

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JUNE 7, 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 May 3, 2021; minutes of the special council meetings May 11 and 25, 2021; and minutes of the committee meetings May 25 and 27, 2021. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Assistant City Attorney Geroux summarized the bid opening from June 2, 2021, for the lease of One (1) Track Type 6-Way Dozer, for the City of Jamestown Solid Waste Department. Geroux stated the three bids were received and appeared to have bid bond irregularities so the bids were not opened at that time. Geroux noted that RDO's bid is good and should be opened. Geroux explained that the City Council can decide to reject the other two bids or waive the irregularities under the City Code.

Council Member Steele moved to waive the two irregularities and open all three bids. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

Assistant City Attorney Geroux opened and audibly read each bid. City staff will review the bids and report their findings later in the meeting.

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

- A. Resolution to approve and authorize the City Administrator to enter into a Municipal Advisor Agreement with Colliers for the issuance of improvement warrants for \$2,000,000 Refunding Improvement Bonds of 2021 (Paving District 20-41), and to schedule the sale at the August 24, 2021, City Council meeting.
- B. Resolution to approve the Special Use Permit for a Compassion Center Dispensary as required under City Code Appendix C, Sec. 12, from July 1, 2021 to June 30, 2022.
- C. Resolution to approve the request from JSDC for additional funding for 2021 Flex PACE Program, in the amount of \$30,000.
- D. Resolution to approve the Volunteer Reintegration Agreement and Waiver for JRCC volunteers on City projects.
- E. Resolution to adopt a policy to follow the Stutsman County burn ban guidelines when ordered by the Jamestown Fire Chief.
- F. Resolution to approve the final loan application under the Drinking Water Act to fund the 2021 Watermain Improvement Project (J20-00-090, City Project 21-61) and authorize the City Administrator to execute and file the application with the ND Department of Environmental Quality on behalf of the City.
- G. Resolution to approve the bid award for the Jamestown Solid Waste Landfill, SW-213, Cell 3B Final Cover, to Baranko Bros. Inc, Dickinson, ND, in the amount of \$260,129.84, contingent upon NDDEQ concurrence.

- H. Resolution to approve the replacement of the City watermain and the University of Jamestown's cast iron service line at 3rd Street NE and 9th Avenue NE, each replacement to be funded by owner, and the cost of excavation and replacement of curb, gutter and asphalt to be shared equally by the City and the University, the City's cost to be paid by the Water Utility Fund.
- I. Resolution to approve Payment No. 1, to A & R Roofing Co., Inc., for construction on Civic Center Roof Removal & Replacement, Area A, in the amount of \$59,697.00.
- J. Resolution to approve Payment No. 1, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District 21-41, in the amount of \$353,028.68.
- K. Resolution to approve Payment No. 1, to Basaraba Excavating & Dirtworks LLC, for construction on 2021 Water Main Improvements, District 21-61, in the amount of \$7,650.00.
- L. Resolution to approve Payment No. 1, to Naastad Brothers, Inc., for construction on 2021 University of Jamestown Storm Sewer Improvements, District 21-71, in the amount of \$380,749.30.
- M. Resolution to approve Payment No. 4 (Inv 08387.07-4), to SRF Consulting Group, Inc., for 2021 Jamestown Planning and Zoning Technical Services, in the amount of \$3,773.50.
- N. Resolution to approve Payment No. 4, to CC Steele, LLC, for construction on Sanitary Sewer Lift Station Improvements 20-31 (Lift Station No. 20), in the amount of \$93,587.50.
- O. Resolution to approve Payment No. 4 (Inv 2162515), 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 \$2,534.28.
- P. Resolution to approve Payment No. 6, to Park Construction Company, for construction on the James River Bank Stabilization Project, Phase 3, in the amount of \$45,871.27.
- Q. Resolution to approve Payment No. 79 (Inv 74172), to AE2S, LLC, for On Call engineering services, I&C Water (\$182.50) & I&C Wastewater-(\$91.25), for a total amount of \$273.75.
- R. Resolution to approve Payment No. 1 (Inv 43798) to Interstate Engineering, Inc., for engineering services on Solid Waste Landfill, SW-213, Cell 3B Final Cover, in the amount of \$25,000.00.
- S. Resolution to approve Payment No. 3 (Inv 43801), 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 \$4,984.50.
- T. Resolution to approve Payment No. 3 (Inv 43805), to Interstate Engineering, Inc., for engineering services on 2021 Watermain Improvements District 21-61, in the amount of \$7,229.46.
- U. Resolution to approve Payment No. 3 (Inv 43807), to Interstate Engineering, Inc., for engineering services on 2021 University of Jamestown Storm Sewer Improvement District 21-71, in the amount of \$37,306.04.
- V. Resolution to approve Payment No. 4 (Inv 43808), to Interstate Engineering, Inc., for engineering services on Civic Center Roof Removal and Replacement of NW Quarter, Area A, in the amount of \$2,594.70.
- W. Resolution to approve Payment No. 5 (Inv 43804), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Plant Facility Issues, in the amount of \$1,201.00.

- X. Resolution to approve Payment No. 6 (Inv 43806), to Interstate Engineering, Inc., for engineering services on Industrial Pretreatment Program Development, Ordinances and Program Scope, in the amount of \$4,600.00.
- Y. Resolution to approve Payment No. 11 (Inv 43802Final), to Interstate Engineering, Inc., for engineering services on 2020 Water Main Improvement District 20-61 (Approximately 11 Blocks), in the amount of \$115.00.
- Z. Resolution to approve Payment No. 14 (Inv 43803), to Interstate Engineering, Inc., for engineering services on 2020 State Hospital Water Line District 20-62, in the amount of \$8,287.48.
- AA. Resolution to approve Payment No. 17 (Inv 43800), 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 \$3,195.22.
- BB. Resolution to approve Payment No. 26 (Inv 43799), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$13,785.42.
- CC. Resolution to approve Payment No. 308 (Inv 43809), in the amount of \$17,829.96, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
 - (General), in the amount of \$7,866.00;
 - (Streets), in the amount of \$3,765.48;
 - (Sewer), in the amount of \$2,280.00;
 - (Water), in the amount of \$3,039.48;
 - (Solid Waste), in the amount of \$456.00;
 - (Storm Water), in the amount of \$423.00.
- 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 May indebtedness in the amount of \$3,174,778.75 consisting of \$517,726.62 payroll and \$2,657,052.13 general obligations.

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

A public hearing was held concerning the request by James River Valley Library Board of Directors 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.

City and County Joint Appointee to the James River Valley Library Board of Directors, Char Freeborg, spoke in support of establishing a building fund.

The public hearing was closed.

Council Member Schloegel moved a Resolution to approve the request by James River Valley Library Board of Directors 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, and directed the City Auditor to establish the Fund. Seconded by Council Member Kamlitz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held 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 of the Fifth Principal Meridian, Midway Township, Stutsman County, North Dakota, Extraterritorial Lands of the City of Jamestown, from Ag (Agriculture) to M-2 (General Industrial & Manufacturing District). The property is located at 8144 34th St SE. No one appeared to object and no written protests were received. The public hearing was closed.

Ordinance No. 1546, introduced by Council Member Kamlitz, 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 of the Fifth Principal Meridian, Midway Township, Stutsman County, North Dakota, Extraterritorial Lands of the City of Jamestown, from Ag (Agriculture) to M-2 (General Industrial & Manufacturing District), had its second reading. The property is located at 8144 34th St SE. Seconded by Council Member Steele. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

Ordinance No. 1547, introduced by Council Member Kamlitz, 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) had its second reading. 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

Mayor Heinrich stated that the City has not approved a final plat for Proposed Loose Bypass Subdivision.

Council Member Kamlitz moved to table Ordinance No. 1547 until a final plat is approved. 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 Jamestown Hockey Booster Club, Inc., for a site authorization to conduct gaming at Shady's Restaurant on February 4, 2022. Seconded by Council Member Steele. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the request from Corner Bar for a permit to conduct a street dance on July 24, 2021, on 2nd Street SW from 1st Ave S westward to the alley. 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 the Grant Agreement with the State of North Dakota in the amount of \$333,333 in State funds to provide a fire truck for fire prevention and extinguishment services at the North Dakota State Hospital, and authorize the Mayor to sign the agreement and the Certification of the 2 CFR Part 200 attachment. Seconded by Council Member Schloegel. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a Resolution to approve the Preliminary Engineering Reimbursement Agreement with the NDDOT on the 12th Ave SE Urban Road Project No. SU-2-987(044) PCN 23267, and authorizing the City Auditor, City Attorney and Mayor to sign the agreement and the NDDOT authorization. Seconded by Council Member Kamlitz. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Engineering Technician Michel and Solid Waste Foreman O'Neill presented the bid information to the City Council on the lease of One (1) Track Type 6-Way Dozer, for the City of Jamestown Solid Waste Department.

Council Member Steele moved a Resolution to award the bid for the lease of One (1) Track Type 6-Way Dozer, for the City of Jamestown Solid Waste Department to RDO Equipment, in the base bid amount of \$389,850. Seconded by Council Member Kamlitz. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to adjourn at 5:43 PM. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor