

JAMESTOWN CITY COUNCIL
REGULAR MEETING, FEBRUARY 5, 2024
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 Schloegel moved to approve the minutes of the regular council meeting, January 2, 2024, the special city council meeting, January 23, 2024, and the committee meeting January 23, 2023, and January 25, 2023. 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 request from the JSDC to approve the de-obligation of Flex PACE funding for the years of 2021 and 2022 to the city and county in the amounts stated below:
2021: City - \$90,654.55, County -\$22,741.14
2022: City - \$128,194.09, County - \$32,048.52.
- B. Resolution to approve entering into an Energy Conservation Program Grant Agreement with the North Dakota Department of Commerce for the Waste Water Plant Lighting project with a total project cost of \$27,535.56 with the City of Jamestown to match of dollar for dollar funds being \$13,767.87 and approve the Mayor to sign the Agreement.
- C. Resolution to approve re-establishing the sales prices on city owned lots for the year 2024.
- D. Resolution to approve the request from Jamestown Hockey Boosters Inc., for a site authorization to conduct gaming at Elks 995 on Sunday, February 18, 2024.
- E. Resolution to authorize the City Administrator to be assigned the Representative Signature Certify person within the US Department of Agriculture RD Apply System and grant the City Administrator the authority to sign application on behalf of the City of Jamestown, North Dakota.
- F. Resolution to approve a third one-year extension and amendment 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, 2025, and authorizing the Mayor and City Administrator to sign the extension.
- G. Resolution to approve to change the James River Valley Library System Board terms to expire on June 30 in the third year and start each term on July 1 per N.D.C.C. 40-38-03(2), and extending the 2024 terms of one city representative and the joint city/county representative to June 30, 2024.
- H. Resolution to approve the transfer of \$1,101,283.05 from the City Sales Tax Fund to the General Fund.
- I. Resolution to approve establishment of a Development Fund funded partially by city sales tax for infrastructure for projects not included in the Public Building Site, Construction Fund, General Fund, and Enterprise Funds.
- J. Resolution to approve the transfer of \$1,101,283.05 from the General Fund to the City Development Fund.

- K. Resolution to approve the request from Jamestown Parks and Recreation Foundation, Inc., for a Beer, Wine, and Sparkling Wine license at 606 26th Ave SE, Jamestown, for the period ending December 31, 2024.
- L. Resolution to approve the request for quotes from auditors for the 2023 fiscal year.
- M. Resolution to approve the application for Renaissance Zone Incentives for up to five (5) years, one hundred percent (100%) state income tax exemption and one hundred (100%) five (5) year property tax exemption for J&K, LLC., (201 1st Ave N) pending approval by the State of North Dakota Department of Commerce, Division of Community Services.
- N. Resolution to approve the agreement for Long-Term Temporary Highway Closure and authorize the Mayor, City Administrator and City Attorney to sign the agreement.
- O. Resolution to approve the agreement between the City of Jamestown and the Jamestown Parks and Recreation District to assist with the project and special assessment at McElroy Park and authorize the Mayor and City Administrator to sign the agreement.
- P. Resolution to approve the major subdivision, final plat of Stoudt Third Addition, Replat of Lots 1-5, Block 1 of Mall Woods Addition, within the NE ¼ of Section 2, T139N, R64W, City of Jamestown, North Dakota for the property located at 805 23rd St SW, Jamestown, North Dakota.
- Q. Resolution to approve the quote to replace 2017 patrol unit 179 in the amount of \$47,750, 2015 patrol unit 185 in the amount of \$44,300, and 2014 patrol unit 174 in the amount of \$36,560, all to be ordered in 2024 as budgeted from the 221 Equipment Replacement Fund.
- R. Resolution to approve the following for 2024 Seal Coat, Patching, Construction and Reconstruction District 24-41: to direct the preparation of detailed plans and specifications for the construction of the district.
- S. Resolution to approve the following for 2024 Sidewalk, Curb and Gutter District 24-11: 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.
- T. Resolution to approve the City of Jamestown projects on the NDDOT Statewide Transportation Improvement Program (STIP) list.
- U. Resolution to approve the following pertaining to 2024 Citywide Parks Pedestrian Bridges Construction and Reconstruction District #24-21: to approve plans, specifications and estimates for the construction of the district; and to authorize the advertisement for bids for 2024 Citywide Parks Pedestrian Bridges Construction and Reconstruction District #24-21.
- V. Resolution to approve Change Order No. 2 for consideration to Gladen Construction for Jamestown Inert Landfill Cell 7 (EC22-00-138) for a net increase of \$26,900.00.
- W. Resolution to approve the Guaranteed Maximum Price (GMP) with Ferguson Water Works in the amount of \$2,614,865 contingent upon North Dakota Department of Environmental Quality (ND DEQ) approval.
- X. Resolution to approve the documented CATEX for the 2024 Citywide Parks Pedestrian Bridges Construction and Reconstruction District #24-21 and authorize the Mayor and City Administrator to sign the agreement.
- Y. Resolution to approve the amendment to the engineering agreement for the Lime Press Project to include the recycle/reuse project and authorize the Mayor and City Administrator to sign the

amendment.

- Z. Resolution to approve Payment No. 1, to American General Contractors, Inc., for construction on the NW Booster Station, in the amount of \$40,651.52.
- AA. Resolution to approve Payment No. 2, to Gladen Construction, for construction on the Inert Landfill Expansion #192, Cell 7, in the amount of \$43,258.70.
- BB. Resolution to approve Payment No. 12 (Inv 08387.09-12), to SRF Consulting Group, Inc., for 2023 Jamestown Planning and Zoning Technical Services, in the amount of \$1,045.41.
- CC. Resolution to approve Payment No. 108 (Inv 92195), to AE2S, LLC, for On Call engineering services (I&C Water) for a total amount of \$4,627.66.
- DD. Resolution to approve Payment No. 1 (Inv 53296), to Interstate Engineering Inc., for engineering services for Replat of Lots 6 & 7, Block 14, Kourajian Addition, in the amount of \$6,244.18.
- EE. Resolution to approve Payment No. 1 (Inv 53270), to Interstate Engineering Inc., for engineering services for Civic Center Door Addition, in the amount of \$4,178.90.
- FF. Resolution to approve Payment No. 4 (Inv 53266), to Interstate Engineering Inc., for engineering services for 2023 Water Main Improvement District #23-61, in the amount of \$2,462.50.
- GG. Resolution to approve Payment No. 5 (Inv 53269), 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 \$3,587.50.
- HH. Resolution to approve Payment No. 8 (Inv 53268), to Interstate Engineering Inc., for engineering services on Project #23-71 Emergency Repair of 96" Storm Sewer, in the amount of \$2,420.00.
- II. Resolution to approve Payment No. 10 (Inv 53295), to Interstate Engineering Inc., for engineering services on Project #24-21 Replacement of Three (3) Pedestrian Bridges, in the amount of \$20,675.68.
- JJ. Resolution to approve Payment No. 10 (Inv 53294), to Interstate Engineering Inc., for engineering services on Water Treatment Plant Lime Sludge Filter Press Replacement Procurement and Installation Contracts, in the amount of \$16,950.00.
- KK. Resolution to approve Payment No. 12 (Inv 53267), to Interstate Engineering Inc., for engineering services on Inert Landfill Permit and Expansion, in the amount of \$8,833.94.
- LL. Resolution to approve Payment No. 342 (Inv 50049), in the amount of \$2,207.50, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
 - a. General Fund in the amount of \$2,085.00;
 - b. Street Dept. in the amount of \$122.50.
- MM. Resolution to approve Payment No. 343 (Inv 53271), in the amount of \$12,012.50, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
 - a) General, in the amount of \$5,027.50;
 - b) Streets, in the amount of \$1,102.50;
 - c) Sewer, in the amount of \$612.50;
 - d) Water, in the amount of \$94250;
 - e) Solid Waste, in the amount of \$ 4,327.50.
- NN. Resolution to allow the January indebtedness in the amount of \$3,787,701.68 consisting of \$652,147.96 payroll and \$3,135,553.72 general obligations.

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

Council Member Buchanan moved a resolution to abate the full amount of \$1,000 for Richard Kaloustian, 815 2nd Ave NW, Jamestown. Motion failed.

Council Member Steele moved a resolution to reduce the 2023 special assessment from \$1,000 to \$500 for Richard Kaloustian, 815 2nd Ave NW, Jamestown with the remaining funds to be paid from the Forestry department budget. Seconded by Council Member Kamlitz. City Forester Laber, City Assessor Stroh and Public Works Director Michel provided information. Roll Call No. 2 showed: 3 ayes, 2 nays (Buchanan and Schloegel), 0 absent. Carried.

Council Member Steele moved a resolution to approve the Chem-Aqua, subject to minor changes coming from the office of the City Attorney, to provide a professional Water Treatment Program for City Hall in the amount of \$5,489 and authorize the City Administrator to sign the agreement. Seconded by Council Member Schloegel. City Attorney Ryan provided information. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved a resolution to approve Payment No. 1 (Inv 53272), to Interstate Engineering Inc., for engineering services for Radio Read Water Meters, in the amount of \$179,573.24. Seconded by Council Member Steele. City Administrator Hellekson and Public Works Director Michel provided information. Roll Call No. 4 showed: 4 ayes, 1 nay (Buchanan), 0 absent. Carried.

A public hearing was held concerning 2024 Seat Coat, Patching, Construction and Reconstruction District #24-41 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 the 2024 Seal Coat, Patching, Construction and Reconstruction District #24-41. Seconded by Council Member Kamlitz. Roll Call No. 5 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 the 2024 Seal Coat, Patching, Construction and Reconstruction District #24-41. Seconded by Council Member Buchanan. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved to appoint Gary Klundt to serve as a member of the Board of Adjustments for an unexpired three-year term to expire in January 2025. Seconded by Council Member Schloegel. Unanimous aye vote. Carried.

Council Member Steele moved a resolution to approve the request from Dhiraj Sharma d.b.a. Shobha Hospitality LLC, for a Class B-1 liquor license at 507 25th St SW, Jamestown, for the period ending June 30, 2024, contingent upon the city offices receiving the proper completed documentation of required information. Seconded by Council Member Schloegel. City Administrator Hellekson provided information. Roll Call No. 7 showed: 5 ayes, 0 nay, 0 absent. Carried.

Council Member Buchanan moved a resolution to appoint Jim Reuther as City Health Officer and appoint the City Health Officer and the following to the City Health Board: City Engineer Travis Dillman, Council Member David Schloegel, Council Member Dan Buchanan, Council Member Brian Kamlitz, and Council Member David Steele. Seconded by Council Member Kamlitz. Roll Call No. 8 showed: 5 ayes, 0 nay, 0 absent. Carried.

Council Member Schloegel moved a resolution to approve filing an application with the North Dakota Department of Environmental Quality (NDDEQ) for a loan under the Clean Water Act and/or the Safe Drinking Water Act for the 2023 Water Improvement District #23-61 and authorize the City Administrator to sign the application. Seconded by Council Member Kamlitz. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a resolution to approve filing an application with the North Dakota Department of Environmental Quality (NDDEQ) for a loan under the Clean Water Act and/or the Safe Drinking Water Act for the Radio Read Water Meter Replacement Project #24-61 and authorize the City Administrator to sign the application. Seconded by Council Member Schloegel. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a resolution to accept the quote from Eide Bailly for the 2023 fiscal year audit in the amount of \$74,000. Seconded by Council Member Kamlitz. City Administrator Hellekson provided information. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved to adjourn at 5:52 p.m. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor