

**RUGBY CITY COUNCIL  
REGULAR MEETING  
MONDAY, FEBRUARY 7, 2011 - 7:30 P.M.  
COUNCIL CHAMBERS**

Council Members present: Rheault, Lotvedt, Jacobson, Bednarz, Hoffert, J. Harmel, Geiszler, and Wentz. Also present were City Attorney Hartl, City Auditor Harmel, and Mayor Cichos by speakerphone.

Council President Jacobson called the meeting to order at 7:30pm. Council members recited the Pledge of Allegiance. Roll call of council members by Council President Jacobson.

There were no amendments, additions or deletions to the agenda.

Motion by Geiszler to approve the minutes of the January 3, 2011 meeting. Second by Wentz, all voting yes, motion carried.

Motion by Bednarz to approve the financial statements, payment of the bills, and the bills paid since the last meeting: 11019 Alltel \$118.30, 1020 B & M Laundry \$107.03, 11021 Convention & Visitors Bureau \$5,965.66, 11022 Farm Plan \$605.60, 11023 Farmers Union \$6,097.65, 11024 HACTC \$9,277.76, 11025 Hi-Way Tesoro \$2,279.92, 11026 Jim Rocheleau \$400.00, 11027 ND One Call Concepts \$14.30, 11028 ND Public Health Lab \$48.00, 11029 ND Telephone Co. \$590.87, 11030 Otter Tail \$10,103.62, 11031 Rugby Job Authority \$11,625.72, 11032 Staples \$75.98, 11033 State Water Commission \$4,572.60, 11034 Postmaster \$262.03, 11035 Rugby Sanitation \$19,042.32, Total Regular Bills Paid \$71,187.36, 11036-11061 Payroll Checks January \$42,912.20, Soc. Sec \$5,717.75, Medicare Taxes \$1,594.38, Payroll Taxes \$5,830.73, Electronic Total \$13,142.86, 11062 AFLAC \$342.60, 11063 NDPERS \$8,107.82, 11064 NDPERS \$620.00, 11065 NDPERS \$3,781.28, Total Bills For Payroll \$68,906.76, Grand Total All Bills Paid \$140,094.12 Bills to be approved: 11066 A & E Auto Parts \$77.36, 11067 B & M Laundry \$112.32, 11068 Bartsch Electric \$185.00, 11069 Black Mountain Software \$2,763.00, 11070 Bob's Photo \$703.88, 11071 Bobcat of Devils Lake \$88.90, 11072 Brad's Towing Service \$75.00, 11073 Candlewood Suites \$158.60, 11074 Chamber of Commerce \$50.00, 11075 David Trottier \$200.00, 11076 Fargo Water Equipment \$714.30, 11077 Farm Plan \$133.00, 11078 Glenko Enterprises \$1,647.77, 11079 Graymont Western Canada \$4,252.28, 11080 H.E. Everson \$279.33, 11081 HACTC \$4,985.30, 11082 Hawkins \$297.00, 11083 Hi-Way Tesoro \$52.99, 11084 Hy-Z Wireless \$402.96, 11085 Juneberi Creations \$60.00, 11086 KZZJ AM 1450 \$112.00, 11087 Laurie Odden \$89.88, 11088 Luis V. Coca, Jr. \$106.61, 11089 MARC \$854.46, 11090 Michael Todd & Co. \$490.56, 11091 Municipal Finance Officers Assn. \$90.00, 11092 ND Dept. of Health \$10.00, 11093 ND League of Cities \$550.00, 11094 ND Public Health Lab. \$48.00, 11095 NDACo Resources Group \$65.00, 11096 Northern Plains Electric \$1,958.69, 11097 Pamida \$462.59, 11098 Petty Cash \$12.44, 11099 Pierce County Auditor \$2,208.33, 11100 Pierce County Tribune \$144.53, 11101 Pioneer Mutual Life Ins. Co. \$236.25, 11102 Pizza Hut \$154.08, 11103 Power Plan \$711.90, 11104 Premier Lube \$34.55, 11105 Quill \$164.88, 11106 Railroad Management Company \$109.81, 11107 Rugby Hardware Hank \$39.44, 11108 Rugby Insurance Agency \$1,328.90, 11109 Rugby Insurance Agency \$16,218.00, 11110 Rugby Sanitation \$127.00, 11111 Rugby Subway \$54.00, 11112 Rugby Veterinary Service \$95.00, 11113 Rugby Welding & Machine \$1,771.00, 11114 Rugby's Computer Guy \$40.00, 11115 SRT Communications \$29.01, 11116 Stacey Atkinson \$35.00, 11117 Steven Vogelpohl \$50.00, 11118 Streicher's \$813.94, 11119 Swanston Equipment \$21.54, 11120 The Computer Store \$2,337.99, 11121 Workforce Safety & Insurance \$5,002.72, 11099 Pierce County Auditor \$3,175.00, Total Bills Approved \$56,992.09. Second by Hoffert, roll call vote: all voting yes, motion carried.

Motion by Hoffert to approve the Municipal Judge's report for January 2011. Second by Geiszler, all voting yes, motion carried.

The Council reviewed the JDA Minutes & Financial Statements.

Glory Monson and Deb Jenkins requested the use of the Armory for this year's Village Arts production, as the high school auditorium will be unavailable due to construction. Rehearsals would take place everyday, and the stage, gymnasium, and south class room would be needed. Motion by Hoffert to approve Village Arts' request for the use of the Armory from May 16 - July 1, 2011, at no cost. Second by Bednarz, roll call vote: all voting yes, motion carried.

