

**RUGBY CITY COUNCIL
REGULAR MEETING
MONDAY, JANUARY 4, 2010, - 7:30 P.M.
COUNCIL CHAMBERS**

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

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.

The agenda was reviewed. Additions to the agenda were: Award of Assist Grant from NDDOT for the Police Department, and the Fire Department.

Motion by Jacobson to approve the minutes of the December 7, 2009 regular meeting. Second by Hartl, all voting yes, motion carried.

Motion by Brossart to approve the financial statements and payment of the bills. Bills paid since last meeting: 9622 Bobcat \$50,392.00, 9623 Alltel \$118.85, 9624 Convention & Visitors Bureau \$10,019.38, 9625 Heart of America Library \$6,631.11, 9626 ND One Call \$7.80, 9627 ND Telephone \$535.00, 9628 Otter Tail \$8,147.01, 9629 Rugby Job Authority \$33,544.76, 9630 Rugby Park District \$15,027.80, 9631 Postmaster \$273.02, 9632 Rugby Sanitation \$19,037.89, Total Regular Bills Paid \$143,734.62; 9633-9668 Payroll Checks \$41,570.71, Soc. Sec. \$6,611.94, Medicare Taxes \$1,546.38, Payroll Taxes \$4,572.12, Electronic Total \$12,730.44, 9669 AFLAC \$375.68, 9670 NDPERS \$8,532.78, 9671 NDPERS \$620.00, 9672 NDPERS \$3,713.09, 9673 State Tax Commissioner \$2,198.69, Total Bills For Payroll \$69,741.39; Grand Total All Bills Paid Since Last Meeting \$213,476.01. And the bills to be paid: 9674 Rugby Fire Department \$7,282.98, 9675 St. Michel Furniture \$2,078.68, 9676 William Hartl \$554.10, 9677-9681 Unused Checks 9682 Avenet \$2,719.00, 9683 Advanced Engineering \$4,900.00, 9684 Aqua-Pure \$2,370.44, 9685 Bartsch Electric \$393.74, 9686 Black Mountain Software \$2,683.00, 9687 Border States Electric Supply \$205.68, 9688 BPS Plumbing Service \$1,875.00, 9689 Brandon Rakoczy \$262.70, 9690 Bremer Bank \$5,962.46, 9691 Chamber of Commerce \$50.00, 9692 Electronic Communications \$110.00, 9693 Fargo Water Equipment \$958.74, 9694 G & P Commercial Sales \$126.08, 9695 Goldstar Products \$252.49, 9696 H.E. Everson \$26.64, 9697 HACTC \$1,125.00, 9698 Hawkins \$530.75, 9699 HAMC \$27.60, 9700 Heseb Unlimited \$282.77, 9701 I Design \$191.42, 9702 IIMC \$125.00, 9703 Insight Public Sector \$609.99, 9704 Johnson's Plumbing \$159.73, 9705 Karla Harmel \$54.77, 9706 KZZJ \$111.00, 9707 Leever's \$49.99, 9708 Lotvedt Lumber \$18.50, 9709 MARC \$620.37, 9710 Municipal Finance Officers Assn \$90.00, 9711 Municipal Government Academy \$40.00, 9712 Napa \$62.57, 9713 ND Water Users Assn. \$300.00, 9714 Newman Traffic Signs \$151.77, 9715 Northern Plains Electric \$1,731.27, 9716 Pamida \$438.15, 9717 Petty Cash \$97.57, 9718 Pierce County Auditor \$2,238.33, 9719 Pierce County Tribune \$367.62, 9720 Pioneer Mutual Life Ins. \$252.00, 9721 Platinum Chemicals \$828.61, 9722 Postmaster \$202.40, 9723 Power Plan \$1,437.10, 9724 Q Business Source \$64.39, 9725 Quill \$160.23, 9726 Rugby Greenhouse \$34.00, 9727 Rugby Hardware Hank \$773.00, 9729 Rugby Lumber \$211.30, 9730 Rugby Sanitation \$127.00, 9731 Rugby Veterinary Service \$124.00, 9732 Rugby Welding & Machine \$148.00, 9733 Rugby's Computer Guy \$40.00, 9734 Smith & Loveless \$299.58, 9735 Snap-On-Tools \$31.40, 9736 SRT \$27.98, 9737 Staples \$42.98, 9738 Star Business Forms \$485.10, 9739 Westlie Motor Co. \$64.52, 9740 Wold Engineering \$500.00, Sub-Total Bills To Be Paid \$48,089.49, 9728 Rugby Insurance Agency \$16,450.00; Total Bills To Be Paid \$61,266.39. Second by Rheault, roll call vote: all voting yes, motion carried.

Motion by Jacobson to approve the Municipal Judge's report for December 2009. Second by Schneibel, all voting yes, motion carried.

The council reviewed the Rugby JDA minutes & financial statements.

Mark Nelson, ND Dept. of Transportation Manager of the Office of Traffic Safety, along with Carol Thurn and Sandy Wilson, NDDOT Program Managers, presented the Rugby Police Department with the first place award of \$3,000.00 for their efforts in community programs, training, seatbelt enforcement, and media and community relations.

The public hearing for Leever's Foods was held. Leever's is requesting a zone change for the Boniface Hornstein property, the legal description being: the East 60 feet of lots 8, 9, 10, 11, & 12; and the West 10 feet of Lot 13, less the north 25 feet thereof, Block 9, Rugby Original. Leever's is requesting the change from Residential 2 (R2 - multiple family) to Commercial 1 (C1 - central business district). Council Member Hartl, who is the Council's representative on the Planning & Zoning Commission, explained the discussion held at the Planning & Zoning meeting regarding the request. Motion by Schneibel to approve the Planning & Zoning's recommendation to Re-Zone only 60 feet of lots 8, 9, 10, 11 & 12, Block 9, Rugby Original to Commercial 1 (C-1) (leaving out the west 10 feet of lot 13). Second by Bednarz. Roll call vote: all voting yes, with the exception of Hartl, who voted no. Motion carried.

Discussion was held on the Main Avenue Railroad Crossing. Motion by Jacobson to approve the NDDOT Urban Agreement for Construction for Main Avenue Rail Grade Crossing. Second by Hartl. Discussion was held on which track will be redone. Roll call vote: all voting yes, motion carried.

Dave Schneibel, Rugby Fire Dept., discussed new fire hall plans with the Council, and informed them the Fire Dept. had obtained a \$110,000.00 grant for equipment.

Motion by Jacobson to approve the ND State Health Dept. Contract. Second by Hartl, all voting yes, motion carried.

Motion by Schneibel to approve the pledge of securities at Merchants Bank and Bremer Bank. Second by Brossart, all voting yes, motion carried.

Motion by Jacobson to approve coverage from the ND Insurance Reserve Fund for 2010. Second by Schneibel, all voting yes, motion carried.

City Auditor/Administrator Harmel proposed the following amendments to the 2009 budget, a copy of which is on file in the City Auditor's office: General Fund – increase from \$671,610.17 to \$678,726.57; Capital Equipment Fund - increase from \$0.00 to \$11,000.00; Highways & Streets Fund - increase from \$214,129.00 to \$253,494.16; Planning & Zoning Fund - increase from \$510.00 to \$633.69; Snow removal Fund – increase from \$7,200.00 to \$17,678.47; Economic Development Director Fund - increase from \$55,231.60 to \$64,152.09; Storm Sewer Improvement Dist. 1-2000 Fund - increase from \$43,550.00 to \$43,853.00; Homeland Security Grant Fund – increase from \$0.00 to \$5,434.95; District 2009-1 Street Improvement Fund - increase from \$0.00 to \$78,776.24; Water Supply & Treatment Fund – increase from \$412,217.00 to \$418,596.07; Sanitary Sewer Fund - increase from \$78,764.00 to \$87,052.42; Landfill/Garbage Fund - increase from \$206,810.00 to \$229,943.94; Flood Control Fund - increase from \$0.00 to \$8,793.02; Hotel / Motel Tax (CVB) Fund - increase from \$13,500.00 to \$23,027.71; Restaurant & Hotel Tax (CVB) Fund - increase from \$30,000.00 to \$46,856.97; City Job Authority Sales Tax – increase from \$180,000.00 to \$210,696.34; Federal REAP – increase from \$400,000.00 to \$565,264.71; HATCT Grant – increase from \$0.00 to \$4,474.90.

Motion by Jacobson to approve the amendments to the 2009 Budget, Second by Bednarz, roll call vote: all yes, motion carried.

City Auditor/Administrator Harmel provided information on the 2010 Election. Residents interested in running in the June 8th election should contact City Hall.

There was no other business or new business.

City Attorney Butz reviewed a raffle permit application submitted by Rugby Rural Volunteer Fire Dept., and recommended approval. Motion by Jacobson to approve the application. Second by Schneibel, all voting yes, motion carried.

Committee Reports: Buildings/Property - Armory staircase improvement done. Finance - no report. Ordinances/Rec - no report. Public Safety - no report. Streets/Sewer - new Bobcat to have wheel repaired. Water - no report.

The council reviewed correspondence, special meetings and reminders. The council received meeting notices for Souris Basin Planning Committees. Meetings for the month are: Monday, Jan. 11 - Planning & Zoning Meeting at 7:30pm; Wednesday, Jan. 13 - JDA Meeting at Noon at JDA office; Wednesday, Jan. 13 - Strategic Planning at Otter Tail from 1pm - 4pm; Wednesday, Jan. 13 - Finance Committee Meeting at 4pm; Monday, Jan. 18 - Martin Luther King Jr. Holiday - offices closed; Wednesday, Jan. 20 - Ordinance/Rec Committee at 3:30pm; Thursday, Jan. 28 - Public Safety Committee at 3:30pm.

There being no further business to transact or to come before the Council at this time, Mayor Niewoehner adjourned the meeting at 8:31pm.



Karla Harmel, City Auditor/Administrator

1-11-10

Date Submitted



Dale G. Niewoehner, Mayor

2-1-10

Date Approved