

**REGULAR RUGBY CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 7, 2021– 7:30PM
CITY HALL COUNCIL CHAMBERS AND BY GOTOMEETING**

Council Members present: Trottier, Brossart, LaRocque, Berg, Bednarz, Kraft and Lunde. Also present were Mayor Steinke, City Attorney Hartl, Jim Olson, AE2S and City Auditor Stewart.

Mayor Steinke called the meeting to order at 7:30 pm.

Council members recited the Pledge of Allegiance.

Roll call was taken by Steinke.

LaRocque added to unfinished business, referencing Public Works. Brossart requested moving the vacant council seat item within the agenda. Steinke explained it is under unfinished business because it has been discussed before. Motion by LaRocque to move Special Committee Recommendation to number one under unfinished business and Vetsch litigation updated to two under unfinished business. Second by Brossart, all voting yes, motion carried. There was a motion by Berg to accept the agenda as amended. Second by Trottier, all voting yes, motion carried.

The council considered the August 2, 2021, meeting minutes. There was a motion by Kraft to approve the minutes of the August 2, 2021, regular council meeting. Second by Lunde, all voting yes, motion carried.

The council considered the August 23, 2021 special committee minutes. There was a motion by Trottier to approve the minutes of the August 23, 2021 special committee meeting. Second by Kraft, all voting yes, motion carried.

The council considered the August 30, 2021 special meeting minutes. There was a motion by LaRocque to approve the minutes of the August 30, 2021 special council meeting. Second by Brossart, all voting yes, motion carried.

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| Bills Paid Since Last Meeting of 8/2/2021: | \$118,044.71 |
| 21670 A-1 Evans Septic Service | \$200.00 |
| 21671 B & M Laundry | \$182.19 |
| 21672 Brad's Auto & Towing | \$2,034.27 |
| 21673 Colonial Research Chemical Corp | \$2,417.09 |
| 21674 Convention & Visitors Bureau | \$245.60 |
| 21675 Convention & Visitors Bureau | \$3,034.85 |
| 21676 Dakota Communications | \$100.00 |
| 21677 David Wermerskirchen | \$400.00 |
| 21678 Envision | \$1,596.49 |
| 21679 First District Health Unit | \$60.00 |
| 21680 H. E. Everson Co | \$159.84 |
| 21681 HACTC | \$234.00 |
| 21682 Hartley's School Buses | \$7,560.23 |
| 21683 Hawkins | \$597.68 |
| 21684 Home of Economy | \$86.23 |

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| 21685 | John Deere Financial | \$59.08 |
| 21686 | Johnson's Plumbing | \$3,184.62 |
| e-ck | JP Morgan | \$4,361.12 |
| 21687 | Leevers Foods | \$89.72 |
| 21688 | MEDICO | \$164.50 |
| 21689 | NAPA | \$59.81 |
| 21690 | ND Dept. of Health/Chemistry | \$18.54 |
| 21691 | ND One Call Concepts | \$29.45 |
| 21692 | ND Telephone Co | \$728.26 |
| 21693 | NDAAO | \$30.00 |
| 21694 | Newman Signs | \$330.84 |
| 21695 | Northern Plains Electric Coop | \$4,249.92 |
| 21696 | Office of the State Auditor | \$360.00 |
| 21697 | Otter Tail Power Company | \$15,176.04 |
| 21698 | Pierce County Tribune | \$621.23 |
| 21699 | Rugby Homes & RV Center | \$94.80 |
| 21700 | Rugby Job Authority | \$25,516.48 |
| 21701 | Rugby Sports Boosters | \$421.81 |
| 21702 | Scott Bommersbach | \$400.00 |
| 21703 | Staples Credit Plan | \$279.20 |
| 21704 | Valli Information Systems | \$627.28 |
| e-ck | Wex Bank | \$934.05 |
| ACH | Payroll | \$71,258.73 |
| ACH | Social Security | \$10,990.82 |
| ACH | Medicare Taxes | \$2,570.52 |
| ACH | Payroll Taxes | \$6,630.54 |
| 21705 | AFLAC | \$840.08 |
| ACH | NDPERS | \$750.00 |
| ACH | NDPERS | \$8,897.72 |
| ACH | NDPERS / Sanford Health | \$16,106.30 |

Bills To Be Approved and Paid at 9/7/2021 Meeting: \$165,408.63

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| ACH | BND | \$37,253.33 |
| 21706 | Advanced Engineering | \$19,937.40 |
| 21707 | American Welding & Gas | \$123.42 |
| 21708 | Aqua Pure | \$1,309.75 |
| 21709 | B & J Excavating | \$1,025.00 |
| 21710 | Bartsch Electric | \$28,600.00 |
| 21711 | Brad Radomski | \$700.00 |
| 21712 | Brad's Auto Service & Towing | \$149.00 |
| 21713 | BSN Sports LLC | \$1,009.31 |
| 21714 | Chase or Amanda DeMers | \$25.00 |
| 21715 | Circle Sanitation | \$20,384.00 |
| 21716 | Core & Main LP | \$520.56 |
| 21717 | Corrpro Companies Inc. | \$840.00 |

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| 21718 | Daryl's Refrigeration LLC | \$85.00 |
| 21719 | Dave's Carpentry Service | \$5,028.00 |
| 21720 | Deplazes Redi-Mix & Const. | \$150.00 |
| 21721 | Drive Chevrolet Buick Rugby | \$60.30 |
| 21722 | Envision | \$246.97 |
| 21723 | First District Health Unit | \$60.00 |
| 21724 | Greg Boucher | \$282.00 |
| 21725 | H. E. Everson | \$81.74 |
| 21726 | Harper Oil Company | \$2,346.12 |
| 21727 | Home of Economy | \$83.38 |
| 21728 | I Design | \$675.00 |
| 21729 | Integrated Process Solutions | \$2,112.07 |
| 21730 | John Deere Financial | \$17.16 |
| 21731 | Johnson's Plumbing | \$45.45 |
| 21732 | Jonathan E Leubke | \$10.00 |
| 21733 | Leevers Foods | \$48.46 |
| 21734 | Medico Life Ins | \$340.75 |
| 21735 | NAPA | \$180.98 |
| 21736 | ND Telephone Co | \$734.73 |
| 21737 | Nicole Haman | \$90.00 |
| 21738 | Northern Plains Electric Coop | \$3,162.56 |
| 21739 | Peter Zappe | \$40.00 |
| 21740 | Petty Cash | \$109.76 |
| 21741 | Pierce County Auditor | \$3,412.50 |
| 21742 | Pierce County Treasurer | \$95.27 |
| 21743 | Pipe Detectives | \$63,043.25 |
| 21744 | Portraits by Misti | \$70.00 |
| 21745 | Precision Autobody & Glass | \$240.00 |
| 21746 | Rebecca Jordan | \$170.00 |
| 21747 | Rick Larson | \$975.00 |
| 21748 | Robert Spallinger | \$900.00 |
| 21749 | Rugby Greenhouse | \$56.95 |
| 21750 | Rugby Hardware Hank | \$263.52 |
| 21751 | Rugby Lumber Inc. | \$610.58 |
| 21752 | Rugby Service Center | \$899.44 |
| 21753 | Rugby Veterinary Service | \$728.50 |
| 21754 | Schock's Safe & Lock | \$915.00 |
| 21755 | VOIDED | |
| 21756 | Souris Basin Planning Council | \$300.00 |
| 21757 | Staples Credit Plan | \$119.00 |
| 21758 | Star Business Forms | \$578.48 |
| 21759 | US Bank St Paul | \$450.00 |
| 21760 | Uniform Center | \$415.96 |
| 21761 | Verizon Wireless | \$551.31 |

The bills were reviewed by the council. Bills were individually reviewed by Trottier and Brossart. Brossart questioned Olson as to a statement of his mileage. Trottier questioned if the city had a standard mileage form. Stewart explained that there was a mileage form for city employees. She explained that Olson is not a city employee; his company sends the city a bill for services. Brossart questioned Olson's mileage for July 24 at 324 miles. Olson explained that was a Saturday; he had been called late Friday night regarding issues with the televising that Pipe Detectives was doing at the time. Olson explained that he spent the majority of Saturday driving around Rugby and the mileage was a result of that. There was a motion by Trottier to approve payment of the bills as presented. Second by Trottier, roll call vote, Trottier- yes, Brossart- yes, LaRocque- yes, Berg-yes, Bednarz- yes, Kraft-yes, Lunde-yes, motion carried.

The council reviewed the financial reports presented. Stewart explained that the Finance Committee recommended that 1000 General Fund, 24 month CD be transferred to 1010 Capital Equipment Reserve Fund to begin a set aside for a new fire truck. Kraft explained that a pumper truck's life expectancy is 20 years. The current city owned truck is 20 years old. He explained that the current truck is still in good working order and the purchase will be in the future, not in 2022. Hartl explained that there is not a large market for used pumper trucks. The current CD amount is \$102,253.16. The city owns 1 ½ fire trucks. Hartl explained that the ½ is owned by the Rural Fire District and the City. There was a motion by Kraft to approve the transfer from 1000 General Fund, 24 month CD to 1010 Capital Equipment Reserve Fund to begin a set aside for a new fire truck. Second by LaRocque, roll call vote, all voting yes, motion carried. Trottier questioned what the total fringe benefit amount for a city employee is. Stewart will get that information to Trottier. There was a motion by Trottier to approve the financial reports as presented. Second by Brossart, roll call vote, Trottier-yes, Brossart-yes, LaRocque-yes, Berg-yes, Bednarz-yes, Kraft-yes, Lunde-yes.

The council considered the August 2021 Municipal Court Report. There was a motion by LaRocque to approve the August 2021 Municipal Court Report. Second by Kraft, all voting yes, motion carried.

Laurie Odden, CVB Executive Director, explained the September Agenda, Preliminary 2022 Budget and August Minutes were submitted and in the council packet.

Odden explained that the 50/50 Raffle will terminate at the end of the month. She questioned if the Geographical Center Monument had to remain in the current location. She asked that the council think about this. She reported that a job fair had been held at the high school today. The Chamber will be hosting a Wine Walk next week. There was a motion by LaRocque to accept the minutes and financials submitted for the CVB. Second by Lunde, all voting yes, motion carried.

The council reviewed the JDA minutes. Karl Frigaard, Executive Director, explained that he is working on bringing affordable housing to Rugby. Frigaard cited previous success in Minnesota with implementing an affordable housing program. Trottier questioned how the current employment vacancies could be filled now. Frigaard offered contacts, at Marvin Windows and Polaris, to Trottier to reach out and explained how affordable housing was used as a recruitment tool. Trottier questioned how Frigaard concluded that Rugby needed an affordable housing

program. Frigaard concluded that every community he has worked in that it is difficult to secure employees and their families without housing. Trottier questioned the specific Rugby data. Frigaard explained that Rugby Manufacturing and the hospital need employees right now. Neil Lotvedt, citizen and former Council Member, questioned what Frigaard defines as affordable housing. Frigaard explained that anyone seeking housing could apply for affordable housing by looking at the portion of their income that could be utilized towards housing costs. He cited a tool to make homes affordable for these employees. Trottier questioned the timeline to this program. Frigaard explained that it depends on the legislatures contribution to create a loan pool to make affordable housing. They discussed possible housing types that could be added to Rugby. There was a motion by Kraft to approve the JDA minutes. Second by Trottier, motion carried.

Recreation Committee: Committee member LaRocque explained that the season has concluded. They had tabled the discussion of job descriptions. They discussed the condition of Diamond 2 and the planting of grass seed and weed control.

Finance: Chairman Kraft explained they finished up the 2022 budget.

Public Works: Chairman Bednarz explained they have been making curb and gutter repairs, turning curb stop valves, spraying mosquitos and repairing a curb stop at St. Michel Furniture.

Public Safety: Chairman LaRocque explained that the traffic radar signs were in and one has been installed. The new officer is still training. They had discussed supervisor job descriptions.

Buildings: Steinke explained that they had reviewed a bid for Kimball Masonry to repair the swimming pool wall and move forward with those repairs.

Olson addressed the council regarding the Project Calendar. The Rate Study Presentation will be held September 15 at 10:00a.m., during the Finance Committee meeting.

He addressed the upcoming DOT Hwy 3 Project. The DOT has provided an estimate of the city cost share at \$441,327 for the storm sewer project. He is inquiring to DOT about the city share of the project. They discussed that the project would begin at 6th St SW and end west of the north Envision store. The council discussed recent underpass and railroad concerns. There was a motion by Bednarz to approve the DOT agreement and have the required individuals execute the agreement. Second by Trottier, roll call vote, all voting yes, motion carried.

The council reviewed an estimate from Mike Swanson Construction in the amount of \$14,800 for new girls to be installed at the swimming pool. There was a motion by Bednarz to accept the estimate of \$14,800 from Mike Swanson Construction. Second by Brossart, roll call vote, all voting yes, motion carried.

The council reviewed and considered two proposals from A & R Roofing, one for the swimming pool roof at \$108,810 and a second for the Armory roof at \$159,850. The pool roof repair is set aside and the Armory roof is included in the 2022 Budget. Olson explained that roof repairs had been made to the Armory roof and City Hall roof this fall by A & R Roofing at no expense to the

city. There was a motion by Bednarz to approve the proposals from A & R Roofing for the swimming pool roof at \$108,810 and the Armory roof at \$159,850. Second by Berg, roll call vote, all voting yes, motion carried.

Olson updated the council on the swimming pool re-window and fan replacement project.

Kraft explained that the Special Committee had met and interviewed both candidates for the open Ward 1 Council Member seat. Trottier explained that the process was to have the candidates come before the committee and ask them the same questions to give an opportunity for an objective view of both candidates. He explained that ultimately it is a subjective decision by the council. Hartl encouraged the council to make a motion and a second for a candidate. There was a motion by Brossart to nominate Neil Lotvedt for the vacant Ward 1 Council seat. Second by LaRocque, roll call vote, Trottier-no, Brossart- yes, LaRocque-yes, Berg-yes, Bednarz-no, Kraft-yes, Lunde-no, motion carried.

Lotvedt was sworn in by Steinke.

Hartl updated the council regarding the Vetsch litigation. He explained that a settlement agreement has been filed and is awaiting the signature by the Judge. This should conclude the matter.

LaRocque questioned if Attorney Hartl had told Bednarz, as chairman of the Public Works Committee, that he had the authority to fire a city employee. Hartl explained that he understood that the Public Works Committee had met and agreed to the termination of the employee. He did not know that the Public Works Committee had not met and agreed to the termination. He followed up with the Leagues of Cities and recommended that a meeting be held and reinstatement of the employee be done. Hartl cited past city employee terminations to the council.

The council reviewed documentation from the supervisor of the employee who had been terminated. LaRocque critiqued the supervisor documentation.

8:51 p.m. Trottier left the meeting.

LaRocque questioned Greg Boucher, Water Plant Supervisor, as to the dates of the documentation.

8:53 p.m. Lunde left the meeting.

LaRocque cited the employee handbook section 705 Grievance Procedures. LaRocque questioned if any corrective action had been filed at City Hall. It had not.

8:54 p.m. Trottier returned to the meeting.

LaRocque questioned Stewart as to her conversation with Bednarz regarding the potential cost to have a Class 3 water operator fill in at the Water Treatment Plant if the current supervisor left. LaRocque questioned the last revision date of the Employee Handbook of January 1, 2021. He questioned if she had made Bednarz aware of the handbook and grievance procedure. She had not. Hartl encouraged everyone to work for the betterment of the city.

Kraft explained that the employees hired to operate the water plant and take care of the streets and sewers are not necessarily trained in management. They are hired to keep the water and sewer running and should be aware of the employee handbook.

Bednarz questioned if Boucher and Munyer had been signed up for leadership training with the League of Cities. Stewart explained that yes, they had been signed up and she had not received confirmation of them completing it.

LaRocque suggested employee performance reviews be completed in the future.

Trottier explained that the city needs to get things together because the organizational structure has holes in it. He indicated that a lack of proper communication is a major factor within the organization. He stressed the need for the city to invest in their human capital, immediately.

Steinke indicated that she and Bednarz had taken steps to remedy the Water Plant employees' internal issues. She explained that Boucher had taken steps to fix the issues that had been pointed out. LaRocque explained that Boucher and Munyer had been promoted to supervisor positions; at no fault of their own they have not received any leadership training.

The council considered Ordinance 432 Annual Appropriations. Stewart explained the ordinance. There was a motion by Kraft to approve the first reading of Ordinance 432 Annual Appropriations. Second by Trottier, roll call vote, Trottier-yes, Brossart-yes, LaRocque-yes, Berg-yes, Bednarz-yes, Kraft-yes, Lunde-yes, Lotvedt-abstain, motion carried.

Hartl explained the applications for Local Permit or Restricted Event Permit for Rugby Dollars for Scholars and HAMC Auxiliary was in order for approval. There was a motion by Berg to approve the application for Local Permit or Restricted Event Permits for Rugby Dollars for Scholars and HAMC Auxiliary. Second by LaRocque, all voting yes, motion carried.

The council considered a letter of support for the Pierce County Courthouse for their application for the ND Cultural Heritage Grant. This grant would be utilized to repair the courthouse dome. There was a motion by Trottier to approve the correspondence and order Steinke to sign the document. Second by Brossart, all voting yes, motion carried.

The council considered correspondence from Pierce County requesting a representative from the city be appointed to the County Redistricting Board. Lunde volunteered to serve on the committee. There was a motion by LaRocque to nominate Mayor Steinke. Second by Brossart. Hartl asked for clarification from Lunde, if he was nominating himself. He was not. Steinke called for a vote, all voting yes, motion carried.

The council considered the German-American Day Proclamation. There was a motion by Berg to approve the German-American Day Proclamation. Second by Bednarz, all voting yes, motion carried.

The council reviewed a request from Maurus and Sandy Brossart, to be granted an easement, to drill a well in the alley east of their property. Kraft questioned what would happen if the city needed to utilize the alley in the future. Brossart explained that the well head would be inside a manhole which would allow the alley to be utilized by the city with no obstruction. There was a motion by Trottier to approve the easement request to Maurus and Sandy Brossart. Second by Berg. Hartl explained that there would be some cost for the easement because it is for a private benefit. He suggested that Olson prepare a legal description for the easement which would result in an engineering fee. There would also be cost for the easement preparation. Lotvedt asked if the lawyer could prepare the legal description. Hartl explained that the lawyer will not prepare the legal description; the engineer will prepare the legal description. Lotvedt suggested that Brossart provide a legal description to Hartl. Hartl referred to the engineer for the legal description creation.

Hartl recommended any fees associated with the easement and filing be reimbursed to the city by Brossart. Hartl explained the need for a consideration to be listed on the easement. Steinke questioned if anyone would consider amending the motion. Trottier amended his motion to include any fees associated with the easement preparation, filing fee and any fee for the easement shall be paid by Maurus and Sandy Brossart. Second by Berg, roll call vote, Trottier-yes, Brossart-abstain, LaRocque- yes, Berg-yes, Bednarz-yes, Kraft-yes, Lunde-yes, Lotvedt-yes, motion carried.

There being no further business to transact or come before the Council at this time, there was a motion by Lotvedt to adjourn the Council Meeting. Second by Brossart, all voting yes, motion carried. Meeting adjourned at 9:19p.m.

Susan Steinke, Mayor

ATTEST: _____
Jennifer Stewart, City Auditor

Date Approved