Nicole Schneibel and Laurie Odden requested the use of the baseball diamonds for this year's Relay for Life event, due to construction at the high school. They may also need the west end of 4<sup>th</sup> St SW blocked off. Motion by Wentz to approve Relay for Life's request for the use of the ball diamonds on June 10 - 11, 2011. Second by Hoffert, roll call vote: all voting yes, motion carried.

City Assessor Stevenson presented information on two applications for an abatement of taxes that qualify for the homestead credit, in which applicants must be 65 years of age, and qualify under income guidelines. Taxes abated for the homestead credit act are reimbursed by ND State. Motion by Hoffert to approve the requested abatements for Edward & Elaine Selensky, for 230 6<sup>th</sup> St SE, the legal description being: West ½ of Lots 1,2 & 3, Little Flower Addn, qualifying for an 80% credit, and Dorothy Richter, 701 3<sup>rd</sup> St SW, the legal description being: East 100 ft of Lots 1 & 2, and the North 19 feet of the East 100 ft of Lot 3, Block 5, Lockwood Addn., qualifying for a 100% credit. Second by Bednarz, roll call vote: all voting yes, motion carried.

Hartley Hageness, 311 5<sup>th</sup> Ave SW, requested the Council to reconsider the placement of the sidewalk on 4<sup>th</sup> Street SW, due to maintenance concerns. The sidewalks are scheduled to be installed this summer with NDDOT Safe Routes to Schools grant funds, and the contract has been signed with Tand Construction of Mandan. The history of the project was reviewed and lengthy discussion followed, including safety issues at the 4<sup>th</sup> Street SW and Highway 3 intersection. Motion by Geiszler to refer the issue back to the Public Safety Committee for further review. Second by Lotvedt, all voting yes, with the exception of Hoffert, who voted nay, motion carried.

The council reviewed an updated resolution for tax exemptions for residential and commercial improvements which was tabled since the January meeting, a copy of which is attached. Motion by Lotvedt to approve Resolution 2011-4, which is a Resolution regarding Tax Exemption for Residential and Commercial Improvements. Second by Hoffert. Discussion followed. Geiszler called the question. Roll call vote: all voting yes, motion carried.

Motion by Hoffert to approve renewal of the 2011 NDIRF policy. Second by Geiszler, roll call vote: all voting yes, motion carried.

The council also reviewed a notice regarding flood insurance from the ND Insurance Commissioner.

Motion by Lotvedt to approve the pledge of securities at Merchants Bank and Bremer Bank. Second by Wentz, roll call vote: all voting yes, motion carried.

Motion by Wentz to approve Resolution 2005-5 Recognizing City Government Week, February 7 -11<sup>th</sup>. Second by Hoffert, roll call vote: all voting yes, motion carried.

Motion by Lotvedt to approve a variance for Rugby Farmers Union Elevator for a height variance requested for Outlot 334, Section 1 of Township 156N, Range 73W, and the 350 ft. x 79 ft. unplatted lot east of Outlot 334. The variance request is needed to allow a 200 foot tall concrete structure. There were no written protests, nor protests in person, received. An application has been filed with the FAA. Motion by Lotvedt to approve a variance for Farmers Union Elevator. Second by Geiszler, roll call vote: all voting yes, motion carried.

There was no other business, and City Auditor Harmel was requested to research future Safe Routes to School funding and school crossing lights.

There were no raffles or special event applications.

Committee Reports: Buildings/Property – Icon Architects should soon have preliminary information on a new fire station. The swimming pool filter system will be removed and a new filter system installed this month. Chairman Bednarz will check with Johnson's Plumbing on the repairs at the Armory. Finance – Motion by Wentz to approve the 2010 Budget Amendments as presented. Second by Lotvedt, roll call vote: all voting yes, motion carried. Ordinances/Rec – None. Personnel - None. Public Safety – Motion by Hoffert to approve Chief Coca's resignation, effective May 13, 2011. Second by Harmel, all voting yes, motion carried. Motion by Hoffert to advertise for the position using law enforcement teletype and ND Job Service. Second by Bednarz, all voting yes, motion carried. Motion by Hoffert to approve paying 50% of a copier, with Pierce County paying 50% also, for use by the police dept. at the LEC, which amounts to \$3,175.00. Second by Geiszler, roll call vote: all voting yes, motion carried. Water/Streets/Sewer – Snow removal efforts continue. Chairman Wentz reported that the water, sewer and street departments are now combined into a public works dept. and that Rick Larson is the interim supervisor. He also reported that \$5,000.00 is needed for street sweeper repairs, which is not budgeted. Motion by Geiszler to approve the \$5,000.00 needed for repairs. Jacobson called the question. Second by Lotvedt, roll call vote: all voting yes. Chairman Wentz also presented several written quotes for new and used air compressors to be used for crack sealing. Two quotes were received from RDO in the amounts of \$13,500.00 and \$12,500.00. One quote was received from RSR Equipment for a used 2006 air compressor, with 1213 hours in the amount of \$6,815.00. An air compressor was budgeted for \$8,000.00. Motion by Hoffert to approve purchase of a used air compressor in the amount of \$6,815.00. Second by Bednarz. Jacobson called the question, roll call vote: all voting yes, motion carried.

Correspondence Received, Special Meetings and Reminders: President's Day Holiday - offices closed - February 21. Public Safety Committee Meeting - Feb. 24 at 4pm. Personnel Committee Meeting - Feb. 28 at 4pm. Possible Special Committee Meetings that may be called: Building/Property Committee for the new fire station, Water/Sewer/Street Committee for water meters, and Finance Committee.

There being no further business to transact or to come before the Council at this time, Council President Jacobson adjourned the meeting at 9:02pm.



2/14/11

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Karla Harmel, City Auditor

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Date Submitted