

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

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

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

There were no additions or deletions to the agenda.

Motion by Hoffert to approve the minutes of the April 2, 2012 regular council meeting and the April 10, 2012 tax equalization meeting. Second by Geiszler, all voting yes, motion carried.

The Council reviewed the bill list. Motion by Lotvedt to approve the financial statements, payment of the bills, and the bills paid since the last meeting. **Bills paid since last meeting:** 12598 Alert Magazine, LLC \$170.00, 12599 B & M Laundry Service \$99.36, 12600 Convention & Visitors Bureau \$3,831.59, 12601 Farmers Union Oil Co. \$1,078.91, 12602 HACTC \$902.50, 12603 Hi-Way Tesoro \$1,008.14, 12604 ND One Call Concepts \$5.00, 12605 ND Telephone Company \$623.27, 12606 Otter Tail Power Company \$7,641.29, 12607 Postmaster \$297.00, 12608 Rugby Fire Dept. \$5,734.87, 12609 Rugby Job Authority \$11,629.61, 12610 State Water Commission \$5,315.10, 12611 Postmaster \$304.68, 12612 Rugby Sanitation, Inc. \$19,720.08, Total Regular Bills Paid \$58,361.40, 12613-12635 Payroll Checks \$39,538.57, Soc. Sec \$5,278.22, Medicare Taxes \$1,471.82, Payroll Taxes \$4,870.67, Electronic Total \$11,620.71, 12636 AFLAC \$156.48, 12637 NDPERS \$8,893.28, 12638 Heart of America Health Plan \$1,044.60, 12639 NDPERS \$605.00, 12640 NDPERS \$5,176.51, Total Bills For Payroll \$67,035.15, Grand Total All Bills Paid Since Last Meeting of 04/02/12 \$125,396.55. **Bills to be paid:** 12641 A & E Auto Parts, Inc. \$13.44, 12642 B & M Laundry Service \$112.32, 12643 Black Mountain Software, Inc. \$100.00, 12645 Bremer Bank \$3,045.87, 12644 Brad Radomski \$237.02, 12646 BW Ramkota Hotel \$227.00, 12647 C & H Repair \$74.95, 12648 Dakota Communications, Inc. \$53.50, 12649 Dan Volk \$177.60, 12650 Ethanol Products, LLC \$1,079.08, 12651 Federal Signal Corporation \$540.00, 12652 Gerrell's & Company \$615.25, 12653 Glenko Enterprises, LTD \$1,840.44, 12654 Graymont Western Canada \$4,508.76, 12655 Greg Boucher \$231.59, 12656 H.E. Everson Co., Inc. \$49.25, 12657 HACTC \$132.50, 12658 Harper Oil Company \$2,140.97, 12659 Harry's Tire Service \$448.44, 12660 Hawkins, Inc. \$771.75, 12661 Hi-Way MVP \$987.83, 12662 John Deere Financial \$291.47, 12663 Johnson's Plumbing Service \$131.29, 12664 KZZJ AM 1450 \$135.00, 12665 Leevers Foods \$16.05, 12666 Matthew Bender & Co. \$51.49, 12667 Municipal Gov. Academy \$15.00, 12668 ND Assn. of Oil & Gas Co. \$40.00, 12669 ND One Call Concepts, Inc. \$27.50, 12670 ND Telephone Company \$529.21, 12671 Newman Signs, Inc. \$46.29, 12672 Northern Plains Electric Coop. \$2,177.32, 12673 Pamida, Inc. \$143.00, 12674 Petty Cash \$27.93, 12675 Pierce County Auditor \$2,208.33, 12676 Pierce County Tribune \$877.18, 12677 Pioneer Mutual Life Ins. Co. \$150.50, 12678 Pizza Hut \$165.55, 12679 Rick Larson \$196.60, 12680 Rugby FFA Chapter \$1,170.88, 12681 Rugby Hardware Hank \$162.88, 12682 Rugby Sanitation, Inc. \$135.00, 12683 Rugby Service Center \$943.52, 12684 Rugby Welding & Machine \$1,041.46, 12685 Schock's Safe & Lock, Inc. \$272.95, 12686 SRT Communications, Inc. \$31.12, 12687 Staples Credit Plan \$547.88, 12688 Streicher's, Inc. \$103.33, 12689 Team Laboratory Chem. Corp. \$6,960.00, 12690 The Computer Store \$1,312.97, 12691 Troy Munyer \$220.39, 12692 Turtle Mt. Baseball League \$350.00, 12693 Van Diest Supply Company \$2,666.40, 12694 Verizon Wireless \$167.50, 12695 Vessco, Inc. \$280.97, 12696 Workforce Safety & Insurance \$250.00, Total Bills Submitted For Approval \$41,234.52. Second by Rheault. Roll call vote: all voting yes, motion carried.

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

The council reviewed the JDA minutes and financials. Motion by Geiszler to approve the JDA minutes and financials. Second by Lotvedt, all voting yes, motion carried.

Jay Burkhartsmeier, City Building Inspector, discussed the possibility of allowing modular homes to be moved into city limits. The Mobile Home and Mobile Home Districts Zoning Ordinances do not address modular homes. Discussion was held on the differences between manufactured homes and modular homes and on the possible homes that fell into these categories that were already in city limits. Specifications and regulations are needed in order to allow these types of homes. A meeting will be set-up to discuss specific guidelines.

The council discussed offering an option of automatic bank withdrawals for water payments. City Auditor Hauck gave an example, illustrating that if 300 people sign up for ABW, the cost to the city would be \$66 per month. The option does not save money, but it would be beneficial to residents. The withdrawals would first have to come into Bremer Bank and then be transferred to Merchants Bank where the primary checking account is held. Motion by Lotvedt to offer the automatic bank withdrawal option to water customers. Second by Hoffert, all voting yes, motion carried.

Discussion was held on the possibility of trenching the piece of land on the east side of Fifth Avenue. The west side of Fifth Avenue was trenched at the end of December 2011. Councilman Lotvedt is working with the County and the Water Resource Board to split the trenching bill three ways. The work will not be able to be conducted until it freezes again. Motion by Hoffert for the city to contribute a third of the cost of the trenching bill. Second by Bednarz, all voting yes, motion carried.

Motion by Geiszler to approve the Resolution for Poppy Day 2012 to occur on May 24, 2012. Second by Lotvedt, all voting yes, motion carried.

A resolution for the National Association of Railroad Passengers was presented to the council. The resolution will ask Congress to continue supporting Amtrak. Motion by Jacobson to approve the resolution. Second by Wentz, all voting yes, motion carried.

City Attorney Hartl explained the resolution for Annexation of Chalmers First Addition needed to be revoked since nothing was legally tying Chalmers First Addition to Outlot 419. Once the Engineers complete a plat of the area with streets and lots, the plat may be named Chalmers First Addition at that point. Motion by Hoffert to revoke the resolution annexing Chalmers First Addition. Second by Geiszler, all voting yes, motion carried. Motion by Lotvedt to approve the resolution to annex Outlot 419 into City Limits. Second by Wentz, all voting yes, motion carried.

The council discussed the Crew Camp ordinance proposed by the County. The County Planning and Zoning Committee has written an ordinance regulating crew camps. The county ordinance is not final, and it will be discussed again in the future. The city may want to consider passing a similar ordinance.

Mayor Cichos requested the council's thoughts on hiring someone to provide a City Plan or Land Use Plan. Councilman Jacobson stated that Advanced Engineering offered to conduct a land use plan a few months ago. JDA Executive Director Foster stated that JDA may be willing to share in the cost of the engineering fees for the Land Use Plan. Foster will discuss this with the JDA board. The council requested that City Auditor Hauck send out Requests for

Proposals to engineering firms to provide the city with a Land Use Plan.

The South Central Dakota Regional Council has been tasked with providing an update to the Pierce County Mitigation Plan. The last update was done in 2003 and was only good for five years. Since the plan is expired, the county or city would not be able to access any FEMA funds or grants should a disaster occur. Deb Kantrud, with the SCDRC, would like a meeting with the councilmen. The council decided that Thursday, May 31, 2012, at 7pm would be the best time to meet.

Public Works Supervisor Larson reported that a water line broke last fall somewhere between the wells and the water plant. The leak was discovered last week in the middle of a slough. The first option is to put in a new line with a valve to shut off the old line, which may cost between \$6,000 and \$7,000 for parts. The second option is to wait for the slough to dry up and then fix it. The problem is that the slough may not dry up enough. Motion by Lotvedt to purchase the parts to fix the leak. Second by Harmel, all voting yes, motion carried.

The Council discussed opening the City landfill for the public to dump their trees. No sheet rock or shingles would be taken. Trees will be taken and nothing more. Rugby Sanitation is in favor of the city taking in trees. City employees will monitor the loads to make sure only trees are brought in. Motion by Lotvedt to open the city landfill for any trees taken out in the city limits of Rugby for the cost of \$30 per truck load and \$15 per pickup load. Second by Bednarz, all voting yes, motion carried.

JDA Executive Director Foster requested that there be microphones put on the council table so the rest of the room can hear all of the discussions. A resident requested that the meeting be televised on channel 19. Mayor Cichos stated that the request was made before but it was voted down. Councilman Rheault will check into the cost of microphones.

City Attorney Hartl presented a raffle application for the Heart of America Medical Center in which the proceeds will be used for garden projects. Motion by Jacobson to approve the raffle. Second by Lotvedt, all voting yes, motion carried.

A request for two 2AM closings was presented. Crooks would like to remain open until 2AM on May 19 and May 26, 2012. Motion by Lotvedt to approve the request with the clarification that the event is occurring on the Friday evenings. Second by Geiszler, all voting yes, motion carried.

Motion by Hoffert to approve the gaming site permits for Rugby Aerie 3834 at Lee's Bar, Rugby Amateur Hockey at Crooks Bar, and Rugby Amateur Hockey at Dakota Farms. Second by Wentz, all voting yes, motion carried.

Motion by Hoffert to approve the Relay for Life fireworks permit request pending approval of the school. The fireworks will be ignited on June 8, 2012 at 11pm at the Relay for Life walk at the high school. Second by Bednarz, all voting yes, motion carried.

Committee Reports: **Public Safety** – Chairman Hoffert reported the Center Mutual siren will be fixed as soon as a truck is in town that can reach the top of the tower. Hoffert commented on a 'watch for pedestrian' ad that was in the paper last week. One more part is still needed for the new police vehicle. **Finance** – Chairman Jacobson reported that the committee discussed the status of the purchase of the land by the water tower. City Attorney Hartl wanted a contact from the council on who could give information on the lot. Councilman

Wentz stated he would be the person to talk to. Discussion was held on the JDA board deciding on pricing for the lots in Chalmers First Addition. Jacobson asked the council to think about implementing a sunset clause on the 1% sales tax increase that was added to help with specials assessed after the 2009 street project. The discussion will be postponed until the vote on Measure 2 is completed. **Ordinances/Rec** – No report. **Water/Streets/Sewer** – No report. **Personnel** – Discussion was held on the wellness program. It was decided to continue with the wellness program in order to get the 1% reduction in health insurance premiums. A four day work week was discussed but it was determined that it was not feasible. A discussion on converting sick leave hours to dollars was tabled until all committee members were present. **Buildings/Property** – The Armory floor is about a third of the way re-installed. The Building and Property Committee recommends that the floor not be taken out again. The fire hall lot with the building facing north was not accepted well by the firemen. Mayor Cichos will speak with Felice Anderson and possibly request to swap lots with the Don's Drive-Inn lot. Discussion was held on the primary use of the Armory. **Infrastructure** – Chairman Lotvedt is still waiting for an infrastructure estimate from the engineers for street, water, and sewer costs. A preliminary drawing was received with lot sizes but nothing is set in stone. Building Inspector Burkhardtmeier requested that for the multifamily lots to make sure there is adequate off-street parking.

Mayor Cichos reported that he and Councilman Hoffert will be attending a Crew Camp meeting on Wednesday in Minot. The council reviewed a citizen complaint regarding the over-grown lawn of a home on 10th Street. Information regarding Amtrak's passengers was reviewed. Rugby was named Tree City USA for 2011. The council reviewed an inspection letter from the North Dakota Department of Health regarding the burning of a wood pile containing material that is not to be burned.

Meetings this month: Planning and Zoning Commission Meeting- May 14, 7:30pm; Committee Meetings on Wednesday, May 16 – Public Safety 9am, Finance at 10am, Ord/Rec at 11am, Water/Streets/Sewer at 1pm, Personnel at 2pm, Buildings/Property at 3pm, Infrastructure 4pm. Some of the meetings may have to be moved due to conflicts in scheduling.

There being no further business to transact or to come before the Council at this time, Mayor Cichos adjourned the meeting at 9:22pm.

Dawn Hauck, City Auditor

Date Submitted

David Cichos, Mayor

Date Approved