total amount of \$440.00.
- Z. Resolution to approve Payment No. 2 (Inv 43571), to Interstate Engineering, Inc., for engineering services on Sanitary Sewer Lift Station Improvements District 20-31 (Lift Station No. 11 and 1 Design), in the amount of \$63,436.46.
- AA. Resolution to approve Payment No. 2 (Inv 43575), to Interstate Engineering, Inc., for engineering services on 2021 Watermain Improvements District 21-61, in the amount of \$3,504.44.
- BB. Resolution to approve Payment No. 2 (Inv 43577), to Interstate Engineering, Inc., for engineering services on 2021 University of Jamestown Storm Sewer Improvement District 21-71, in the amount of \$11,816.30.
- CC. Resolution to approve Payment No. 4 (Inv 43574), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Plant Facility Issues, in the amount of \$684.00.
- DD. Resolution to approve Payment No. 5 (Inv 43576), to Interstate Engineering, Inc., for engineering services on Industrial Pretreatment Program Development, Ordinances and Program Scope, in the amount of \$4,600.00.
- EE. Resolution to approve Payment No. 10 (Inv 43572), to Interstate Engineering, Inc., for engineering services on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$2,440.12.
- FF. Resolution to approve Payment No. 13 (Inv 43573), to Interstate Engineering, Inc., for engineering services on 2020 State Hospital Water Line District 20-62, in the amount of \$2,556.96.
- GG. Resolution to approve Payment No. 16 (Inv 43570), 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 \$2,636.92.

5. CONSENT AGENDA ITEMS – Continued:

- HH. Resolution to approve Payment No. 25 (Inv 43568), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$5,070.00.
- II. Resolution to approve Payment No. 31 (Inv 43569), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$228.00.
- JJ. Resolution to approve Payment No. 38 (Inv 43567), to Interstate Engineering, Inc., for engineering services on Sanitary Landfill Cell 4A Development, in the amount of \$570.00.
- KK. Resolution to approve Payment No. 307 (Inv 43578), in the amount of \$13,828.88, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
 - (General), in the amount of \$6,558.50;
 - (Streets), in the amount of \$2,052.00;
 - (Sewer), in the amount of \$1,710.00;
 - (Water), in the amount of \$456.00;
 - (Solid Waste), in the amount of \$2,401.38;
 - (Storm Water), in the amount of \$651.00.
- LL. 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.
- MM. Resolution on the Budget.

TO APPROVE CONSENT AGENDA ITEMS AS PRINTED.

Moved by CM _____. Seconded by CM _____. Consent Roll Call No. __: __ ayes, __ nays, __ absent.

REGULAR AGENDA

6. RESOLUTIONS:

7. COMMITTEE REPORTS:

- A. To award the bid for the sale of impounded/abandoned vehicle to _____, in the amount of \$_____.
Moved by CM _____. Seconded by CM _____. Roll Call No. __: __ ayes, __ nays, __ absent.

8. ORDINANCES:

- A. **FIRST READING:** Concerning an ordinance to amend and re-enact Section 5, Article II of the City Code pertaining to the sale and possession of alcohol on a public right-of-way directly adjacent to the location of an on-sale license holder within the city limits of Jamestown, North Dakota. Moved by Council Member _____. (No 2nd required)
- B. **FIRST READING:** Concerning an ordinance to create Article VII of Chapter 25 of the Code of the City of Jamestown, North Dakota, concerning outdoor seating in the City of Jamestown. Moved by Council Member _____. (No 2nd required)
- C. **FIRST READING:** Concerning an ordinance to amend and re-enact Ordinance No. 329 by amending the District Map to change the zoning of **Auditor's Lot 27-11, Midway Township (Part of Proposed Country Ready Mix Subdivision)**, within the Northwest Quarter and Northeast Quarter of Section 27, T140N, R64W, City of Jamestown, Stutsman County, North Dakota, from Ag (Agriculture) to M-2 (General Industrial & Manufacturing District). The property is located at 8144 34th St SE. Moved by Council Member _____. (No 2nd required)
- D. **FIRST READING:** Concerning an ordinance to amend and re-enact Ordinance No. 329 by amending the District Map to change the zoning of **Part of the Southwest Quarter and part of the Southeast Quarter of Section 27 (Proposed Loose Bypass Subdivision)**, Township 140N, R64W of the Fifth Principal Meridian, Midway Township, Stutsman County, North Dakota, Extraterritorial Lands of the City of Jamestown, from A-1 (Agricultural/Rural Open Space) & C-2 (General Commercial) to C-2 (General Commercial) and from A-1 (Agricultural/Rural Open Space) to A-1 (Agricultural/Rural Open Space). The property is located at 81st Ave & 35th St SE.
From A-1 (Agricultural District) & C-2 (General Commercial) to C-2 (General Commercial)
Proposed Loose Bypass Subdivision
Block 1, Lot 1
Block 2, Lots 1 & 2
Block 3, Lots 1, 2 & 5
Block 4, Lots 1, 2, 3, 4, 5 & 7
Block 5, Lots 1, 2, 3 & 4
From A-1 (Agricultural District) to A-1 (Agricultural District)
Proposed Loose Bypass Subdivision
Block 3, Lots 3, 4, 6, 7, 8 & 9
Block 4, Lots 6 & 8
Moved by Council Member _____. (No 2nd required)

9. APPOINTMENTS:

10. MAYOR AND COUNCIL MEMBER'S REPORT:

11. OTHER BUSINESS:

- A. To consider approving the request from the Jamestown Fine Arts Association, Inc., d/b/a/ The Arts Center, for a street closing on 2nd St SW from 1st Ave to the alley, every Thursday starting June 24 through August 26, from 4:00 PM to 9:00 PM, for the weekly Downtown Arts Market and request a waiver of the street closing fees.

Moved by Council Member _____. Seconded by Council Member _____.

Roll Call No. ____ showed: __ ayes, __ nays, __ absent. Carried.

- B. To consider approving the request from the Jamestown Fine Arts Association, Inc., d/b/a/ The Arts Center, for a street closing on 2nd St SW from 1st Ave to the alley, on Friday and Saturday, June 25 and 26, from 10:00 AM to 7:00 PM, for the Chalkfest and request a waiver of the street closing fees.

Moved by Council Member _____. Seconded by Council Member _____.

Roll Call No. ____ showed: __ ayes, __ nays, __ absent. Carried.

- C. To consider approving Change Order No. 1, to Park Construction Company, for the James River Phase 3 Riverbank Restoration Project, for a net increase in the contract price of \$7,912.50.

Moved by Council Member _____. Seconded by Council Member _____.

Roll Call No. ____ showed: __ ayes, __ nays, __ absent. Carried.

12. ADJOURNMENT: Moved by CM _____. Seconded by CM _____.