

**RUGBY CITY COUNCIL  
SPECIAL MEETING  
WEDNESDAY, MAY 13, 2020– 7:00PM  
VIRTUALLY BY GOTOMEETING**

Council Members present: Albrecht, Rheault, Kraft, Bednarz, LaRocque, Berg, Longie and Melgaard. Also present were Mayor Steinke, City Attorney Hartl and City Auditor Stewart.

Steinke called the meeting to order at 7:00 pm.

Council members recited the Pledge of Allegiance.

Roll call was taken by Steinke.

Steinke explained that the purpose of meeting was to consider a petition, from Rugby School District, to vacate a street and close and reroute an alley. Steinke turned the floor over to Dr. Michael McNeff, Superintendent of Rugby Public Schools.

Dr. McNeff shared a brief background of himself and family. He provided the history of the committee he formed, in November 2018, to address the elementary school focus areas. He explained he would present a power point in addition to frequently asked questions regarding the petition for the closure and reroute.

Dr. McNeff addressed the areas of school safety, pick up and drop off space, classroom space for special education, concerns with lunch serving times beginning before 11:00 am and lasting two to three hours, adequate playground space and merely 1.5 acres of elementary property. Dr. McNeff explained the last thirty years of enrollment trends as well as future projections. He went on to address mental health, physical therapy, occupational therapy and title one space requirements. Dr. McNeff explained the personalization of today's teaching compared to thirty years ago and the need for small class sizes.

Dr. McNeff explained to the Council that Covid-19 guidelines will impact the elementary school in the coming fall when classes begin. He explained the different disabilities and some of the requirements to meet student's needs. Sensory rooms, small classrooms and small groupings were mentioned as necessities.

Dr. McNeff elaborated on the frequently asked questions, that the school district has compiled regarding the petition to vacate and reroute the alley. Dr. McNeff explained he had met with business owners affected by this, in person, as well as the property owners whom would be impacted and believed they were all supportive of the idea to close the street and reroute the alley. One item addressed was the question of placing a modular classroom on one of the vacant lots the school owns. Reasons cited for not exercising this solution were safety crossing the street, climate control of the modular unit and children having to dress for the winter weather to access the modular classroom.

Dr. McNeff explained that pick up and drop off of children and rural bussing is important for them to address. He proposed changes to those areas with the closure of the street.

Water drainage was a concern from the Planning and Zoning Committee. Rugby Public Schools contacted the Department of Transportation regarding the drainage. DOT recommended a valley gutter be installed, on the existing street, to address water flow and drainage.

Dr. McNeff explained the intended re-route of the alley, to the north, and creating a parking lot. The parking lot would accommodate approximately 40 vehicles. Parent pick-up and drop off would be moved to the south side of the elementary school. The addition to the school was also included on the site plan presented.

Steinke reiterated the fact that the school would deed the new alleyway to the city and the city would maintain it. She asked if the valley gutter would be owned and maintained by the school district. Dr. McNeff confirmed that the school would maintain ownership and maintain the valley gutter, once installed. He explained that the school district would be adding fencing to separate the school property from the new alley.

Steinke opened the floor for comment.

LaRocque questioned the neighboring property owner's feelings about the proposed closure. Dr. McNeff explained that in 2015 when the school approached the city about closure he acknowledged they did not involve the property owners as they should have. Dr. McNeff explained, recently, the committee had met twice and sent correspondence to the neighboring property owners and upon receipt of their feedback made adjustments to the plan.

LaRocque then questioned if the rural busses would be picking up and dropping off on the north end of the current playground, on 2<sup>nd</sup> Street adjacent to Hardware Hank, if the street would be closed during those times. Dr. McNeff had spoken to Terry Wentz, Hardware Hank Owner; they discussed a boulevard along the street which would allow people to park in this area during business hours.

Berg questioned should the council grant the petition, if the school wait to close the street upon a successful public vote for an addition. Dr. McNeff clarified they would not close the street tomorrow, nevertheless they would focus on the pick-up and drop off with current building funds and close the street at the beginning of the fall term this year. Berg then questioned when the public would have to vote on anything? Dr. McNeff explained that an addition would require a public vote. The work to adjust the alley, valley gutter, etc. would not require a successful vote. Berg questioned if the street was closed this fall, what the purpose would be for the street and property to the west this fall. Dr. McNeff explained they would begin to work on their playground and boulevard work this summer. Dr. McNeff explained they would be adding a portable classroom this fall to the west side of the school.

Kraft questioned if a successful vote, to add onto the school, was not obtained if the school still wished to close the street and change the parking, drop off, pick up and playground. Dr. McNeff acknowledged that they intend to change those things.

Berg questioned when the school would be looking to re-route the alley. Dr. McNeff explained the alley would be priority one and it would be re-routed before the street would be closed. Berg questioned where the 10 cars, which currently park on the street that would be closed, would be parking this fall. Dr. McNeff explained they would need to address the parking lot in unison with the alley re-route.

Steinke stated when the curb is cut to re-route the alley they must work with the engineers to keep the water flowing. The valley gutter must be installed when this is done. Dr. McNeff acknowledged that they would be doing whatever was necessary to allow the flow of water.

LaRocque questioned if the street is closed, with the petition, would the crossing guards still be closing the streets off at the end of the school day? Dr. McNeff indicated that the crossing guards would still be necessary.

Longie offered congratulations to Dr. McNeff for his efforts.

Steinke opened the comments to other members who are in attendance.

Jennifer Dockter, property owner of the affected alley and business owner, addressed the council regarding her concerns. Dockter began by correcting the time that Dr. McNeff had indicated the elementary school began serving lunch, based on the schedule her children had. She indicated the 2019 enrollment was left off the graph that showed a total of 313 students, which was a decrease from the 2018 enrollment of 330 students. She restated that Dr. McNeff indicated because of COVID-19 and recommendations for 15 students that the elementary school was not built for that. Dockter clarified that most schools across the state are going to face issues with recommendations for small groups of students, not just our school.

Dockter cited the information the school district provided for the meeting, stated that the school district had met with all impacted business owners and they were supportive of the street closure. Dockter stated that she was not contacted, as a property owner or business owner. She explained the necessity for the alley to allow her clients access to pick up their orders from her business. Dockter explained to the council that property owners, north of 2<sup>nd</sup> Street, had not been notified by the school district of the plans to re-route the alley. She explained that 2<sup>nd</sup> Street from the intersection of Highway 3 over to 3<sup>rd</sup> Avenue is actively used for parking by residents of the north and south side of the street. Dockter questioned the capability of emergency responders, utility companies, etc. to access the alley with a re-route. Dockter communicated concerns with closing the street and re-routing the alley without a public vote for an addition to the school. She questioned the funding availability to re-route the alley, etc.

Sandy Sattler, property owner to the north of 2<sup>nd</sup> Street, voiced her concern with this project and disappointment of the lack of notification from the school district.

Terry Wentz, owner of Hardware Hank, expressed his concern with city giving up the street and the school district not ever obtaining a successful vote for an addition. Wentz expressed the impact 3<sup>rd</sup> Ave has on his business.

Jason Gullickson, Ely Elementary Principal, addressed the council. Gullickson gave a history of the committee that was formed to address the school space issues and other issues mentioned earlier by Dr. McNeff.

Dustin Hager, Rugby Public School Board Member, expressed his concern with investing money in a bond issue that tax payers may never support. He explained that closing the street would allow the school board to formulate a long term plan for the school.

Wentz explained he is supportive of the school and believes that certain things could be worked on currently, by the school without the city giving up the street. He believes that giving up the street could be a detriment to the business district in the community. Wentz inquired if a traffic study had been complete on the avenue they are proposing to close.

Dr. McNeff explained that the elementary school space issue is their main concern to address. He assured that if the street is vacated, they will move forward with an addition. He pointed out that the High School Bonds are scheduled to be paid off in 2023. He explained they cannot move forward with a bond without owning the street.

Hager explained the school would need to have the street to complete an addition. If the city does not allow the school the street, they will not be able to add on and would have to look at other options for the space issues.

Dockter expressed concerns with the current hospital financial issues and concerns. The hospital is a major employer and should they close, an addition to the school would not be necessary.

Steinke asked for any additional comments.

Berg questioned Dockter in regards to utility access and ability to enter or exit to the north. Dockter described that a large emergency vehicle would potentially have difficulties safely entering or exiting the alley on 2<sup>nd</sup> Street. Dockter explained that she has semi-trucks that deliver products for her business every other week. Longie believes that the alley would be constructed with public safety in mind. Dockter clarified her concerns that the way this was approached by the school could have been done better to include people directly impacted by the proposed closure and re-route. She believes that individuals directly impacted were intentionally not asked to be on the school districts committee that researched this.

Berg questioned if required public notices were advertised and published according to legal requirements. Dr. McNeff and Steinke both confirmed that those requirements had been met.

Bednarz expressed his understanding of Mrs. Dockter's concerns. He expressed his support for what the school is looking to accomplish.

Albrecht explained that White Drug has an alley to the east of it and that semi's frequently come out of the alley and turn onto the street with great success.

John Rose, Chief of Police, informed the council of his survey of cars around the school. He believes that 45-55 cars are routinely parked on the street because of the school. He believes addressing those with a parking lot is essential.

Hartl addressed the council regarding the Planning and Zoning Committee. His understanding of the Planning and Zoning Committee vote was in favor of allowing the school to file the petition with the city and move forward with that process, not that P & Z was in agreement with the proposed school plan. He also believes that there was not any requirement of the school, prior to this evening, to have publically met with or notified affected property owners.

Hartl notified the council that there is a water or sewer line under the proposed street to be vacated. He explained the city may want to consider an easement for the current or future utility lines under the street.

Steinke asked Dr. McNeff what area a proposed addition may cover of the street. He indicated they would avoid building over any utility lines and would also offer any easements the city required.

Steinke again called for council comments.

LaRocque indicated he would be in favor of the school district trying the modular for 1 or 2 years and see how that works out before closing an avenue down.

Steinke asked for any public comment. Hearing none she asked for a motion from the council.

There was motion by Bednarz to allow the school system to close down the street with an option to take care of the sewer if necessary. Second by Longie, roll call vote, Albrecht- yes, Rheault-yes, Kraft-yes, Bednarz-yes, Berg-yes, LaRocque-no, Longie-yes, Melgaard-yes. Motion carried.

There being no further business to transact or come before the Council at this time, there was a motion by Kraft to adjourn the Council Meeting. Second by Bednarz, all voting yes, motion carried. Meeting adjourned at 8:30p.m.

ATTEST: \_\_\_\_\_  
Jennifer Stewart, City Auditor

APPROVED: \_\_\_\_\_  
Susan Steinke, Mayor

DATE APPROVED: \_\_\_\_\_