

JAMESTOWN CITY COUNCIL
REGULAR MEETING, JUNE 3, 2024
UNOFFICIAL 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 Buchanan, Kamlitz, Steele and Schloegel, Assistant City Attorney Geroux, and City Administrator Hellekson.

Council Member Schloegel moved to approve the minutes of the regular council meeting, May 6, 2024, the special city council meeting, May 3, 2024, and the committee meetings May 21, 2024, and May 23, 2024. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

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

Assistant City Attorney Geroux informed the Council that there was one bid that was unopened at the May 23, 2024, bid opening for the city excavator. Assistant City Attorney Geroux recommended that this bid not be opened because the bid did not comply with the bid specs.

Council Member Steele moved a resolution to not open the bid from Titan Machinery due to non-compliance with the bid specifications related to the city excavator. Seconded by Council Member Kamlitz. Roll Call No. 1 showed: 5 ayes, 0 nays, 0 absent. Carried.

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

- A. Resolution to approve the Special Use Permit for a Compassion Center Dispensary as required under City Code Appendix C, Sec. 12, from July 1, 2024, to June 30, 2025.
- B. Resolution to approve the request to allow chickens and ducks (no roosters) to be kept within city limits at 1120 8th St NW.
- C. Resolution to approve the request from the Jamestown/Stutsman Development Corporation (JSDC) to approve the JSDC 2025 Budget.
- D. Resolution to approve the Joint Powers Agreement between Jamestown Parks and Recreation District and the City of Jamestown for the relocation of a sanitary sewer force main and authorize the Mayor and City Administrator to sign the agreement.
- E. Resolution to repeal the City Auctioneer's license, which is part of Jamestown City Code Chapter 7.
- F. Resolution to revoke the 2024 contractor's license of Tim Greshik d.b.a. Hometown Improvements for one (1) year after which he could re-apply after one (1) year if all conditions are met.
- G. Resolution to approve the request from Eventide to enter an Emergency Facility Use and Reunification Site Agreement with the City of Jamestown and authorize the Mayor and City Administrator to sign the Agreement.
- H. Resolution to approve the request from SMP Health - Ave Maria to enter an Emergency Facility Use and Reunification Site Agreement with the City of Jamestown and authorize the Mayor and City Administrator to sign the Agreement.
- I. Resolution to approve the City Administrator contract.

- J. Resolution to approve submitting an updated true and full value for commercial and vacant lots to the County Board of Equalization, decreasing the value by \$80,276.
- K. Resolution to approve the quote for the flooring in the Police alternative use area in the amount of \$2,145 from Sergeant Gushwa.
- L. Resolution to approve the quote for the painting in the Police alternative use area in the amount of \$6,040 from Pioneer Painting.
- M. Resolution to approve to advertise for bids for the sale of a 2000 Sterling Leach Packer Body and a 2010 Rear-Load Freightliner.
- N. Resolution to approve the advertisement for bids for the purchase of One (1) Front End Loader for the Solid Waste Department.
- O. Resolution to approve Payment No. 1, to LD Concrete, for Construction on the 2024 Sidewalk and Curb & Gutter District 24-11, in the amount of \$5,848.29.
- P. Resolution to approve Payment No. 1, to Border States Paving Inc., for construction on the 2024 Seal Coat, Patching, Construction and Reconstruction District 24-41, in the amount of \$26,036.94.
- Q. Resolution to approve Payment No. 3, to American General Contractors, Inc., for construction on Project#23-62 NW Booster Station, in the amount of \$51,420.80.
- R. Resolution to approve Payment No. 4 (Inv 08387.10-4), to SRF Consulting Group, Inc., for 2024 Jamestown Planning and Zoning Technical Services, in the amount of \$1,991.17.
- S. Resolution to approve Payment No. 3 (Inv 94612), to AE2S, LLC, for Water & Sewer Instrument & Control Panel Upgrades, in the amount of \$16,097.00.
- T. Resolution to approve Payment No. 113 (Inv 94674), to AE2S, LLC, for On Call engineering services (I&C Water) for a total amount of \$227.00.
- U. Resolution to approve Payment No. 1 (Inv 54406), to Interstate Engineering Inc., for engineering services on Project #24-72 McElroy Sanitary Forcemain Relocation, in the amount of \$23,227.50.
- V. Resolution to approve Payment No. 1 (Inv 54403), to Interstate Engineering Inc., for engineering services on Project #24-63 11th Ave SW Water Main Replacement, in the amount of \$6,218.98.
- W. Resolution to approve Payment No. 2 (Inv 54399), to Interstate Engineering Inc., for engineering services on New Inert Landfill Cell, in the amount of \$3,372.50.
- X. Resolution to approve Payment No. 2 (Inv 54400), to Interstate Engineering Inc., for engineering services on Project #24-71 Phase II of 96” Storm Sewer Improvement Repair, in the amount of \$5,195.00.
- Y. Resolution to approve Payment No. 5 (Inv 54404), to Interstate Engineering Inc., for engineering services for Radio Read Water Meters, in the amount of \$5,240.00.
- Z. Resolution to approve Payment No. 6 (Inv 54401), 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 \$1,290.00.
- AA. Resolution to approve Payment No. 6 (Inv 54405), to Interstate Engineering Inc., for engineering services on Project #23-42 12th Ave SE, in the amount of \$25,783.32.

- BB. Resolution to approve Payment No. 7 (Inv 54396), to Interstate Engineering Inc., for engineering services for 2023 Water Main Improvement District #23-61, in the amount of \$1,552.50.
- CC. Resolution to approve Payment No. 9 (Inv 54398), to Interstate Engineering Inc., for engineering services on Project #23.71 Emergency Repair of 96" Storm Sewer at Buffalo Mall Area, in the amount of \$745.00.
- DD. Resolution to approve Payment No. 22 (Inv 54397), to Interstate Engineering, Inc., for engineering services on Project #23-62 North West Booster Station, in the amount of \$1,500.00.
- EE. Resolution to approve Payment No. 347 (Inv 54402), in the amount of \$14,484.92, to Interstate Engineering, Inc., for engineering services on various city department consultations as follows:
- a) (General), in the amount of \$6,570.00;
 - b) (Streets), in the amount of \$1,225.00;
 - c) (Sewer), in the amount of \$2,327.50;
 - d) (Water), in the amount of \$2,914.92;
 - e) (Solid Waste), in the amount of \$1,247.50;
 - f) (Storm Water), in the amount of \$200.00.
- FF. Resolution to allow the May indebtedness in the amount of \$2,917,728.28 consisting of \$628,388.18 payroll and \$2,289,340.10 general obligations.

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

Council Member Steele moved a resolution to approve the Preliminary Engineering Reimbursement Agreement with the NDDOT on Jamestown US 52 (structure over the James River) Project No. NHU-2-052(048)264 PCN 23162, NDDOT Contract # 38240468, and authorizing the City Auditor, City Attorney and Mayor to sign the agreement and the NDDOT authorization. Seconded by Council Member Schloegel. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to introduce the first reading of an ordinance to repeal and reenact Article 3 of Chapter 30 of the City of Jamestown Municipal Code, relating to Publicly Owned Treatment Works (POTW) and the creation of a Pretreatment Program.

Council Member Kamnitz moved to introduce the first reading of an ordinance to repeal Chapter 7 of the City of Jamestown Municipal Code, relating to Auctioneers.

A public hearing was held concerning an ordinance to amend and re-enact Ordinance No. 1556 of the City Code by amending the District Map to change the zoning of Lots 7 & 8 of Lubeck's First Addition, City of Jamestown, Stutsman County, North Dakota from C-1 (Local Commercial District) to C-2 (General Commercial District). The property is located at 1516 Business Loop E, Jamestown, North Dakota. No one appeared to object, and no written protests were received. The hearing was closed.

Ordinance No. 1577, introduced by Council Member Buchanan, to amend and re-enact Ordinance No. 1556 of the City Code by amending the District Map to change the zoning of Lots 7 & 8 of Lubeck's First Addition, City of Jamestown, Stutsman County, North Dakota from C-1 (Local Commercial District) to C-2 (General Commercial District). The property is located at 1516 Business Loop E, Jamestown, North Dakota. Seconded by Council Member Kamnitz. 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 Ordinance No. 1556 of the City Code by amending the District Map to change the zoning of Block 1, Lots 1-8 of Ratunil Acres, City of Jamestown, North Dakota from R-1-A (One Family Residential and Duplex or Two-Family Residential

District) to C-2 (General Commercial District). This property does not currently have a street address. No one appeared to object, and no written protests were received. The hearing was closed.

Ordinance No. 1578, 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 Block 1, Lots 1-8 of Ratunil Acres, City of Jamestown, North Dakota from R-1-A (One Family Residential and Duplex or Two-Family Residential District) to C-2 (General Commercial District). This property does not currently have a street address. Seconded by Council Member Schloegel. Roll Call No. 5 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved to appoint Pamela Perleberg to serve as a member of the Planning Commission to fill an unexpired five-year term set to expire in August 2028. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

Mayor Heinrich stated that library appointments will be on the July City Council agenda.

Council Member Steele moved a resolution to award the bid for the McElroy Sanitary Sewer Forcemain Relocation to Swanberg Construction in the amount of \$382,705. Seconded by Council Member Schloegel. City Engineer Dillman provided information. Roll Call No. 6 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Buchanan moved a resolution to approve the Vollmuth Special Use Permit-Lots 5 & 6 of Lubeck's First Addition, Jamestown, Stutsman County, North Dakota property is located at 1512 Business Loop East, Jamestown, North Dakota. Seconded by Council Member Kamlitz. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Kamlitz moved a resolution to approve the Cost-Share Reimbursement Agreement with the North Dakota State Water Commission for the 96" Storm Water Replacement Phase 2 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 a resolution to award the bid for the Public Works Department Excavator to Butler Machinery in the amount of \$214,586 including the push blade and 5-year warranty. Seconded by Council Member Steele. Public Works Director Michel provided information. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved a resolution to approve the quote for the trailer to haul the excavator from General Equipment in the amount of \$34,600. Seconded by Council Member Kamlitz. Public Works Director Michel provided information. Roll Call No. 10 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Steele moved a resolution to approve the updated street closure policy. Seconded by Council Member Buchanan. Public Works Director Michel provided information. Roll Call No. 11 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Schloegel moved to adjourn at 5:41 p.m. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor