

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, SEPTEMBER 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 Kamlitz, Steele and Buchanan and Schloegel, City Attorney Ryan, and City Administrator Hellekson.

Council Member Buchanan moved to approve the minutes of the regular council meeting August 2, 2021; minutes of the special council meeting, August 26, 2021; minutes of the Special Assessment Commission , August 18, 2021; minutes of the committee meetings August 24 & 26, 2021. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

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

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

- A. Resolution to approve the renewal of the School Resource Officer agreement with Jamestown Public School District.
- B. Resolution to approve and adopt a policy that, notwithstanding the language of Section 5-39(c)f, it is the position of the Jamestown City Council that two legal corporations or limited liability companies will not be construed to be the same owner, operator or lessee for purposes of Ordinance No. 1510 regardless of ownership of the separate corporations or limited liability companies.
- C. Resolution to approve the Minor Subdivision, Preliminary/Final Plat of Jarrett Subdivision, Replat of Block 4 and Part of Block 5, Berge's Subdivision and Tract K within the Southeast Quarter of Section 30, T140N, R63W, Extraterritorial Jurisdiction of the City of Jamestown Bloom Township, Stutsman County, North Dakota, upon acknowledgement of receipt of the title opinion by the City Attorney's office. The property is located at 3489 85th Ave SE.
- D. Resolution to approve and authorize entering into an agreement with Interstate Engineering, Inc., for the 2022 Water Main Improvement District.
- E. Resolution to approve and authorize the City to act as the permit holder on the NDDOT Permit and authorizing the Mayor to sign, subject to approval of the City Storm Water Permit and subject to Anne Carlsen entering into the Anne Carlsen Center Pond Agreement.
- F. Resolution to approve the Anne Carlsen Center Pond Agreement and authorizing the Mayor to sign subject to the City approving the Storm Water Permit.
- G. Resolution to approve the plans and specifications for the truck scale at the City Transfer (Baler) Facility and approve the advertisement for bids.
- H. Resolution to approve Change Order No. 2, to CC Steel, LLC, on Sanitary Sewer Lift Station Improvements District 20-32 (Lift Station 11 & 1 Design), for a \$13,776.00 increase in the contract price.
- I. Resolution to approve Payment No. 1, to CC Steele, LLC, for construction on Sanitary Sewer Lift Station Improvements 20-32 (Main and Lift Station No. 11), in the amount of \$144,450.00.

- J. Resolution to approve Payment No. 4, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District 21-41, in the amount of \$942,262.33.
- K. Resolution to approve Payment No. 4, to Basaraba Excavating & Dirtworks LLC, for construction on 2021 Water Main Improvements, District 21-61, in the amount of \$407,886.29.
- L. Resolution to approve Payment No. 5 & Final, to CC Steele, LLC, for construction on Sanitary Sewer Lift Station Improvements 20-31 (Lift Station No. 20), in the amount of \$33,050.00.
- M. Resolution to approve Payment No. 6 & Final, to Scherbenske, Inc., for construction on 2020 State Hospital Water Line District 20-62, in the amount of \$46,341.90.
- N. Resolution to approve Payment No. 7 (Inv 08387.07-7), to SRF Consulting Group, Inc., for 2021 Jamestown Planning and Zoning Technical Services, in the amount of \$1,457.05.
- O. Resolution to approve Payment No. 1 (Inv 44642), to Interstate Engineering, Inc., for engineering services on Window Removal & Replacement – Water Treatment Building, in the amount of \$1,782.00.
- P. Resolution to approve Payment No. 4 (Inv 44634), to Interstate Engineering, Inc., for engineering services on Solid Waste Landfill, SW-213, Cell 3B Final Cover, in the amount of \$13,415.36.
- Q. Resolution to approve Payment No. 6 (Inv 44636), to Interstate Engineering, Inc., for engineering services on Sanitary Sewer Lift Station Improvements District 20-32 (Lift Station No. 11 and 1 Design), in the amount of \$5,151.20.
- R. Resolution to approve Payment No. 6 (Inv 44639), to Interstate Engineering, Inc., for engineering services on 2021 Watermain Improvements District 21-61, in the amount of \$38,726.06.
- S. Resolution to approve Payment No. 8 (Inv 44640), to Interstate Engineering, Inc., for engineering services on Industrial Pretreatment Program Development, Ordinances and Program Scope, in the amount of \$4,600.00.
- T. Resolution to approve Payment No. 8 (Inv 44638), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Plant Facility Issues, in the amount of \$345.00.
- U. Resolution to approve Payment No. 17 (Inv 44637), to Interstate Engineering, Inc., for engineering services on 2020 State Hospital Water Line District 20-62, in the amount of \$6,515.48.
- V. Resolution to approve Payment No. 20 & Final (Inv 44635), to Interstate Engineering, Inc., for engineering services on Sanitary Sewer Lift Station Improvements District 20-31 (Lift Station No. 20), in the amount of \$2,842.00.
- W. Resolution to approve Payment No. 311 (Inv 44641), in the amount of \$17,250.90, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
  - (General), in the amount of \$6,384.00;
  - (Streets), in the amount of \$3,078.00;
  - (Sewer), in the amount of \$914.90;
  - (Water), in the amount of \$4,708.00;
  - (Solid Waste), in the amount of \$1,026.00;
  - (Storm Water), in the amount of \$1,140.00.

- X. 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.
- Y. Resolution to allow the August indebtedness in the amount of \$5,981,928.41 consisting of \$540,325.59 payroll and \$5,441,602.82 general obligations.

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

Jamestown Tourism Director Searle Swedlund provided information regarding the community video project. Deputy Auditor Sveum provided budget information regarding the Jamestown Tourism Capital Improvement Fund.

Council Member Steele moved a Resolution to approve the Jamestown Tourism's request for \$16,250 to fund video photography and marketing for a community video project, which will be paid from Jamestown Tourism's funds held in trust by the City in the Jamestown Tourism Capital Improvements Fund. Seconded by Council Member Schloegel. Roll Call No. 2 showed: 4 ayes, 1 nay (Buchanan), 0 absent. Carried.

Mike Manstrom, VP Colliers Securities, LLC, provided information for the award of the sale of the bonds for Refunding Improvement Bonds of 2021, Series AE (Project 20-41).

Council Member Steele moved a Resolution to approve and authorize the issuance of improvement warrants and exchange them for Refunding Improvement Bonds of 2021, Series AE (Project 20-41), and award the sale of Refunding Improvement Bonds to Northland Securities for the purchase price of \$1,585,000 at an average annual net interest rate of .77%. Seconded by Council Member Kamlitz. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held to obtain citizen views and to respond to questions related to the proposed Community Development Block Grant application, in the amount of \$75,000, for the City of Jamestown (ROAB) Removal of Architectural Barriers in Park Bathrooms Project; the 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 in carrying out its community development responsibilities. No one appeared and no written comments were received. The hearing was closed.

A public hearing was held concerning the special assessment list for the 2019 Water Rehabilitation District #19-61. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Buchanan moved a Resolution to approve the special assessments for 2019 Water Rehabilitation District #19-61, in the total amount of \$2,127,356.85, less the City Share of \$325,356.85, with the balance of \$1,802,000.00 to be assessed to benefited properties within the district. Seconded by Council Member Kamlitz. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the special assessment list for the 2020 Water Rehabilitation District #20-61. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Kamlitz moved a Resolution to approve the special assessments for the 2020 Water Rehabilitation District #20-61, in the total amount of \$2,103,920.51, less the City Share of \$315,056.21, less rounding of \$1,135.70 with the balance of \$1,790,000.00 to be assessed to benefited properties within the district. Seconded by Council Member Schloegel. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the special assessment list for the 2020 Safe Routes To School District #20-21. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Steele moved a Resolution to approve the special assessments 2020 Safe Routes To School District #20-21, in the total amount of \$290,000.00 to be assessed to benefited properties within the district. Seconded by Council Member Kamlitz. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the special assessment list for the Seal Coat, Patching, Construction and Reconstruction District #20-41. No one appeared to object and no written protests were received. The hearing was closed.

Council Member Kamlitz moved a Resolution to approve the special assessments for Seal Coat, Patching, Construction and Reconstruction District #20-41, in the total amount of \$1,990,000.00, less the City Share of \$300,155.74, with the balance of \$1,689,844.26 to be assessed to benefited properties within the district. Seconded by Council Member Buchanan. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Brent Nerland, Vining Oil, provided information about the existing sign and the desired visibility of the new sign on the City right of way.

Council Member Buchanan stated a concern for the true purpose of a public right-of-way.

Council Member Kamlitz moved a Resolution to approve the request from CBF Oil, Inc., d/b/a Vining Oil and Gas, for a license agreement to place a sign on city property with a term of ten (10) years. Seconded by Mayor Heinrich. Roll Call No. 8 showed: 2 ayes, 3 nays, 0 absent. Motion failed.

Ordinance No. 1550, introduced by Council Member Buchanan, to amend and re-enact Section 2-6, Article 1, of the Code of the City of Jamestown, by modifying the competitive bidding on certain contracts, had its second reading. Seconded by Council Member Steele. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Street Foreman Rick Lipetzky and Engineering Technician Tyler Michel provided information on the bid opening held on September 1, 2021, and the results for the purchase of One (1) New Motor Grader, Street Department.

Council Member Kamlitz moved a Resolution to award the bid to RDO Equipment, Inc., for the purchase of One (1) New Motor Grader, Street Department, in the amount of \$303,450.00, less \$174,000.00 on trade-in of 2016 John Deere 7720, and with a guaranteed buyback in the amount of \$182,200.00. Seconded by Council Member Steele. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to table the request from District 12 Republicans to be recognized as an other public spirited organization and request for a raffle permit. Seconded by Council Member Kamlitz. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve and authorize the issuance and sale of \$1,808,000 Water Treatment Assessment Warrant, Series 2021B (City Project 20-61). Seconded by Council Member Buchanan. Roll Call No. 12 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a Resolution to approve and accept the affidavit from Debra LaDuke, that Check No. 21307 (Unison Bank), dated June 30, 2021, in the amount of \$56.17, has been lost or destroyed and authorize the issuance of a duplicate. Seconded by Mayor Heinrich. Roll Call No. 13 showed: 5 ayes, 0 nays, 0 absent. Carried.

Building Inspector Blackmore provided information about the Jamestown City Hall Lighting Upgrade project and grant program.

Council Member Kamlitz moved a Resolution to approve entering into a grant agreement with the State of North Dakota for the Jamestown City Hall Lighting Upgrade project and authorize the City Administrator to sign the agreement. Seconded by Council Member Steele. Roll Call No. 14 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to adjourn at 6:15 PM. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

ATTEST:  
SARAH HELLEKSON, City Administrator

APPROVED:  
DWAINE HEINRICH, Mayor