

**RUGBY CITY COUNCIL
REGULAR MEETING
MONDAY, MAY 3, 2010 - 7:30 P.M.
COUNCIL CHAMBERS**

Council Members present: Rheault, Jacobson, Bednarz, Hoffert, Hartl, Schneibel and Wentz. Also present were Mayor Niewoehner, and City Auditor/Administrator Harmel. Absent were Council Member Brossart and City Attorney Butz.

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

There were no additions to the agenda.

Motion by Hoffert to approve the financial statements and payment of the bills, and the bills paid since last meeting: 10015 Alltel \$123.15, 10016 B & M Laundry \$24.84, 10017 Bremer Bank \$100,000.00, 10018 Community Service Program \$195.50, 10019 Convention & Visitors Bureau \$3,269.94, 10020 HACTC \$5,160.00, 10021 Heart of America Library \$31,235.34, 10022 Mack Law \$50.00, 10023 NDTC \$652.86, 10024 Otter Tail \$9,553.07, 10025 Postmaster \$299.20, 10026 Rugby JDA \$12,846.13, 10027 State Water Commission \$5,979.00, 10028 Postmaster \$270.21, 10029 Rugby Sanitation \$17,704.07, Total Regular Bills Paid: \$187,363.31, 10030-10050 Payroll Checks \$35,906.77, Soc. Sec \$5,862.32, Medicare Taxes \$1,371.02, Payroll Taxes \$4,883.83, Electronic Total \$12,117.17, 10051 AFLAC \$375.68, 10052 NDPERS \$7,506.16, 10053 NDPERS \$620.00, 10054 NDPERS \$3,344.79, Total Bills For Payroll \$59,870.57, Grand Total, all bills paid since last meeting \$247,233.88, and the bills to be paid: 10055 Advanced Engineering \$2,760.00, 10056 American Red Cross \$75.00, 10057 Automotive Services \$148.98, 10058 B & M Laundry \$37.26, 10059 Black Mountain Software \$100.00, 10060 Bremer Bank \$5,962.46, 10061 Burnette O. Bomstad Estate \$214.51, 10062 C & H Repair \$2,123.88, 10063 Dakota Fire Extinguishers \$232.95, 10064 Dave Engeland \$165.50, 10065 Don's Drive Inn \$50.85, 10066 Environmental Equip. & Service \$229.09, 10067 Fargo Water Equipment \$693.11, 10068 Farm Plan \$82.24, 10069 Farmers Union \$4,710.73, 10070 Fritz Delivery \$13.00, 10071 Graymont Western Canada \$5,023.64, 10072 H.E. Everson's \$126.64, 10073 HACTC \$1,293.37, 10074 Hartley Hageness \$545.26, 10075 Hawkins \$781.38, 10076 Hi-Way Tesoro \$59.91, 10077 Hy-Z Wireless \$414.70, 10078 Jemco/MaxAir Sales & Service \$242.99, 10079 Johnson's Plumbing \$140.39, 10080 Justin Maus \$87.27, 10081 KZZJ \$155.00, 10082 Leever's \$28.65, 10083 Luis V. Coca, Jr. \$547.12, 10084 MARC \$600.00, 10085 Mark Krogstad \$100.00, 10086 Napa \$10.21, 10087 Nathan Moen \$69.30, 10088 ND Rural Water Systems \$300.00, 10089 Northern Equipment \$19.07, 10090 Northern Plains Electric \$2,039.13, 10091 Pamida \$227.38, 10092 Patrick Kuntz \$60.05, 10093 Petty Cash \$18.66, 10094 Pierce County Auditor \$15,573.78, 10095 Pierce County Tribune \$229.36, 10096 Pioneer Mutual Life Ins. \$220.50, 10097 Rugby Amateur Hockey Assn. \$1,650.00, 10098 Rugby Fire Dept. \$8,341.45, 10099 Rugby Hardware Hank \$394.41, 10100 Rugby Sanitation \$127.00, 10101 Rugby Veterinary Service \$101.70, 10102 Rugby Welding \$751.00, 10103 Sanitation Products \$211.91, 10104 Selensky Services \$1,000.00, 10105 Share Corporation \$143.63, 10106 SRT \$29.17, 10107 Staples \$271.84, 10108 The Computer Store \$103.99, 10109 Van Diest Supply Co. \$1,302.40, 10110 Weathermen \$817.50, 10111 Workforce Safety & Insurance \$250.00, Total Bills Submitted For Approval \$62,009.32. Second by Rheault, roll call vote, all voting yes, motion carried.

Motion by Schneibel to approve the minutes of the April 5, 13, & 21, 2010 meetings. Second by Wentz, all voting yes, motion carried.

Motion by Jacobson to approve the Municipal Judge's report for April 2010. Second by Bednarz, all voting yes, motion carried.

The council reviewed the Rugby JDA minutes & financial statements.

Brenda Dissette Foster, JDA Executive Director, reviewed informational handouts provided to the Council regarding the Heart of America Medical Center and Johnson Clinic merger. The JDA is intending to purchase the Johnson Clinic buildings, and then lease them back to HAMC, using a triple net lease. This will allow the HAMC to receive an additional \$83,000.00 in Medicare funding each year, providing stability for 340 jobs. Council Member Hartl entered the meeting. Council members asked questions regarding the transaction.

