

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 6, 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, Buchanan, Steele and Schloegel, City Attorney Ryan, and City Administrator Hellekson.

Mary Kay Lindberg, 88th Ave SE, asked about the status of the Qual subdivision.

Council Member Buchanan moved to approve the minutes of the regular council meeting, August 1, 2022; the Special City Council Meeting, August 23, 2022, committee meetings August 23 and August 25, 2022 and Special Assessment Committee, August 22, 2022. Seconded by Council Member Steele. Unanimous aye vote. Carried.

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

- A. Resolution to approve the guaranteed 2024 purchase price of \$585,264 for the Fire Department Rescue Truck through Sourcewell Cooperative Purchasing, of that total the chassis cost of \$324,094 being due in 2023 upon delivery of the chassis to the SD plant, which funds can be discounted by \$12,436 if paid upon chassis delivery, which funds shall be paid in 2023 from the General Fund and the Equipment Replacement Fund.
- B. Resolution to approve \$217,000 PACE Funding for APLD Hosting LLC., \$43,400.00 (20%) to be paid by the City from the City Sales Tax Fund and \$173,600.00 (80%) from the County.
- C. Resolution to approve a quit claim deed by the City of Jamestown to Lloyd's Motors.
- D. Resolution to approve a Joint Powers Agreement between the City of Jamestown and the Jamestown Park and Recreation District for the installation and maintenance of bridges in Klaus Park, Nickeus Park, and McElroy Park, and direct the City Attorney to draft the agreement.
- E. Resolution to approve the ND Department of Transportation-Transportation Alternatives Program application for grant funds for the installation and maintenance bridges in Klaus Park, Nickeus Park, and McElroy Park for the Jamestown Park and Recreation District through the City of Jamestown as the applicant.
- F. Resolution to approve 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, Saturday, September 17, 2022, from 4:00 PM to 9:00 PM, for Oktoberfest Fall Fundraiser and request a waiver of the \$75 street closing fees.
- G. Resolution to approve a request from Jamestown Sophistikix Boosters to be recognized as an other public-spirited organization and to authorize the issuance of a raffle permit
- H. Resolution to approve the proposal from RTS Shearing LLC for the demolition of the building, foundation, canopy, sign, and all associated exterior concrete and the bid for asbestos abatement from L & M Contractors on the property located at 101 2nd Ave SE.
- I. Resolution to approve the request from Searle Swedlund, Jamestown Tourism Executive Director, to rename the 691 Fund from Jamestown Tourism (BCTF) Capital Improvement to the Jamestown Monument Preservation Fund, and rededicate the same Fund to the repair, maintenance, improvement, and preservation of the 1959 World's Largest Buffalo statue, which is owned by the City of Jamestown

and located on city-owned land.

- J. Resolution to approve the 2022 request for bids for a new basketball floor for the Civic Center contingent upon the State of ND Athletic Association decision to award the tournament site to the City of Jamestown proposal being accepted, estimated at \$175,000 less the trade-in value of the old floor, to be paid from the City Sales Tax Fund and any sponsorships.
- K. Resolution to approve the 2022 order and 2023 purchase of bleachers for additional seating for 200 spectators for the east end of the Civic Center contingent upon the State of ND Athletic Association decision to award the tournament site to the City of Jamestown proposal being accepted, estimated at \$22,000, to be paid from the City Sales Tax Fund.
- L. Resolution to approve the four Guardian Fleet quotes for a total of \$188,724.81, to replace and outfit patrol vehicles 171, 175, 177, and 184, including the purchase and installation of new law enforcement equipment in each, and decals and striping for each, to be ordered in 2022 and paid in 2023, as budgeted for each vehicle in the 221 Equipment Replacement Fund, and any remainder after trade-in paid from the 110 General Fund.
- M. Resolution to approve Change Order No. 1 to A & R Roofing for Civic Center Roof Project (J21-00-149), for a net increase in the contract price of \$4,000.00.
- N. Resolution to approve Change Order No. 1 to Hillerud Construction for Ceiling Improvements at the Water Treatment Plant (J21-04-106.01), for a net increase in the contract price of \$3,860.44.
- O. Resolution to approve Change Order No. 1 to Manning Mechanical for Mechanical Improvements for the Water Treatment Plant (J21-04-106.01, for a net increase in the contract price of \$343.00.
- P. Resolution to approve Payment No. 1 to Manning Mechanical, Inc., for Mechanical Improvements – Water Treatment Plan Project, in the amount of \$44,532.00.
- Q. Resolution to approve Payment No. 2 to A & R Roofing Co Inc., for Civic Center Roof Removal and Replacement, Area B & D, in the amount of \$128,934.00.
- R. Resolution to approve Payment No. 4 and FINAL, to Naastad Brothers, Inc. for construction on Emergency 18” Water Main Replacement District 21-62, in the amount of \$64,233.50.
- S. Resolution to approve Payment No. 4 to Border States Paving Inc., for construction on 2022 Seal Coat, Patching, Construction and Reconstruction District 22-41, in the amount of \$183,627.01.
- T. Resolution to approve Payment No. 6 (Inv 82090), to AE2S, LLC, for Cyber Security Improvements for a total amount of \$95.00.
- U. Resolution to approve Payment No. 7 (Inv 08387.08-7), to SRF Consulting Group, Inc., for 2022 Jamestown Planning and Zoning Technical Services, in the amount of \$3,062.41.
- V. Resolution to approve Payment No. 93 (Inv 82272), to AE2S, LLC, for On Call engineering services (I&C Water) for a total amount of \$1,993.45.
- W. Resolution to approve Payment No. 1 (Inv 48278), to Interstate Engineering, Inc., for engineering services on Inert Landfill Waste Air Calculations in Section 5, in the amount of \$2,699.52.
- X. Resolution to approve Payment No. 6 (Inv 48276), to Interstate Engineering, Inc., for engineering services on North West Booster Station, in the amount of \$1,160.00.
- Y. Resolution to approve Payment No. 9 (Inv 48284), to Interstate Engineering, Inc., for engineering services on Water Treatment Building Ceiling Removal and Replacement, in the amount of \$3,087.58.
- Z. Resolution to approve Payment No. 9 (Inv 48283), to Interstate Engineering, Inc., for engineering

services on Civic Center Roof Removal and Replacement, Area B & D, in the amount of \$3,446.40.

- AA. Resolution to approve Payment No. 10 (Inv 48281), to Interstate Engineering, Inc., for engineering services on 2021 University of Jamestown Storm Sewer Improvement District 21-71, in the amount of \$3,450.00.
- BB. Resolution to approve Payment No. 10 (Inv 48282), 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 \$3,169.00.
- CC. Resolution to approve Payment No. 11 (Inv 48279), to Interstate Engineering, Inc., for engineering services on Solid Waste Landfill, SW-213, Cell 3B Final Cover, in the amount of \$3,162.00.
- DD. Resolution to approve Payment No. 324 (Inv 48275), in the amount of \$22,413.42, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
 - a. (General), in the amount of \$8,942.92;
 - b. (Streets), in the amount of \$3,131.00;
 - c. (Sewer), in the amount of \$5,339.90;
 - d. (Water), in the amount of \$3,379.60;
 - e. (Solid Waste), in the amount of \$808.00;
 - f. (Storm Water), in the amount of \$812.00.
- EE. Resolution to allow the August indebtedness in the amount of \$7,099,567.48 consisting of \$565,798.38 payroll and \$6,533,769.10 general obligations.

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

Council Member Steele moved a Resolution to approve and authorize the issuance of Refunding Improvement Bonds of 2022, Series AF (Project 21-41), and award the negotiated sale of Refunding Improvement Bonds to Colliers and Co. for the purchase price of \$2,070,000.00 at an average annual net interest rate of 3.1169%. Seconded by Council Member Schloegel. Mike Manstrom, Colliers and Co., stated the City has an exceptional A1 Moody's financial rating. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning the special assessment list for the 2021 Watermain Improvement District #21-61. 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 for the 2021 Water Improvement District #21-61, in the total amount of \$1,948,372.68, less Oxbow Construction of \$178,761.14, less the City Share of \$1,238,728.02, with the balance of \$530,883.44 to be assessed to benefited properties within the district. Seconded by Council Member Kamlitz. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning amending and re-enacting Ordinance No. 1556 of the City Code by amending the District Map to change the zoning of Lots 4-6, Block 7 of Country Side Estates, City of Jamestown, Stutsman County, North Dakota from C-2 (General Commercial District) to M-1 (Limited Industrial and Manufacturing District). The property is located at 1909, 1913 and 2007 16th St SW, Jamestown, North Dakota. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1564, introduced by Council Member Kamlitz, to amend and re-enact Ordinance No. 1556 of the City Code by amending the District Map to change the zoning of Lots 4-6, Block 7 of Country Side Estates, City of Jamestown, Stutsman County, North Dakota from C-2 (General Commercial District) to M-1 (Limited Industrial and Manufacturing District). The property is located at 1909, 1913 and 2007 16th St SW, Jamestown, North Dakota had its second reading. Seconded by Council Member Steele. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning amending and re-enacting Section 2.2, Section 6.4, Section 7.9, and Section 9.1 of Appendix C (Zoning) of the City Code, pertaining to child/day care uses. No one appeared to object and no written protests were received. The hearing was closed.

Ordinance No. 1565, introduced by Council Member Buchanan, to amend and re-enact Section 2.2, Section 6.4, Section 7.9, and Section 9.1 of Appendix C (Zoning) of the City Code, pertaining to child/day care uses had its second reading. Seconded by Council Member Schloegel. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to appoint John Baumgartner to serve as a member of the Special Assessment Commission to fill an unexpired term to April 2023. Seconded by Council Member Steele. Unanimous aye vote. Carried.

Council Member Buchanan moved a Resolution to to approve the offer from Corey and Jodi Bayer to purchase the city-owned parcel 742386600 located at Elmwood Park Addition, Block 9, E 40 ft of N 50 ft of Lot 2 Replat of Lots 1-6, Blocks 5-9 (formerly pump house #1, #2, #3, #4), 1209A 5th Ave SE, and located within to 5th Ave SE, and on three sides within the Bayer-owned parcel 742386500 located at Elmwood Park Addition, Block 9, Lots 1-2 except the E 40 ft of N 50 ft of Lot 2 and all of 3, 4, and 5, Replat of Lots 1-6 Block 5 and Blocks 6, 7, 8 and 9, 1209 5th Ave SE, for \$350. Seconded by Council Member Steele. City Assessor Veil provided information. Mayor Heinrich stated that the City will prepare a quit claim deed for signature based upon the available description and any costs associated with correcting the legal description, or any and all other costs associated with the transaction are the responsibility of the purchaser. City Attorney Ryan stated that the legal description will be corrected, if necessary, and any city easements will remain. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to adjourn at 5:35 p.m. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor