

**RUGBY CITY COUNCIL MEETING MINUTES
MONDAY, FEBRUARY 5, 2024 – 7:00 PM
ARMORY COUNCIL CHAMBERS AND MICROSOFT TEAMS**

Mayor LaRocque called the meeting to order at 7:00 pm.

Council members recited the Pledge of Allegiance.

Roll call was taken by LaRocque.

Council Members present: Schneibel, Kraft, Gannarelli, and Zachmeier.

Council Members present by TEAMS: Nelson, Lotvedt and Brossart.

Council Members absent: Larson.

Also present was Mayor LaRocque, Attorney Murray, Chief of Police Bommersbach, Public Works Director Munyer and Auditor Stewart.

The council considered the agenda. Kraft added nuisance properties to the agenda. There was a motion by Kraft to approve the agenda as amended. Second by Gannarelli, all voting yes, motion carried.

The council considered the January 17, 2024, meeting minutes. There was a motion by Schneibel to approve the January 17, 2024, meeting minutes. Second by Zachmeier, all voting yes, motion carried.

The bills were reviewed by Kraft and Schneibel.

Bills Paid Since Last Meeting of 1/02/2024: \$198,823.18

23793	Aqua-Pure Inc	\$450.00
23794	American Welding & Gas Inc	\$66.53
23795	B &M Laundry Service	\$216.65
23796	Brad's Towing	\$126.00
23797	Cole Papers Inc	\$296.56
23798	Column Software PBC	\$896.22
23799	Comfort Inn Bismarck	\$192.60
23800	Convention & Visitors Bureau	\$1,997.85
23801	Convention & Visitors Bureau	\$3,880.22
23802	Ecolab	\$173.80
23803	Envision	\$1,005.32
23804	H. E. Everson Co	\$287.62
23805	Harper Oil Co	\$3,892.50
23806	Home of Economy	\$388.12
23807	I Design	\$1,218.00
23808	Information Technology Dept/BND	\$97.20
e-check	Job Service ND	\$6,446.00
23809	John Deere Financial	\$364.40
e-check	JP Morgan Chase Bank	\$1,109.34

23810	Kevin or Jodie Kirchofner	\$200.00
23811	Leevers Foods	\$51.00
23812	M. J. McGuire Co	\$79.35
23813	MaxAir LLC	\$127.50
83814	NAPA	\$177.65
23815	ND Dept of Health-Chemistry Div.	\$37.08
23816	ND Dept of Water Resources	\$4,965.15
23817	ND One Call Concepts	\$3.90
23818	NDTC	\$923.54
23819	Northern Plains Electric Coop	\$3,169.42
23820	Otter Tail Power Company	\$12,247.29
23821	Petty Cash	\$62.49
23822	Precision Autobody & Glass	\$185.00
23823	Rugby Job Authority	\$30,754.92
23824	Rugby Service Center	\$834.69
23825	Rugby Welding & Machine	\$9.45
23826	Valli Information Systems	\$772.23
e-check	Wex Bank	\$886.32
23827	Workforce Safety & Insurance	\$4,315.28
ACH	Payroll Checks	\$64,348.41
ACH	Social Security	\$9,560.78
ACH	Medicare Taxes	\$2,236.02
ACH	Payroll Taxes	\$5,694.30
23828	AFLAC	\$922.10
ACH	AFLAC	\$377.28
ACH	NDPERS	\$700.00
ACH	NDPERS	\$9,962.02
ACH	NDPERS	\$22,115.08
Bills To Be Approved and Paid 02/05/2024:		\$247,233.68
23829	A & C Tire, Truck Repair & Towing	\$1,270.00
23830	American Welding & Gas	\$66.53
23831	Aqua-Pure, Inc	\$-
23832	Brad's Auto Service & Towing	\$40.00
23833	Catalis PWE LLC	\$1,995.00
23834	Circle Sanitation	\$20,337.25
23835	Coffee Cottage Café	\$51.84
23836	Column Software	\$503.88
23837	Computer Express	\$1,883.00
23838	Core & Main LP	\$862.36
23839	Dave Jaeger	\$950.00
23840	Ferguson Waterworks	\$437.59
23841	First District Health Unit	\$90.00
23842	G & P Commercial Sales	\$147.50
23843	Gary Brossart	\$25.00
23844	Glenko Enterprises LTD	\$2,323.11

23845	Graymont Western Canada	\$6,433.06
23846	H. E. Everson	\$104.79
23847	Harper Oil Co	\$2,802.50
23848	Hawkins	\$1,041.00
23849	Home of Economy	\$139.95
23850	I Design	\$228.00
23851	Industrial Contracting Services	\$179,874.17
23852	International Assoc of Chiefs of Police	\$190.00
23853	Johnson's Plumbing	\$210.42
23854	NSC Minerals	\$2,623.89
23855	ND One Cal Concepts	\$2.60
23856	Petty Cash	\$142.78
23857	Pierce County Auditor	\$3,583.13
23858	Power Plan	\$1,539.60
23859	Rugby Broadcasters	\$121.00
23860	Rugby Fire Dept	\$7,879.75
23861	Rebecca Jordan	\$170.00
23862	Rugby Hardware Hank	\$530.11
23863	Rugby Lumber	\$3,748.70
23864	Rugby Service Center	\$1,173.15
23865	Rugby Veterinary Service	\$206.00
23866	Schaan Oil Co	\$75.48
23867	The Computer Store	\$149.99
23868	Uniform Center	\$2,346.84
23869	USA Blue Book	\$271.06
23870	Verizon Wireless	\$662.65

Wade Senger, Interstate Engineering, addressed the council regarding the Water Treatment Plant Phase III bills submitted for payment. The council reviewed pay applications 4 & 5 from Industrial Contracting Services. The first one was in the amount of \$110,374.17 and the second \$69,500.00. Senger recommended the council consider approving the pay applications. There was a motion by Lotvedt to approve Industrial Contracting Services pay applications 4 & 5 for a total of \$179,874.17. Second by Nelson, roll call vote, all voting yes, motion carried.

The council considered the monthly bills. There was a motion by Schneibel to approve the monthly bills as presented. Second by Kraft, roll call vote, all voting yes, motion carried.

The council reviewed the January monthly financials to include the cash report, expenditures vs. budget and revenues vs. budget. Stewart updated the council on the financials. There was a motion by Kraft to approve the monthly financials to include the cash report, expenditures vs. budget and revenues vs. budget. Second by Gannarelli, roll call vote, all voting yes, motion carried.

The council reviewed the 2023 year-end financials. Stewart reviewed journal vouchers 816, 817, 819 & 820. The first one, for a transfer from Water Supply and Treatment Enterprise Fund to the 2 ½ Ave Fund for \$85,000 and a transfer from Infrastructure Fund to the 2 ½ Ave Fund for

\$85,000 to offset the cost of the city portion of the project. JV 817 was a transfer from the General Fund to the Capital Equipment Reserve Fund for \$15,000.00 to hold funds for a future police body camera system upgrade. JV 819 was for a transfer of funds from the General Fund to the Capital Equipment Reserve in the amount of \$14,000.00 to reserve for future topsoil for the ball diamonds infields. JV 820 was for a transfer from Water Enterprise Fund to Water Capital Equipment Fund in the amount of \$30,000, for a future PLC upgrade for the Water Treatment Plant. There was a motion by Schneibel to approve the fund transfers for JV 816, 817, 819 & 820. Second by Kraft, roll call vote, all voting yes, motion carried.

The council reviewed the updated City Set Aside spreadsheet.

Stewart presented budget amendments on budget transfer document 155- amendments 1-22. There was a motion by Nelson to approve budget transfer document 155. Second by Zachmeier, roll call vote, all voting yes, motion carried.

The council reviewed the 2023 year-end expenditure vs budget report, revenue vs budget report and cash report.

The council reviewed and considered the schedule of receipts and disbursements for the year ending December 31, 2023. There was a motion by Nelson to approve the schedule of receipts and disbursements for the year ending December 31, 2023. Second by Schneibel, roll call vote, all voting yes, motion carried.

The council reviewed the current certificate of deposit rates at local financial institutions. The city has a CD at Merchants Bank that will mature on February 14, 2024. LaRocque recommended the council consider the 24-month term at 4% that Merchants Bank is offering. There was a motion by Kraft to renew the CD at Merchants Bank for the 24-month term at a 4% rate. Second by Zachmeier, roll call vote, all voting yes, motion carried.

The council considered the 2024 January Municipal Court Report. There was a motion by Kraft to approve the 2024 January Municipal Court Report. Second by Lotvedt, all voting yes, motion carried.

Laurie Odden, Convention and Visitors Bureau Executive Director addressed the council regarding their recent activities. Gannarelli asked Odden if she had been contacted by any of the business owners regarding the proposed Ordinance 449, which would add a 1% tax to on-sale alcoholic beverages. Odden explained she had been contacted by three business owners and explained the benefit it would provide to the community. Odden noted that none of the business owners were present at the meeting. There was a motion by Schneibel to approve the CVB minutes and financials. Second by Gannarelli, all voting yes, motion carried.

Portfolio Reports

Buildings/Property: Portfolio Holder Lotvedt explained that the Public Works department has gutted the Armory kitchen. He reported that a digital thermostat is being investigated for the Armory to control the temperature in the building.

Finance: Portfolio Holder Nelson had nothing to report.

Ordinance: Portfolio Holder Zachmeier explained that a second reading of Ordinance 449 will be later in the meeting.

Personnel: Portfolio Holder Gannarelli explained that the library is looking for a part-time maintenance/janitorial position.

Public Safety: Portfolio Holder Kraft explained that Chief Bommersbach has ordered the city issued weapons. He informed the council about a potential request for change for the southwest corner of Ely Elementary regarding a crosswalk and STOP signage changes. He explained that himself and Chief Bommersbach will be meeting with the school and bringing recommendations to the council this spring.

Public Works: Wade Senger, Interstate Engineering, gave the council an update on the Water Treatment Plant Phase III. Senger explained that the project is on schedule. He anticipates that Train A may run next week or the following week. They are still working on the integration and some electrical components. The electrical components may not be installed till April.

Recreation: Portfolio Holder Schneibel reported that the city is looking to fill the Recreation Director Position.

Wade Senger, Interstate Engineering, addressed the council regarding the remaining USDA grant funds in the amount of \$411,876. He proposed that Interstate Engineering complete the engineering for the sewer main pipe replacement across the ball diamonds. He has prepared the EJCDC Engineering Agreement for the council to consider. There was a motion by Lotvedt to approve the Interstate Engineering Agreement, pending approval of the document by Attorney Murray. Second by Kraft, roll call vote, all voting yes, motion carried.

Senger explained the three options for replacement of the existing sewer line across the ball diamonds. The first option was for a cured in place pipe lining, but with the current condition of the existing pipe is not recommended. The second option was for pipe reconstruction in the same alignment with an estimate of cost of \$416,987.50. The third option was for realignment of the line to the east, at an estimated cost of \$455,740.50, or to the west, at an estimated cost of \$466,994.00. Should the west option be exercised, it is possible that the fields would not be usable for a season. The east option would impact the ball fields the least. Senger recommended that the city upsize the line when it is replaced. He recommended a 12- or 15-inch line be installed. Senger continued to explain the pros and cons of all the options to the council. He explained that his estimates for the reconstruction east or west are calculated with a 15-inch line.

Murray explained that she had spoken to Senger earlier today and explained that she needs the legal descriptions from a survey to complete a quiet title. Murray explained that a physical survey would be necessary to arrive at the legal description for the quiet title.

There was a motion by Lotvedt for the realignment of the sewer line to the east and for Interstate Engineering to determine what size line should be used and the manhole placement. Gannarelli questioned if the east realignment would be an issue with the flow of the sewage as it is not a straight line. Murray asked the council to have the motion seconded before they have discussion. Kraft seconded the motion. The council continued to discuss the east and west options for the new sewer line. Senger suggested that the project would take approximately 8 weeks and recommended looking at beginning it around Labor Day. LaRocque called for a roll call vote, all voting yes, motion carried.

Senger explained the survey and easement information that will be necessary will be more costly than typical because they have found duplicate markers that are not in the same spot. This will require Interstate to review more historical information to determine the exact survey. Senger recommended that this be completed by the hour to potentially save the city money. There was a motion by Lotvedt to proceed with Interstate Engineering to complete the survey and necessary easement information, by the hour. Second by Kraft, roll call vote, all voting yes, motion carried.

The council conducted the second reading of Ordinance 449- Levied-Rate. There was a motion by Zachmeier to approve the second reading of Ordinance 449- Levied-Rate. Second by Kraft. Gannarelli questioned if the final reading would be March 4. Murray explained that the final reading would be March 4, should anyone want to address the council. All voting yes, motion carried.

LaRocque opened the one bid received for the Armory Caretaker bid. The bid received was from David Jaeger for \$1,300 per month. The current rate is \$950 per month. There was a motion by Zachmeier to approve David Jaeger's bid of \$1,300 per month for cleaning the Armory. Second by Gannarelli. LaRocque called for a roll call vote, all voting yes, motion carried.

The council reviewed the revised Change Order 5 for the 2 ½ Ave Project. The city approved the change order last June, but the USDA required more information to be added prior to funding reimbursement. The dollar amount in the original change order did not change. No council action was required.

The council reviewed correspondence from Wagner Construction requesting the review of NDPES Notice of Termination form. Murray explained the document to the council. Munyer addressed the council and recommended the council wait until June to consider the notice of termination. There was a motion by Schneibel to table the document until the June council meeting. Second by Gannarelli, all voting yes, motion carried.

The council considered the FBLA Proclamation. The proclamation died for lack of a motion.

The council discussed public nuisance properties. Kraft explained that there is a home that had a fire several years ago and hasn't had much done with it. They discussed the proper way to deal with the nuisance properties. A formal complaint should be filed and then the Chief of Police will review ordinance and follow up with the complaint.

The next meeting is scheduled for Wednesday, February 21, 2024, at 7:00p.m.

There being no further business to transact or come before the council at this time, there was a motion by Kraft to adjourn the meeting. Second by Gannarelli, all voting yes, motion carried. The meeting adjourned at 8:48p.m.

Frank LaRocque, Mayor

Attest: _____
Jennifer Stewart, City Auditor

Approved