

**RUGBY CITY COUNCIL
REGULAR MEETING
MONDAY, February 6, 2012 - 7:30 P.M.
COUNCIL CHAMBERS**

Council Members present: Rheault, Lotvedt, Jacobson, Bednarz, Harmel, Geiszler, and Wentz. Also present were City Attorney Hartl and City Auditor Hauck. Mayor Cichos was present by speaker phone. Absent was Council Member Hoffert.

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

There were no additions or deletions to the agenda.

Motion by Geiszler to approve the minutes of the January 2, 2012 regular council meeting. Second by Wentz, all voting yes, motion carried.

The Council reviewed the bill list. Motion by Bednarz to approve the financial statements, payment of the bills, and the bills paid since the last meeting. **Bills paid since last meeting:** 12291 B & M Laundry Service \$112.32, 12292 Farmers Union Oil Company \$1,926.48, 12293 HACTC \$2,039.86, 12294 Hi-Way Tesoro \$1,831.63, 12295 John Deere Financial \$120.58, 12296 Motorola Solutions, Inc. \$2,614.90, 12297 ND One Call Concepts, Inc. \$2.60, 12298 ND Public Health Laboratory \$48.00, 12299 ND Telephone Company \$584.47, 12300 Northern Plains Electric Coop. \$2,147.41, 12301 Otter Tail Power Company \$10,653.91, 12302 Public Safety Equipment Co. \$3,718.00, 12303 Staples Credit Plan \$119.03, 12304 State Water Commission \$5,867.25, 12305 Verizon Wireless \$166.73, 12306 Motorola Solutions, Inc. \$5,993.46, 12307 Apolinar Wilkie \$100.00, 12308 Brady, Martz & Associates \$5,000.00, 12309 Convention & Visitors Bureau \$7,933.23, 12310 David Collins \$100.00, 12311 Julie Canty or Richardo Canty \$5.00, 12312 Kirk Wilkie \$150.00, 12313 Rugby Job Authority \$18,314.94, 12314 Postmaster \$299.70, 12315 Rugby Sanitation, Inc. \$19,926.84, Total Regular Bills Paid \$89,776.34, 12316-12341 Payroll Checks \$42,541.71, Soc. Sec \$5,689.83, Medicare Taxes \$1,586.60, Payroll Taxes \$5,625.01, Electronic Total \$12,904.41, 12342 AFLAC \$156.48, 12343 NDPERS \$8,893.28, 12344 Heart of America Health Plan \$1,044.60, 12345 NDPERS \$495.00, 12346 NDPERS \$5,194.72, Total Bills For Payroll \$71,227.23, Grand Total All Bills Paid Since Last Meeting of 01/02/12 \$161,003.57, **Bills to be paid:** 12347 A & C Tire & Truck Repair \$233.14, 12348 American Water Works Assn. \$68.00, 12349 B & J Excavating, Inc. \$5,330.00, 12350 B & M Laundry Service \$112.32, 12351 Bartsch Electric, LLC \$883.57, 12352 Black Mountain Software, Inc. \$7,508.50, 12353 Bremer Bank \$3,045.87, 12354 Comfort Inn \$195.00, 12355 Community Service Program \$6,000.00, 12356 D & S Motors, Inc. \$64.96, 12357 Dakota Communications, Inc. \$191.25, 12358 Dan Volk \$100.00, 12359 Ethanol Products, LLC \$1,573.06, 12360 First District Health Unit \$54.00, 12361 Fraternal Order of Police \$108.00, 12362 H.E. Everson, Co. \$460.23, 12363 HACTC \$1,171.07, 12364 Harper Oil Company \$655.32, 12365 Hawkins, Inc. \$774.37, 12366 Hi-Way Tesoro \$313.44, 12367 Jeremy Monroe \$18.61, 12368 John Deere Financial \$72.16, 12369 KZZJ AM 1450 \$117.00, 12370 Lathem Time Corporation \$318.44, 12371 Lotvedt Lumber, Inc. \$56.00, 12372 ND Chiefs of Police Assn. \$30.00, 12373 ND League of Cities \$650.00, 12374 ND Municipal Judge's Assn. \$25.00, 12375 ND One Call Concepts, Inc. \$3.90, 12376 ND Rural Water Systems Assn. \$200.00, 12377 NDPERS \$20.00, 12378 Newman Signs, Inc. \$167.13, 12379 Northern Plains Electric Coop. \$2,603.56, 12380 Pamida, Inc. \$115.77, 12381 Petty Cash \$54.20, 12382 Pierce County Auditor \$2,208.33, 12383 Pierce County Tribune \$572.57, 12384 Pioneer Mutual Life Ins. Co. \$150.50, 12385

Postmaster \$270.00, 12386 Power Plan \$97.85, 12387 Premier Lube & Tire \$69.55, 12388 QBS Safeguard Business Sys. \$99.95, 12389 Railroad Management Company \$120.79, 12390 Rugby Hardware Hank \$467.96, 12391 Rugby Insurance Company \$18,108.00, 12392 Rugby Sanitation, Inc. \$135.00, 12393 Rugby Service Center \$1,572.45, 12394 Rugby Veterinary Service \$31.00, 12395 Rugby Welding & Machine \$3.50, 12396 Rugby's Computer Guy \$130.00, 12397 Scott Bommersbach \$122.41, 12398 Souris Basin Planning Council \$300.00, 12399 SRT Communications, Inc. \$31.15, 12400 St. Michel Furniture \$22.00, 12401 Star Business Forms \$306.32, 12402 The Computer Store \$2,494.95, 12403 Verizon Wireless \$167.66, Total Bills Submitted For Approval \$60,775.81. Second by Lotvedt. Roll call vote: all voting yes, motion carried.

Motion by Wentz to approve the Municipal Judge's Report for January 2012. Second by Rheault, all voting yes, motion carried.

The Council reviewed the JDA Minutes and Financial Statements. JDA Executive Director, Brenda Foster, noted that the County has paid \$435,000 to pay off one of the loans for the Correctional Facility. Also, the Ben Franklin building was sold last month. Councilman Geiszler requested a status update of the Towner Clinic building. Foster stated that the title is not clear and there are several attorneys working through the details. City Attorney Hartl noted that the Towner EDC may want the building since it has been noted that they have first rights to the building.

Council President Jacobson explained the 2011 year-end financial statements and transfers. Jacobson reported that the Water Fund was lower than previous years due to the monies spent on the water meter project. Also noted was the increase to the Infrastructure Fund, which is partly due to increase in sales tax revenue. Motion by Wentz to approve the 2011 year-end transfers and financial statements. Second by Lotvedt. Roll call vote: all voting yes, motion carried.

The Council discussed requiring certificates of insurance for entities renting the Armory. Keith Gault, the North Dakota Insurance Reserve Fund (NDRIF) agent for the City, was present and said that NDRIF stated that requiring a certificate of insurance may be a good idea. A lengthy discussion followed. Council President Jacobson read language from the Armory contract which states that any damage of property at the Armory is the responsibility of the renting entity. A signed contract is required by anyone renting the Armory.

Discussion was held on the Ag Show that had been in the Armory last week. Gary Kirchofner, representing Rugby Homes, was present. Kirchofner stated that his RV show is a big part of his business and it would be very upsetting to find out that he would not be able to put RV's in the Armory due to the inability to make sharp turns on the new floor.

Discussion was held on a cover for the Armory floor. Council President Jacobson would like more research done on the covers. The Building Committee will check into a cover and check with the manufacturer of the floor to inquire whether they have run into a similar situation. Kirchofner requested a test be done on the middle of the Armory floor with a Bobcat. Kirchofner will set up a time with Public Works Supervisor Larson to test the floor.

Motion by Geiszler to table the certificate of insurance discussion until more research is done. Second by Lotvedt, all voting yes, motion carried.

Three tax abatements were presented to the council for approval. Motion by Wentz to approve the Raymond Houle, Homestead Credit application. Second by Bednarz, all voting yes, motion carried. Motion by Gesizler to approve the Dennis DeVries, Homestead Credit application for 2010 and 2011. Second by Lotvedt, all voting yes, motion carried. Motion by Wentz to approve the North Dakota State Department of Transportation tax exempt request for highway right-of-way. Second by Lotvedt, all voting yes, motion carried.

Discussion was held on the fuel bids that were opened at the January Council Meeting. Motion by Wentz to amend the previous motion and to accept all submitted fuel bids. Second by Lotvedt, all voting yes, motion carried.

The first reading was held for the Open Container Ordinance added to the Pedestrian Ordinance Chapter. Motion by Lotvedt to pass the first reading. Second by Gesizler, all voting yes, motion carried.

The first reading was held for an amendment to the Parking Ordinance. The numbering was corrected as it was not consistent with the other ordinances. Some parking language was omitted since the street sweeping is no longer done on those specific days. Motion by Lotvedt to approve the first reading. Second by Wentz, all voting yes, motion carried.

Discussion was held on the property to the east of the water tower. The owners may be willing to sell the land. The edge of the City's property that the water tower is on is close to the water tower. If someone else were to buy the property, the City may not have enough room to do maintenance on the tower if the need arose. The property could be used for snow storage or additional parking. Council President Jacobson requested the Public Works Committee do more research and report back to the council at the March regular council meeting.

City Attorney Hartl presented a raffle permit for the First Lutheran LYO. Motion by Lotvedt to approve the raffle. Second by Bednarz, all voting yes, motion carried.

City Attorney Hartl presented a 2AM Closing request for Jesters on February 18 and 19, 2012. Motion by Lotvedt to approve the request. Second by Geiszler, all voting yes, motion carried.

Committee Reports: **Public Safety** – No report. **Finance** – Chairman Jacobson stated that the Finance Committee has had four meetings this month. All meetings were held to discuss the Law Enforcement Agreement. The LEC Agreement is coming along. Another meeting will be held when Councilman Hoffert returns. **Ordinances/Rec** – Chairman Rheault discussed the job description for the Recreation Director position. The position will be posted towards the end of February. The Committee will continue to update ordinances. **Water/Streets/Sewer** – Chairman Wentz reported that there was a water main break on Main Avenue over the past weekend. The break was fixed right away. The new snow blower was used for the first time last week. The six month evaluation for Rick Larson was held today and things went well. Council Member Jacobson stated that the water main break caused loss of water of around 20-30 million gallons over the past year. **Personnel** – Committee Member Geiszler reported that the police hours were discussed. Also, discussion was held on possibly hiring a 5th full-time officer in the future. Sick leave payout was discussed. Further discussion will be held at the next Personnel Meeting. **Buildings/Property** – Chairman Bednarz reported that he received the soil test report today but has not looked it over. Councilman Lotvedt stated that it may be possible to have the south side sidewalk at the Armory replaced and made handicap accessible. The drainage issue at the Armory is

also being checked into. The committee is also looking into bleachers for the Armory. Councilman Lotvedt reported that a second opinion may be needed for filling the lot for the Fire Hall.

Council President Jacobson reminded everyone that city offices will be closed on February 20, 2012 to observe the President's Day Holiday. Jacobson also noted a letter was received from Roger Grimsley of AE2S.

Meetings this month: Planning and Zoning Commission Meeting on February 13 at 7:30pm; Committee Meetings on Wednesday, February 15 – Public Safety 9am, Finance at 10am, Ord/Rec at 11am, Water/Streets/Sewer at 1pm, Personnel at 2pm, Buildings/Property at 3pm.

There being no further business to transact or to come before the Council at this time, Council President Jacobson adjourned the meeting at 8:58pm.

Dawn Hauck, City Auditor

Date Submitted

Gerry Jacobson, Council President

Date Approved