

JAMESTOWN CITY COUNCIL
REGULAR MEETING, FEBRUARY 6, 2023
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.

James and Annette Zell of Jamestown appeared before the City Council.

Council Member Buchanan moved to approve the minutes of the regular council meeting, January 3, 2023, committee meeting, January 24, 2023, and January 26, 2023. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

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

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

- A. Resolution to approve the Joint Powers Agreement with Jamestown Park and Recreation District for the funding, repair, and replacement of the pedestrian bridges in the Jamestown Parks and authorize the Mayor and City Administrator to sign the agreement.
- B. Resolution to approve the sales prices on city owned lots for the year 2023.
- C. Resolution to approve funding the remaining costs of the 21-61 water mains project with American Rescue Plan Act (ARPA) funds and approving the 2022 transfer of \$385,847.64 of ARPA revenue to the Construction Fund.
- D. Resolution to approve funding the 22-61 water mains project with American Rescue Plan Act (ARPA) funds and approving the 2022 transfer of \$110,697.12 of ARPA revenue to the Construction Fund.
- E. Resolution to approve creating Frontier Village revenue and expense sections within the General Fund.
- F. Resolution to approve a request from Rocky Mountain Elk Foundation Inc for a site authorization to conduct gaming at the Gladstone Inn in the Ball Room on April 15, 2023.
- G. Resolution to approve a request from Jamestown Drag Racing Association for a site authorization to conduct gaming at the All Vets Club in the Dining Room on September 30, 2023.
- H. Resolution to approve a request from El Zagal Jamestown Clowns for a site authorization to conduct gaming at the Elks Club in the Parking Lot on June 17, 2023.
- I. Resolution to approve extending the antenna license agreement with Sprint (T-Mobile) into 2023, for the right to install, operate and maintain an antenna and related facilities without interference with city's infrastructure, or maintenance and repair requirements and direct the City Attorney to draft the license agreement.
- J. Resolution to approve the Urban Woods and Prairies Initiative Restoration Site Plan(s) Agreement between the National Audubon Society, City of Jamestown and Jamestown Parks Department and authorize the Mayor and City Administrator to sign the agreement.

- K. Resolution to approve the Jamestown Civic Center rental rate for the four concourse sections at \$300 for an eight-hour period per concourse section rented, not to include individual meeting rooms beginning January 1, 2023.
- L. Resolution to approve the Frontier Village additional camera quote from Dakota Central in the amount of \$4,091.60 to be paid from the Public Building Site Fund and excess insurance reimbursement for the stolen camera.
- M. Resolution to approve the following for 2023 Seal Coat, Patching, Construction & Reconstruction District 23-41: to direct the preparation of detailed plans and specifications for the construction of the district.
- N. Resolution to approve the following for 2023 Sidewalk, Curb & Gutter District 23-11: to accept and approve the plans and specifications, as prepared by the City Engineer, for the construction of the district; and to direct the City Administrator to advertise for bids for the construction of the district.
- O. Resolution to approve the plans and specifications for the NW Booster Station Improvements, and to authorize the advertisement for bids.
- P. Resolution to approve the plans and specifications for the 23-61 Water Main Improvement District, and to authorize the advertisement for bids.
- Q. Resolution to approve the engineering agreement with Interstate Engineering for the Pedestrian Bridge Improvement Project.
- R. Resolution to authorize the City Auditor and Mayor to apply for and sign a grant application with Garrison Diversion for funds to assist with funding the replacement and repair of pedestrian bridges in the Jamestown Parks.
- S. Resolution to approve Payment No. 9 (Inv 84876), to AE2S, LLC, for Cyber Security Improvements for \$95.00.
- T. Resolution to approve Payment No. 12 (Inv 08387.08-12), to SRF Consulting Group, Inc., for 2022 Jamestown Planning and Zoning Technical Services, in the amount of \$1,688.72.
- U. Resolution to approve Payment No. 98 (Inv 84842), to AE2S, LLC, for On Call engineering services (I&C Water) for a total amount of \$5,593.04.
- V. Resolution to approve Payment No. 1 (Inv 49948), to Interstate Engineering Inc., for engineering services on Industrial Pretreatment Program Development, Recommended Ordinance and Program Scope for a total amount of \$2,300.00.
- W. Resolution to approve Payment No. 1 (Inv 49942), to Interstate Engineering Inc., for engineering services to locate and/or pin Corners of Lots 9-12, Block 31, Original Jamestown and provide Certificate of Survey for City Lot Combination for a total amount of \$1,628.44.
- X. Resolution to approve Payment No. 2 (Inv 49944), to Interstate Engineering Inc., for engineering services on Inert Landfill Permit and Expansion for a total amount of \$1,259.00.
- Y. Resolution to approve Payment No. 2 (Inv 49945), to Interstate Engineering Inc., for engineering services on Water Treatment Plant Lime Sludge Filter Press Replacement Procurement and Installation Contracts for a total amount of \$1,096.00.
- Z. Resolution to approve Payment No. 3 (Inv 49943), to Interstate Engineering Inc., for engineering services on Task Order No. 21-01 – Waste Water Treatment Facility Improvements Facility Plan and CWSRF Application, in the amount of \$11,700.00.

- AA. Resolution to approve Payment No. 11 (Inv 49946), to Interstate Engineering, Inc., for engineering services on North West Booster Station, in the amount of \$9,097.00.
- BB. Resolution to approve Payment No. 14 & FINAL (Inv 49949-FINAL), to Interstate Engineering, Inc., for engineering services on Water Treatment Building Ceiling Removal and Replacement, in the amount of \$1,376.00.
- CC. Resolution to approve Payment No. 329 (Inv 49675), in the amount of \$3,748.50, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
- a. (General), in the amount of \$2,668.00;
 - b. (Streets), in the amount of \$580.00;
 - c. (Sewer), in the amount of \$97.00;
 - d. (Water), in the amount of \$116.00;
 - e. (Solid Waste), in the amount of \$287.50.
- DD. Resolution to approve Payment No. 330 (Inv 49947), in the amount of \$11,422.00, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
- a. (General), in the amount of \$5,684.00;
 - b. (Streets), in the amount of \$1,605.00;
 - c. (Sewer), in the amount of \$1,740.00;
 - d. (Water), in the amount of \$1,271.00;
 - e. (Solid Waste), in the amount of \$1,122.00.
- EE. Resolution to allow the January indebtedness in the amount of \$2,989,888.88 consisting of \$614,573.03 payroll and \$2,375,315.85 general obligations.

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

Mayor Heinrich moved to amend the resolution to extend the Memorandum of Agreement for joint provision of library services to include the following: in the event the County Commission chooses not to approve this extension by February 22, 2023, the Mayor is directed to inform the County Commission of the City's intent to withdraw from the joint library as per the existing Memorandum of Agreement. Seconded by Council Member Steele. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved the amended resolution to approve a second 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 to March 3, 2024, and directing the City Attorney to write the MOA extension, and in the event the County Commission chooses not to approve this extension by February 22, 2023, the Mayor is directed to inform the County Commission of the City's intent to withdraw from the joint library as per the existing Memorandum of Agreement. Seconded by Council Member Schloegel. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to place on the next special or regular City Council meeting, the requests from Jamestown Tourism for \$30,000 for startup inventory at the City's Frontier Village General Store operated by Jamestown Tourism to be paid from the General Fund, the \$12,000 for a portion of the maintenance position salary at the City's Frontier Village operated by Jamestown Tourism to be paid from the General Fund, and \$20,000 for a portion of the visitor experience manager salary at the City's Frontier Village operated by Jamestown Tourism to be paid from the General Fund. Seconded by Council Member Buchanan. Unanimous aye voted. Carried.

A public hearing was held concerning Seal Coat, Patching, Construction and Reconstruction District #23-41 protests and the sufficiency thereof. No one appeared to object, and no written protests were received. The hearing was closed.

Council Member Steele moved a Resolution that the protests have been found to be insufficient to bar proceeding with Seal Coat, Patching, Construction and Reconstruction District #23-41. Seconded by Council Member Schloegel. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a Resolution to authorize the City Engineer to develop detailed plans, specifications and estimates for Seal Coat, Patching, Construction and Reconstruction District #23-41. Seconded by Council Member Steele. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved a Resolution to recommend supporting collaborative efforts by the state Legislature, governor's office, municipalities, and industry to ensure additional sources of food grade CO2 within the state and adequate storage facilities. 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 amend and re-enact Sections 15-42 of the City Code pertaining to the definition of Group Child Care Home or Preschool Facility. No one appeared to object, and no written protests were received. The hearing was closed.

Ordinance No. 1568, introduced by Council Member Buchanan, to amend and re-enact Section 15-42 of the City Code pertaining to the definition of Group Child Care Home or Preschool Facility had its second reading. Seconded by Council Member Steele. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to amend and re-enact Article III, Chapter 15, of the code of the City of Jamestown, North Dakota pertaining to the Fire Code Protection Code. No one appeared to object, and no written protests were received. The hearing was closed.

Ordinance No. 1569, introduced by Council Member Schloegel, to amend and re-enact Article III, Chapter 15, of the code of the City of Jamestown, North Dakota pertaining to the Fire Code Protection Code had its second reading. Seconded by Council Member Buchanan. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a resolution to approve the promotion of Dorene Stroh, Appraiser, to the position of City Assessor, at Range 69, Step 5. Seconded by Council Member Kamlitz. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved a resolution to approve funding the local share of the James River Bank Stabilization costs with Stormwater Utility funds and approving the 2022 transfer of \$265,713.35 Stormwater Utility revenue to the Construction Fund. Seconded by Council Member Kamlitz. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a resolution to hold a public hearing on February 23, 2023, at 4:00 P.M. in the Council Room at City Hall to amend the 2023 budget. Seconded by Council Member Schloegel. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a resolution to authorize filing of an application with the North Dakota Department of Environmental Quality (NDDEQ) for assistance performing a lead service line inventory in compliance with the Lead and Copper Rule Revisions (US EPA) and authorize the City Administrator to sign the application. Seconded by Council Member Steele. Roll Call No. 12 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to adjourn at 5:36 p.m. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor