

JAMESTOWN CITY COUNCIL
REGULAR MEETING, SEPTEMBER 5, 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.

Council Member Buchanan moved to approve the minutes of the regular council meeting, August 7, 2023, and the committee meetings August 22 and 24, 2023. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

City Attorney Ryan opened a bid for the sale of a 2003 Pontiac Grand Prix impounded/abandoned vehicle from Budget Auto, in the amount of \$230.00.

City Attorney Ryan opened a bid for the sale of a 2009 Honda B60 impounded/abandoned vehicle from Budget Auto, in the amount of \$260.00.

City Attorney Ryan opened a bid for the sale of a 2004 Suzuki Boulevard impounded/abandoned vehicle from Budget Auto, in the amount of \$400.00.

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

- A. Resolution to approve the request for Curing Colby to be recognized as an other public-spirited organization and to authorize the issuance of a 2023 raffle permit.
- B. Resolution to approve the request from the Jamestown Regional Airport Authority to authorize the issuance and sale of Facility Passenger Fee Revenue Bonds, Series 2023.
- C. Resolution to approve the request from the Jamestown Regional Airport Authority to commit to payment of any deficiency of Facility Passenger Fee Revenue Bonds, Series 2023.
- D. Resolution to approve the request from JSDC for SEPA Legal Payment from Economic Development Funds, in the amount of \$164,000, with the City Share of \$147,665.70 to be paid from the City Sales Tax Fund.
- E. Resolution to grant final approval of Renaissance Zone incentives (Project J46) by granting a five-year 100% property tax exemption and to recommend the State of ND grant a five-year 100% state income tax exemption for the property located at 220 1st Ave S, 58401, which received preliminary City Council approval on August 5, 2022.
- F. Resolution to grant final approval of Renaissance Zone incentives (Project J47) and recommend the State of ND grant a five-year 100% state income tax exemption for the property located at 220 1st Ave S, 58401, which received preliminary City Council approval on August 5, 2022.
- G. 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 9, 2023, from 3:00 P.M. to 9:00 P.M., for Oktoberfest Fall Fundraiser and request a waiver of the \$75 street closing fees.

- H. Resolution to approve the special use permit for Block 1, Lot 1, Joos 3rd Subdivision. The property is located at 8360 31 ½ St SE, Jamestown, North Dakota.
- I. Resolution to approve the special use permit for Block 1, Lot 2, Joos 3rd Subdivision. The property is located at 8360 31 ½ St SE, Jamestown, North Dakota.
- J. Resolution to approve the 2023 Civil Engineering, Planning and Surveying (CPS) agreement to perform testing to monitor ground water, storm water, leachate and landfill gas to meet the landfill permits and storm water permits and authorize the Mayor to sign the agreement.
- K. Resolution to approve the engineering agreement with Interstate Engineering for expansion of the inert landfill.
- L. Resolution to approve the purchase price of \$210,507 for the Solid Waste Department Roll-off truck, through Sourcewell Cooperative Purchasing, which funds shall be paid in 2023 from the Equipment Replacement Fund.
- M. Resolution to approve the quote from Scherbenske Inc. in the amount of \$81,300 to repair the Cell C lagoon walls at the Wastewater Treatment Facility.
- N. Resolution to approve Payment No. 2, to LD Concrete, for Construction on the 2023 Sidewalk and Curb & Gutter District 23-11, in the amount of \$7,841.48.
- O. Resolution to approve Payment No. 4, to Border States Paving Inc., for construction on the 2023 Seal Coat, Patching, Construction and Reconstruction District 23-41, in the amount of \$843,604.67.
- P. Resolution to approve Payment No. 7 (Inv 08387.09-7), to SRF Consulting Group, Inc., for 2023 Jamestown Planning and Zoning Technical Services, in the amount of \$507.63.
- Q. Resolution to approve Payment No. 105 (Inv 88911), to AE2S, LLC, for On Call engineering services (I&C Water) for a total amount of \$1,964.25.
- R. Resolution to approve Payment No. 1 (Inv 51815), to Interstate Engineering Inc., for engineering services for 12th Ave SE, in the amount of \$11,248.94.
- S. Resolution to approve Payment No. 1 (Inv 51816), to Interstate Engineering Inc., for engineering services for 2023 Water Main Improvement District 23-61, in the amount of \$203,577.81.
- T. Resolution to approve Payment No. 3 (Inv 51812), to Interstate Engineering Inc., for engineering services on Emergency Repair of 96” Storm Sewer, in the amount of \$9,415.79.
- U. Resolution to approve Payment No. 4 (Inv 51814), to Interstate Engineering Inc., for engineering services on Sanitary Landfill Renewal of Permit No. 213 for ND Dept of Environmental Quality, in the amount of \$7,877.50.
- V. Resolution to approve Payment No. 5 (Inv 51811), to Interstate Engineering Inc., for engineering services on Replacement of Three (3) Parks Pedestrian Bridges, project #24-21, in the amount of \$15,402.70.
- W. Resolution to approve Payment No. 9 (Inv 51809), to Interstate Engineering Inc., for engineering services on Water Treatment Plant Lime Sludge Filter Press Replacement Procurement and Installation Contracts, in the amount of \$950.00.
- X. Resolution to approve Payment No. 16 (Inv 51810), to Interstate Engineering, Inc., for engineering services on NorthWest Booster Station, in the amount of \$490.00.

Y. Resolution to approve Payment No. 337 (Inv 51813), in the amount of \$13,200.00, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:

- a) (General), in the amount of \$7,662.50;
- b) (Streets), in the amount of \$ 857.50;
- c) (Sewer), in the amount of \$1,837.50;
- d) (Water), in the amount of \$2,152.50;
- e) (Solid Waste), in the amount of \$ 690.00;

Z. Resolution to allow the August indebtedness in the amount of \$5,691,935.89 consisting of \$562,408.46 payroll and \$5,129,527.43 general obligations.

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

Mayor Heinrich stated that due to not receiving information from the State of North Dakota Technology Department that no action would be taken related to the Tower Lease and Use Agreement between the State of North Dakota Information Technology Department and the City of Jamestown for the purpose of placing, operating and maintaining on the City water tower and the water tower site, State-owned telecommunications equipment and a building as part of the Statewide Interoperable Radio Network (SIRN 20/20) for use by the public safety community, including \$20 per month to lease the site with the State of North Dakota being responsible for utilities.

Council Member Buchanan moved a Resolution to award the bid for the sale of an impounded/abandoned 2003 Pontiac Grand Prix, VIN 1G2WK52J83F144909, to Budget Auto in the amount of \$230.00; a 2009 Honda B60, VIN JH2PC40019K204764, to Budget Auto in the amount of \$260.00; and a 2004 Suzuki Boulevard, VIN JS1VS53A142101571, to Budget Auto in the amount of \$400.00. Seconded by Council Member Steele. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried

A public hearing was held concerning the special assessment list for the 2022 Seal Coat, Patching, Construction and Deconstruction District #22-41. 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 2022 Seal Coat, Patching, Construction and Reconstruction District #22-41, in the total amount of \$2,556,741.00, less the City Share of \$416,741.00, with the balance of \$2,140,000.00 to be assessed to benefited properties within the district. Seconded by Council Member Kamlitz. Roll Call No. 3 showed: 5 ayes, 0 nay, 0 absent. Carried.

A public hearing was held concerning an ordinance to amend and re-enact Section 5-26, Article II of Chapter 5 of the City of Jamestown Municipal Code, relating to an alcohol license for the Hillcrest Golf Course. No one appeared to object, and no written protests were received. The hearing was closed.

Ordinance No. 1574, introduced by Council Member Schloegel, to amend and re-enact Section 5-26, Article II of Chapter 5 of the City of Jamestown Municipal Code, relating to an alcohol license for the Hillcrest Golf Course. Seconded by Council Member Kamlitz. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

A public hearing was held concerning an ordinance to amend and re-enact Section 2.2, Sections 4.5-4.7, Section 4.19 and Section 6.4 of Appendix C, Zoning Regulations, of the Code of the City of Jamestown. The proposed amendment changes are intended to clarify definitions and requirements for different housing types. No one appeared to object, and no written protests were received. Building Inspector Blackmore provided information. The hearing was closed.

Ordinance No. 1575, introduced by Council Member Kamlitz, to amend and re-enact Section 2.2, Sections 4.5-4.7, Section 4.19 and Section 6.4 of Appendix C, Zoning Regulations, of the Code of the City of Jamestown. The proposed amendment changes are intended to clarify definitions and requirements for

different housing types. Seconded by Council Member Schloegel. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a resolution to approve the rental agreement with the City of Valley City pertaining to high-value vehicles and approve the rate of \$70 per hour without driver and fuel, for a roll-off truck. Seconded by Council Member Schloegel. Public Works Director Michel provided information. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a resolution to direct the City Attorney to draft a purchase agreement for the property at 1604 8th Ave SW, 1620 8th Ave SW, and 1509 9th Ave SW, Jamestown, ND, in the amount of \$900,000. The Mayor stated that city staff is to develop plans to remediate hazards in the building and other repairs including establishing utility service with a budget not to exceed \$150,000. In addition, the city staff is directed to develop plans for demolition as needed and plans for rehabilitation of the 265' X 65' building at the former LeFevre Sales property on Railroad Ave and a plan for disposing of the property except for the 265' X 65' structure. Seconded by Council Member Kamlitz. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a resolution to approve the Cost-Share Reimbursement agreement for the Emergency 96" CMP Replacement between the State of North Dakota State Water Commission, and the City of Jamestown and authorize the Mayor to sign the agreement. Seconded by Council Member Schloegel. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to adjourn at 5:31 p.m. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor