

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, MARCH 7, 2022  
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, Buchanan and Schloegel, City Attorney Ryan, and City Administrator Hellekson.

Council Member Buchanan moved to approve the minutes of the regular council meeting February 7, 2022, minutes of the special council meeting February 24, 2022, and the committee meetings February 22 and 24, 2022. Seconded by Council Member Steele. Unanimous aye vote. Carried.

City Attorney Ryan opened a bid for the sale of an impounded/abandoned vehicle from Budget Auto, in the amount of \$260.00.

Council Member Kamlitz moved a Resolution to award the bid for the sale of an impounded/abandoned 1992 Oldsmobile 98 Regency, VIN 1G3CX53L3N4323034, to Budget Auto, in the amount of \$260.00. Seconded by Council Member Schloegel. Roll Call No. 1 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

- A. Resolution to approve a one-year extension to the Memorandum of Agreement between Stutsman County and the City on the joint provision of library services, extending by one year the date each entity may provide notice of intent to withdraw.
- B. Resolution to approve a request from Jamestown Drag Racing Association for a site authorization to conduct gaming at the All Vets Club on August 27 and 28, 2022.
- C. Resolution to approve the street closings and/or permits to allow alcoholic beverages in fenced areas for the St. Patrick's Day event, Running of the Green, on March 19, 2022, for the following: All Vets Club; Buffalo Lanes, Inc.; Corner Bar; Jamestown Country Club d/b/a Elks Lodge; Middles LLC d.b.a. Fred's Den; Frontier Fort Bar & Grill; Jonny B's Brickhouse; Knights of Columbus; Office Bar & Lounge; and Blazer, Inc. d/b/a. Shady's subject to receipt of completed applications.
- D. Resolution to approve the proposed renewal of the Preventative HVAC Maintenance Contract from Metropolitan Mechanical Contractors Inc.
- E. Resolution to approve the 2022 Jamestown Standard Specifications as prepared by the City Engineer.
- F. Resolution to approve the following pertaining to Seal Coat, Patching, Construction & Reconstruction District #22-41;
  1. To accept and approve plans and specifications.
  2. To authorize the advertisement for bids for Seal Coat, Patching, Construction & Reconstruction District #22-41
- G. Resolution to approve the quote for one (1) new 2022 Motorgrader, Street Department, obtained through Minnesota Cooperative Purchasing Venture from RDO Equipment Company, in the amount of \$337,500.00, with a guaranteed buyback of \$185,900.00 due in six years and a warranty period of 6 years or 5000 hours.

- H. Resolution to approve the Cost Participation and Maintenance Agreement with the NDDOT on Highway 20 from 1<sup>st</sup> Ave N to 12<sup>th</sup> Ave NE, Mill and Overlay Project No. CVD-NHU-2-020(026)000 PCN 23177, NDDOT Contract # 38211519, and authorize the City Auditor, City Attorney and Mayor to sign the agreement and the NDDOT authorization.
- I. Resolution to approve Payment No. 1 (Inv 08387.08-1), to SRF Consulting Group, Inc., for 2022 Jamestown Planning and Zoning Technical Services, in the amount of \$1,937.47.
- J. Resolution to approve Payment No. 87 (Inv 79121), to AE2S, LLC, for On Call engineering services (I&C Water) for a total amount of \$455.00.
- K. Resolution to approve Payment No. 2 (Inv 79063), to AE2S, LLC, for Cyber Security Improvements for a total amount of \$775.99.
- L. Resolution to approve Payment No. 1 (Inv 79122), to AE2S, LLC, for Well 9 Emergency PLC Upgrade for a total amount of \$8,016.59.
- M. Resolution to approve Payment No. 3 (Inv 46366 ), to Interstate Engineering, Inc., for engineering services on Water Treatment Building Ceiling Removal and Replacement, in the amount of \$26,605.08.
- N. Resolution to approve Payment No. 3 (Inv 46365), to Interstate Engineering, Inc., for engineering services on Civic Center Roof Removal and Replacement, Area B & D, in the amount of \$2,169.04.
- O. Resolution to approve Payment No. 6 (Inv 46364 ), to Interstate Engineering, Inc., for engineering services on Emergency Water Line Improvements District 21-62, Crosstown Supply Line River Crossing and 4<sup>th</sup> Ave SW/13<sup>th</sup> St SW to 15<sup>th</sup> St SW, in the amount of \$2,872.00.
- P. Resolution to approve Payment No. 9 (Inv 46360 ), to Interstate Engineering, Inc., for engineering services on Solid Waste Landfill, SW-213, Cell 3B Final Cover, in the amount of \$5,984.00.
- Q. Resolution to approve Payment No. 12 (Inv 46362 ), to Interstate Engineering, Inc., for engineering services on 2021 Watermain Improvements District 21-61, in the amount of \$1,357.00.
- R. Resolution to approve Payment No. 13 (Inv 46363), to Interstate Engineering, Inc., for engineering services on Wastewater Treatment Plant Facility Issues, in the amount of \$345.00.
- S. Resolution to approve Payment No. 34 (Inv 46361), to Interstate Engineering, Inc., for engineering services on the Title V Air Quality Permit for Sanitary Landfill, in the amount of \$897.00.
- T. Resolution to approve Payment No. 318 (Inv 46359), in the amount of \$21,471.50, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
  - (General), in the amount of \$11,347.00;
  - (Streets), in the amount of \$3,620.00;
  - (Sewer), in the amount of \$1,955.00;
  - (Water), in the amount of \$3,054.50;
  - (Solid Waste), in the amount of \$1,380.00;
  - (Storm Water), in the amount of \$115.00.
- U. 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.
- V. Resolution to allow the February indebtedness in the amount of \$4,224,376.01 consisting of \$552,962.49 payroll and 3,671,413.52 general obligations.

Seconded by Council Member Kamlitz. Consent Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved a Resolution to approve a deviation from the policy on watermain replacement special assessments from 80% paid by the property owner and 20% paid by the City of Jamestown as follows:

1. Recalculating the levy on the remaining payments due for watermain special assessments to 30% paid by the property owner and 70% paid by the City for Districts 17-61, 19-61, 20-61 and 21-61, based upon the amounts already received by the City, including refunds to nine properties on which the special assessments were paid in full, with the added provision for two of the nine properties, which have been sold.
2. For those two properties, the City will require a written agreement between the prior owner and the current owner by December 31, 2022, as to who paid the special assessments and who is owed a refund before the City will issue a refund payment.
3. The funds shall be paid from the City's Municipal Infrastructure Fund and ARPA funds (for District 21-61 only), and the Water Utility Fund.

Seconded by Council Member Kamlitz. Council Member Buchanan commended the outcome, but condemned the non-public process and requested adjustments for anyone whose 2021 income tax would require amendment due to this particular 2021 special assessment refund. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve the Asset Disposition Services Package Agreement with PropertyRoom.com, authorize the Mayor and City Administrator to sign the agreement, and authorize the Police Chief to determine the approval of items to be sent to PropertyRoom.com. Seconded by Council Member Schloegel. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to introduce the first reading of an ordinance to enact Section 22-54 of the City Code relating to the possession of marijuana and marijuana paraphernalia.

Council Member Schloegel moved to introduce the first reading of an ordinance to amend and re-enact Section 1-9 pertaining to general penalties.

Council Member Kamlitz moved to introduce the first reading of an ordinance to amend and re-enact Section 21-02-10 pertaining to fines for committing certain traffic offenses.

Council Member Kamlitz moved to introduce the first reading of an ordinance to amend and re-enact Sections 22-17, 22-17.1 and 22-17.2 pertaining to sale of tobacco products.

Council Member Steele moved to appoint Jacalyn Barnes to serve as a member of the James River Valley Library System Board for a three year term to expire March 2025. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

Council Member Buchanan moved to appoint Gerald (Jerry) L. Bergquist to serve as a member of the Law Enforcement Center Governing Board to fill an unexpired term to December 2022. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

Council Member Kamlitz moved a Resolution to approve renewal of the Farm Lease Agreement with Ben Busch for the 2022 crop year. Seconded by Council Member Schloegel. Council Member Steele asked whether the Council should consider increasing the price per acre. City Administrator Hellekson stated that the City reviews that annually and the City Council approved the increase in 2021. City Attorney Ryan suggested that the Council consider requests for bids for the farmland in 2023. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Police Chief Edinger provided information about a vehicle to be replaced, and the vehicle with detective patrol package to be purchased and the current difficulty in securing quotes and vehicles. City Administrator Hellekson stated that staff wanted Council to be aware of this issue for all vehicle and equipment purchases.

Council Member Schloegel moved a Resolution to approve the emergency replacement quote for the Police Department for a 2021 Dodge Durango PPV, in the amount of \$50,461.00. Seconded by Council Member Kamlitz. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a Resolution to approve the Cost Participation and Maintenance Agreement with the NDDOT on Highway 52 Mill Hill from End of Concrete (4<sup>th</sup> Ave SW) to 17<sup>th</sup> St SW, Project No. NHU-2-052(049)266 PCN 23350, NDDOT Contract # 38220338, and authorize the City Auditor, City Attorney and Mayor to sign the agreement and the NDDOT authorization. Seconded by Council Member Schloegel. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve a request from Rocky Mountain Elk Foundation Mindak Inc. for a site authorization to conduct gaming at the Gladstone Inn (Ballroom) on April 9, 2022. Seconded by Council Member Steele. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to approve an amendment to the Knights of Columbus site authorization issued for the Corner Bar for the period of July 1, 2021, to June 30, 2022, to include a poker tournament on April 10, 2022. Seconded by Council Member Steele. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a Resolution to approve a request from Mule Deer Foundation for a site authorization to conduct gaming at the Gladstone Inn (Banquet Room) on March 26, 2022. Seconded by Council Member Kamlitz. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved to adjourn at 5:43 p.m. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

ATTEST:  
SARAH HELLEKSON, City Administrator

APPROVED:  
DWAINE HEINRICH, Mayor