Amy Bryn, Heart of America Library Director, reviewed informational handouts provided to the Council regarding the installation of an elevator and handicapped restrooms on the lower level of the Library. The estimated cost of the project is \$130,000.00. The USDA would provide a possible \$43,750.00 grant, and the remaining balance would be paid with library funds and/or a loan. Pierce County has agreed to provide half of the annual installment on a loan, provided the City of Rugby will also provide half of the annual installment. The total annual installment is estimated to be approximately \$6,000.00 per year for twenty years. Council members asked questions regarding the building improvements and funding. Motion by Schneibel to approve financial support of the Library and Pierce County's efforts in going forward with the project. Second by Bednarz, roll call vote, all voting yes, motion carried.

Gary Kraft, former Fire Dept. Chief, presented information on an equipment bid and FEMA grant for the department. The grant is for approximately \$90,000.00, and will cover 90 to 95% of the cost of the equipment. The remaining funds needed for the equipment will be split between the Rugby Fire Dept. and the Rugby Rural Fire Dept. Kraft also reviewed a letter to the Council from the Fire Dept. regarding the malfunction of several of the emergency sirens. Motion by Hoffert to cooperate with the Fire Dept. to get the sirens in good working order. Second by Hartl. Hoffert called the question, roll call vote, all voting yes, motion carried. City staff will contact vendors to get repair estimates.

Motion by Jacobson to provide the Heart of America Library with a certification of significant community support for the library project. Second by Hartl, roll call vote, all voting yes, motion carried.

Motion by Jacobson to approve the second reading of Ordinance 374 - Amending Title 6 - Animals, a copy of which is attached. Second by Hoffert, roll call vote, all voting yes, motion carried.

Motion by Schneibel to approve the first reading of Ordinance 375 - MidCo Cable Franchise Renewal, a copy of which is attached. Second by Wentz, roll call vote, all voting yes, motion carried.

The council reviewed an asbestos report submitted by Weathermen, Inc. on the Armory floor. Six of the twelve samples taken of the tile contained asbestos. The mastic (glue) does not contain asbestos. Mayor Niewoehner encouraged council members to stop in at the Armory to review the condition of the floor. Discussion was also held on encapsulating the floor as it is a non-friable asbestos. Motion by Jacobson to refer the issue back to the Buildings/Property committee for further research into the cost of a new floor. Second by Schneibel, all voting yes, motion carried.

The council reviewed an update to the Community Access Channel policy and was informed of an update to the equipment needed to support the community access channel. The Rugby Chamber is coordinating efforts on obtaining the necessary equipment.

Motion by Hoffert to approve an application for an abatement of taxes for a renaissance zone correction for Lot 7, Rugby Subdivision #8. Second by Jacobson, roll call vote, all voting yes, motion carried.

Motion by Jacobson to approve the Pierce County Tribune as the official city newspaper. Second by Hartl, all voting yes, motion carried.

Motion by Jacobson to approve a gaming site authorization for Rugby Eagles Aerie #3834 at Lee's Bar, and to approve a gaming site authorization for Rugby Amateur Hockey Assoc. at Bob's Pizza Inn and Crooks Lounge, pending a review by City Attorney Butz. Second by Schneibel, all voting yes, motion carried.

Committee Reports: Buildings/Property - no report. Finance - Finance Committee Chairman Wentz met with Street/Sewer Committee Chairman Bednarz to review Street Supt. wages and develop information for a new employee. Ordinances/Rec - Met and discussed the swimming pool. New lights are being installed in the swimming pool pit, entrapment protected skimmers are being installed, and the baby pool heater will be replaced if needed. Public Safety - met with 4th Street SE residents regarding the Safe Routes to School sidewalk project. The Committee recommends that the Council wait to bid the SRTS project in October, with construction to be completed in 2011, and avoiding the Quasquicentennial in July. Discussion was held on potential new SRTS projects. Motion by Hoffert to request Engineer Grimsley review proceeding with another project that could also be constructed in 2011. The Police Dept. plans to hold a Safety Fair on May 22, along with an extrication demonstration by the Fire dept. Streets/Sewer - Street/Sewer Committee Chairman Bednarz met with Finance Committee Chairman Wentz. Water - met with All Seasons Water Users District and adjusted the True up rate to \$1.35 per thousand gallons.

Correspondence Received, Special Meetings and Reminders: Council & Committee Meetings: Tuesday, May 11 at 7:30pm - Special City Council Meeting with Kadrmas, Lee, Jackson & Major Pipeline regarding natural gas; Tuesday, May 18 at 4pm - Streets/Sewer Committee meeting (review applications); Thursday, May 27 at 3:30pm - Public Safety Committee meeting. Other Meetings: Wednesday, May 5 at 1:30pm at Hub - Safe Communities meeting; Thursday, May 6 at 7am - JDA meeting; Monday, May 10 at 7pm - Fire Dept. meeting; Monday, May 10 at 7:30pm - Planning & Zoning meeting; Monday, May 17 at 7pm - Fire Dept. meeting; Wednesday, May 19 from 1pm - 5pm at Otter Tail - Employee Workshop; Monday, May 31 - Memorial Day Holiday. The Council also reviewed a Rugby School improvement fact sheet. Mayor Niewoehner attended a flood protection summit in Devils Lake today that was attended by over 1,000 people.

There being no further business to transact or to come before the Council at this time, Mayor Niewoehner adjourned the meeting at 8:45pm.



5/10/10

Karla Harmel, City Auditor/Administrator

Date Submitted