

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JANUARY 3, 2022
UNOFFICIAL 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, Buchanan and Schloegel, Assistant City Attorney Geroux and City Administrator Hellekson.

Council Member Steele moved to approve the minutes of the regular council meeting December 6, 2021, minutes of the special council meeting December 22, 2021, minutes of the committee meeting December 16, 2021. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

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

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

- A. Resolution to re-affirm pledges of deposit as follows: Unison Bank - \$14,798,123.45; Wells Fargo Bank - \$9,470,911.90; Dacotah Bank - \$22,254,307.69.
- B. Resolution to approve the tree shredding agreement with Hanson Auto Crushing & Trucking, Inc., expiring December 31, 2025, to shred trees and yard waste debris at the landfill and transfer station at least once annually at a rate of \$30 per ton.
- C. Resolution to authorize the advertising for bids for the purchase of One (1) New Single Axle Truck with Single-Arm Automated Packer or Equivalent, Sanitation Department.
- D. Resolution to approve the proposed agreement with LKA Engineers, Inc., to develop Fire Station Generator Project plans and specifications to be distributed to bidders under the NDDDES grant project, for full electrical engineering services including furnishing and installation of the engine-generator and service entrance rated automatic transfer switch, reviewing shop drawing submittals, and conducting site visits as necessary for quality control and final inspection, but does not include bid process administration fees, for a total fixed fee of \$7,800, as part of the FEMA mitigation grant project.
- E. Resolution to approve the plans and specifications and authorizing the advertisement of bids for the Water Treatment Plant Ceilings, Lighting, and Mechanical Upgrades Project.
- F. Resolution to approve the following pertaining to the 2022 Seal Coat, Patching, Construction and Reconstruction District No. 22-41:
 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.
- G. Resolution to approve the Minor Subdivision, Preliminary/Final Plat of Christensen Addition, Replat of Lot 9, Block 1 of Prairie Park Addition Within NW ¼ Section 35, T140N, R64W, City of Jamestown, North Dakota. The property is located at 1516 10th St SW.

- H. Resolution to approve an antenna license agreement at the request of the American Family Association, Inc., for the right to install, operate and maintain an antenna and related facilities without interference with city's infrastructure, or maintenance and repair requirements, which current agreement expires December 31, 2021, and direct the City Attorney to draft an agreement.
- I. Resolution to approve an updated agreement between the City of Jamestown and Aqua-Pure, beginning January 1, 2022, and ending December 31, 2022, with the option to extend annually.
- J. Resolution to approve and accept the proposal from SRF Consulting for Planning and Zoning Technical Services for 2022 in an amount not to exceed \$20,000.
- K. Resolution to approve Payment No. 2, to Naastad Brothers, Inc., for construction on Emergency 18" Water Main Replacement District 21-62, in the amount of \$146,157.50.
- L. Resolution to approve Payment No. 5 & Final, to LD Concrete, for construction on 2021 Sidewalk, Curb & Gutter District 21-11, in the amount of \$3,199.06.
- M. Resolution to approve Payment No. 10 (Inv 2219539), 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 \$4,415.97.
- N. Resolution to approve Payment No. 11 (Inv 08387.07-11), to SRF Consulting Group, Inc., for 2021 Jamestown Planning and Zoning Technical Services, in the amount of \$1,885.23.
- O. Resolution to approve Payment No. 85 (Inv 77854), to AE2S, LLC, for On Call engineering services (I&C Water) for a total amount of \$3,716.00.
- P. Resolution to approve Payment No. 1 (Inv 45771), to Interstate Engineering, Inc., for engineering services on Water Treatment Building Ceiling Removal and Replacement, in the amount of \$2,310.00.
- Q. Resolution to approve Payment No. 1 (Inv 45767), to Interstate Engineering, Inc., for engineering services on Civic Center Roof Removal and Replacement, Area B & D, in the amount of \$1,120.00.
- R. Resolution to approve Payment No. 4 (Inv 45772), to Interstate Engineering, Inc., for engineering services on Emergency Water Line Improvements District 21-62, Crosstown Supply Line River Crossing and 4th Ave SW/13th St SW to 15th St SW, in the amount of \$3,105.00.
- S. Resolution to approve Payment No. 10 (Inv 45763), 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 \$2,033.00.
- T. Resolution to approve Payment No. 10 (Inv 45766), to Interstate Engineering, Inc., for engineering services on 2021 Watermain Improvements District 21-61, in the amount of \$4,370.08.
- U. Resolution to approve Payment No. 11 (Inv 45765), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Plant Facility Issues, in the amount of \$345.00.
- V. Resolution to approve Payment No. 30 (Inv 45762), to Interstate Engineering, Inc., for preliminary design and surveying on the James River Bank Stabilization Project, Phase 3, in the amount of \$515.00.
- W. Resolution to approve Payment No. 32 (Inv 45764), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$484.00.

- X. Resolution to approve Payment No. 315 (Inv 45769), in the amount of \$13,405.84, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
(General), in the amount of \$6,856.90;
(Streets), in the amount of \$2,668.94;
(Sewer), in the amount of \$540.00;
(Water), in the amount of \$2,200.00;
(Solid Waste), in the amount of \$342.00;
(Storm Water), in the amount of \$798.00.
- Y. 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.
- Z. Resolution to allow the December indebtedness in the amount of \$2,370,001.98 consisting of \$522,675.54 payroll and 1,847,326.44 general obligations.

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

Council Member Steele moved to approve a Resolution designating a local North Dakota Cares steering committee for the Jamestown community per the October 2018 City Council resolution, to help improve understanding of the needs and services for military service members, veterans, and their families. Seconded by Council Member Kamlitz. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

ND Cares Director Michelle Panos, Military Outreach Representative Nikki Frohlich, and MAJ Lucas R. Klettke, 141 Maneuver Enhancement Brigade presented the ND Cares Community road signs to the City Council.

A public hearing was held concerning an ordinance for the franchise agreement for a proposed non-exclusive franchise in the city with **Midcontinent Communications**. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1552, introduced by Council Member Buchanan, for the franchise agreement for a proposed non-exclusive franchise in the city with **Midcontinent Communications** for the right to construct, maintain, and operate within and upon, in and under, the streets, alleys, and public grounds of the city, a telecommunication system for public and private use in the city, had its second reading. Seconded by Council Member Steele. Assistant City Attorney Geroux stated that the changes are in all three ordinances and franchise agreements and were shared with representatives from all three businesses and that the geographic coverage for Midcontinent was modified to accommodate city staff. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1553, introduced by Council Member Schloegel, for the franchise agreement for a proposed non-exclusive franchise in the city with **Daktel Communications** for the right to construct, maintain, and operate within and upon, in and under, the streets, alleys, and public grounds of the city, a telecommunication system for public and private use in the city, had its second reading. Seconded by Council Member Kamlitz. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Ordinance No. 1554, introduced by Council Member Steele, for the franchise agreement for a proposed non-exclusive franchise in the city with **Cable Services Inc.** for the right to construct, maintain, and operate within and upon, in and under, the streets, alleys, and public grounds of the city, a telecommunication system for public and private use in the city, had its second reading. Seconded by Council Member Schloegel. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of the South One-Half (S ½) of the Southwest Quarter of the Southwest Quarter of Section 12, Township 139 North, Range 64 West of the Fifth P.M., except that portion thereof presently existing as highway right of way, City of Jamestown, Stutsman County, North Dakota from C-2 & Ag (General Commercial District & Agricultural District) to M-1 (Limited Industrial and Manufacturing District). The property is located at 3790 Hwy 281 SE. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1555, introduced by Council Member Steele to amend and re-enact Ordinance No. 329 of the City Code by amending the District Map to change the zoning of the South One-Half (S ½) of the Southwest Quarter of the Southwest Quarter of Section 12, Township 139 North, Range 64 West of the Fifth P.M., except that portion thereof presently existing as highway right of way, City of Jamestown, Stutsman County, North Dakota from C-2 & Ag (General Commercial District & Agricultural District) to M-1 (Limited Industrial and Manufacturing District), had its second reading. The property is located at 3790 Hwy 281 SE. Seconded by Council Member Kamlitz. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to repeal the current Appendix C and to enact the reformatted Appendix C of the City Code of the City of Jamestown, North Dakota, pertaining to Zoning Regulations. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1556, introduced by Council Member Kamlitz, to repeal the current Appendix C and to enact the reformatted Appendix C of the City Code of the City of Jamestown, North Dakota, pertaining to Zoning Regulations, had its second reading. Seconded by Council Member Steele. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Mayor Heinrich stated that he will re-advertise the opening to serve as a member of the Jamestown Regional Airport Authority for a five year term to expire December 2026.

Council Member Steele moved to appoint Darell Losing and Harold Bensch to serve as members of the Board of Adjustment for three year terms to expire January 2025. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

Council Member Kamlitz moved to appoint Jon Lillejord to server as a member of the Civil Service Commission for a five year term to expire January 2027. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Buchanan moved a Resolution to approve the Preliminary Engineering Reimbursement Agreement with the NDDOT on Highway 52 from 4th Ave SW to 18th St SW, Project No. NHU-2-052(049)266, PCN 23350, Contract No. 38211466, and authorizing the City Auditor, City Attorney and Mayor to sign the agreement and the NDDOT authorization. Seconded by Council Member Schloegel. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve the request from Jamestown Gymnastics Club for a site authorization to conduct gaming at the Jamestown Gymnastics Club Board Room on June 13, 2022. Seconded by Council Member Steele. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to adjourn at 5:41 p.m. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor