

**RUGBY CITY COUNCIL MEETING MINUTES  
TUESDAY, JULY 5, 2022– 8:00 PM  
ARMORY CLASSROOM**

Council Members present: Lotvedt, Lunde, Schneibel, Kraft, Larson and Brossart. Also present were Mayor LaRocque, Auditor Stewart and Attorney Murray. Absent was Trottier.

Mayor LaRocque called the meeting to order at 8:00 pm.

Council members recited the Pledge of Allegiance.

Roll call was taken by Mayor LaRocque.

There was an addition to the agenda, by Lotvedt, which was a bill for the Armory roof. There was a motion by Brossart to approve the agenda as amended. Second by Schneibel, all voting yes, motion carried.

The council considered the June 6, 2022, meeting minutes. There was a motion by Lotvedt to approve the minutes of the June 6, 2022, regular council meeting. Second by Kraft, all voting yes, motion carried.

The council considered the June 7, 2022 special meeting minutes. There was a motion by Schneibel to approve the minutes of the June 7, 2022 special council meeting. Second by Kraft, all voting yes, motion carried.

The council considered the June 15, 2022 special meeting minutes. There was a motion by Lotvedt to approve the minutes of the June 15, 2022 special council meeting. Second by Brossart, all voting yes, motion carried.

The council considered the June 28, 2022 special re-organization meeting minutes. There was a motion by Kraft to approve the minutes of the June 28 special re-organization meeting. Second by Schneibel, all voting yes, motion carried.

Bills Paid Since Last Meeting of 6/6/2022:	\$930,055.97
22356 Suez Treatment Solutions	\$147,200.00
22357 Bonnie Berginski	\$1,486.03
22358 BSN Sports LLC	\$2,955.80
22359 Cole Papers	\$3,967.14
22360 Convention & Visitors Bureau	\$545.45
22361 Convention & Visitors Bureau	\$5,546.67
22362 Emergency Auto Tech Inc.	\$1,887.00
22363 Envision	\$924.51
22364 First District Health Unit	\$105.00
22365 Glenko Enterprises	\$2,566.63
22366 Graymont Western Canada	\$5,177.44
22367 HACTC	\$477.00
22368 Hawkins	\$2,062.82
22369 Heart of America Library	\$4,364.92
22370 Heart of America Medical Center	\$132.00

22371	John Deere Financial	\$59.79
e-ck	JP Morgan Chase Bank/P-Card	\$746.70
22372	Karl Frigaard	\$1,352.23
22373	Lauren Casavant	\$74.88
22374	MARC	\$530.37
22375	ND Dept of Health / Chemistry	\$50.32
22376	ND Dept of Environmental Quality	\$100.00
22377	ND Telephone Co	\$759.79
22378	North Central Printing Inc.	\$271.00
22379	Otter Tail Power Company	\$11,205.73
22380	Panther Boosters	\$249.50
22381	Rec Supply Company	\$5,603.73
22382	Rick Larson	\$1,125.00
22383	Rugby Job Authority	\$30,191.25
22384	Rugby Park District	\$1,489.48
22385	Staples Credit Plan	\$339.34
22386	Team Laboratory Chemical	\$1,560.00
22387	The Tessman Company	\$466.60
22388	Valli Information Systems	\$700.84
22389	Wagner Construction Inc.	\$554,801.54
e-ck	Wex Bank	\$1,291.62
ACH	Payroll Checks	\$89,198.54
e-ck	Social Security	\$13,199.24
e-ck	Medicare Taxes	\$3,086.96
e-ck	Payroll Taxes	\$6,413.88
22390	AFLAC	\$950.46
ACH	NDPERS	\$725.00
ACH	NDPERS	\$8,159.51
ACH	Sanford Health / NDPERS	\$14,023.54
22391	State Tax Commissioner	\$1,930.72
Bills To Be Approved and Paid 7/5/2022:		\$150,977.60
22395	Advanced Engineering	\$33,081.85
22396	Amber St. Claire	\$55.00
22397	Aqua-Pure Inc.	\$265.00
22398	ATCO International	\$450.00
22399	Bartsch Electric LLC	\$44,000.00
22400	Bonnie Berginski	\$350.50
22401	Brad Radomski	\$700.00
22402	Brad's Auto Service & Towing	\$497.50
22403	Brooke Anderson	\$50.00
22404	BSN Sports	\$1,733.78
22405	Circle Sanitation	\$20,301.00
22406	Cole Papers	\$7.00
22407	Colonial Research Chemical Corp	\$426.48
22408	Core & Main LP	\$947.12

22409	First District Health Unit	\$60.00
22410	Frontier Precision Inc.	\$2,666.90
22411	G & P Commercial Sales	\$214.08
22412	Harper Oil Co	\$4,203.32
22413	Home of Economy	\$285.16
22414	Houim Contracting & Tree Svc	\$425.00
22415	Integrated Process Solutions	\$2,542.50
22416	Jacob Ripplinger	\$75.00
22417	Jeremy Johnston	\$300.00
22418	John Deere Financial	\$13.13
22419	Johnson's Plumbing	\$490.55
22420	Knoxilla	\$355.24
22421	Leevers Foods	\$341.54
22422	Macen Heisler	\$150.00
22423	ND One Call	\$110.15
22424	ND Surplus Property	\$150.00
22425	NDAAO	\$30.00
22426	Newman Signs	\$798.74
22427	Office of the State Auditor	\$405.00
22428	Petty Cash	\$31.04
22429	Pierce County Auditor	\$3,412.50
22430	Pierce County Treasurer	\$733.64
22431	Pierce County Tribune	\$48.00
22432	Power Plan	\$21.76
22433	Precision Autobody & Glass	\$5,072.34
22434	Rebecca Jordan	\$170.00
22435	Robert Spallinger	\$1,935.00
22436	Rugby Broadcasters / KZZJ	\$191.00
22437	Rugby Golf Club	\$550.00
22438	Rugby Greenhouse	\$53.95
22439	Rugby Hardware Hank	\$1,965.10
22440	Rugby Insurance Agency	\$8,143.00
22441	Rugby Lumber	\$2,641.34
22442	Rugby Service Center	\$1,945.04
22443	Rugby Veterinary Service	\$177.00
22444	Rylan Hildenbrand	\$145.00
22445	Staples Credit Plan	\$245.49
22447	Team Lab	\$527.50
22448	The Computer Store	\$749.89
22449	Traffic Logix Corp	\$5,000.00
22450	Troy Munyer	\$187.20
22451	Verizon Wireless	\$550.27

The bills were reviewed by the council. Bills were individually reviewed by Lotvedt and Lunde. There was a motion by Lotvedt to approve payment of the bills as presented. Second by Lunde,

roll call vote, Brossart-yes, Larson-yes, Schneibel-yes, Kraft-yes, Lunde-yes, Lotvedt-yes, motion carried.

The council considered the monthly financial reports. There was a motion by Brossart to approve the monthly financials as presented. Second by Schneibel, roll call vote, Brossart-yes, Larson-yes, Schneibel-yes, Kraft-yes, Lunde-yes, Lotvedt-yes, motion carried.

The council considered the June 2022 Court Report. There was a motion by Lotvedt to approve the June 2022 Court Report. Second by Kraft, all voting yes, motion carried.

Erik Christianson, HAMC CEO, addressed the council regarding their proposed hospital build and loan request status from USDA. Currently their total capital campaign drive is at \$2.8 million. Christianson is also in the process of addressing weed control on the new hospital parcel.

Christianson explained that the costs to install infrastructure to the site is estimated at \$1.08 million. This is for water main, sewer and 15<sup>th</sup> St paved extension. He explained that if the city does not wish to pave the 15<sup>th</sup> St extension, the hospital would not pave the road, to cut out approximately \$800,000 in costs.

Lotvedt questioned if the council wants an easement for the extension of 15<sup>th</sup> St SE. He explained that he is able to obtain an easement from the current owners on behalf of the city. LaRocque questioned why Lotvedt has not yet obtained the easement, as he has told the council for months that he can obtain it. Lotvedt is questioning the wishes of the city. Kraft believes the city should have an easement for 15<sup>th</sup> ST SE. Attorney Murray explained that the city would want to maintain a hospital in town, so an easement would be the best route for the community.

Christianson explained that the Dunseith Clinic is owned by the Job Development Authority, and the City of Rugby, and his board has approached the JDA about transferring the Dunseith Clinic to Heart of America Medical Center. He explained the amount of money it would cost for necessary updates and that HAMC may not want to put the money into a building they do not own. Murray explained that it may be possible, based on the city Home Rule Charter, to transfer the Dunseith Clinic to HAMC.

The council continued to discuss the possible extension of 15<sup>th</sup> St SE and obtaining easements for it. There was a motion by Kraft to have Lotvedt negotiate an easement and that the city will pay for the cost associated with the easement to allow for a water line and storm sewer. Second by Brossart. LaRocque called for discussion. Schneibel questioned if the motion included, that the “cost associated with the easement” would include the \$1.08 Million. Kraft clarified that his motion was only to pay for the costs to obtain an easement. Lotvedt meant that the costs associated with the water and storm sewer line would be paid for by the city. Kraft amended his motion to include \$200,000 for the water and storm sewer costs. Second by Schneibel, roll call vote, Lotvedt-yes, Lunde-yes, Kraft-yes, Schneibel-yes, Larson-yes and Brossart-yes, motion carried.

Kraft questioned the initial opinion regarding the Dunseith Clinic and the JDA selling the property. Christianson explained that it had been stated that the JDA would have to put the property up for sale by bids, to the highest bidder or list it with a relator. Murray explained that the Home Rule Charter allows for different options since the clinic is owned by the JDA and it can be discussed at a later meeting.

Laurie Odden, Executive Director CVB, explained that they had 67 entries for the annual 4<sup>th</sup> of July Parade. The Chamber will be hosting the annual Softball Tournament this weekend and Crazy Days next week.

The council reviewed the JDA minutes and financials. Karl Frigaard, JDA Executive Director, explained that the city had Brady Martz onsite last week for the 2021 audit. Frigaard does not anticipate a July JDA meeting as board members are not available. Lunde asked how many jobs are available in the city. Frigaard estimated 25-50 at Rugby Manufacturing and that the implement dealers both have positions open. Frigaard explained that Scheels is interviewing existing employees to recruit new employees. He wants the JDA to purchase a video camera to highlight the things Rugby has to offer. Lotvedt asked where he is going to put this information. Lotvedt explained that the JDA website information is from 2020 and hasn't been updated. Frigaard explained he has asked for tools to market the community and is trying to work with the Chamber to bring the Chamber Board in to talk about why they like Rugby. He discovered that there is a person who has the passwords to update the website, but the JDA doesn't have the funds set aside to pay the individual to update the website. They also have to ask the individual if they are willing to update the website.

Lunde questioned if Frigaard has any prospects for someone bringing jobs into the community. Frigaard explained that there is potential for retail jobs. Lotvedt explained the priority should be updating the JDA website.

There was a motion by Kraft to accept the JDA minutes and financials. Second by Larson, majority voting yes, motion carried.

Recreation: Chairman Lotvedt explained that they will be seeding grass on the diamonds this fall and things are going well.

Finance: Kraft explained that they are working on the 2023 budget.

Ordinance: Kraft explained that the committee has ordinances for consideration later in the meeting.

Public Safety: LaRocque explained that things around the city have been quiet and the Police Department is still accepting applications for open positions.

Buildings: Chairman Brossart requested, on behalf of Pool Manager Bonnie Berginski, to have the pool roof replacement done after swimming lessons are complete this summer. LaRocque pointed out that this will be discussed under unfinished business.

Jim Olson, AE2S, addressed the council regarding the 2 ½ Ave project. Olson updated the council regarding to the progress that Wagner Construction has made so far. He presented pay application #3, on behalf of Wagner Construction, in the amount of \$647,457.06. Kraft questioned if the project is on schedule. Olson assured the council that they are on schedule. They discussed the project and the truck traffic from Wagner Construction. LaRocque suggested that Wagner have a flagger when they are bringing loads in. Olson explained the compaction tests are done on the roads that are impacted by the project. Lunde explained he has had complaints about large rock being dropped around town at intersections. Olson will follow up with Wagner regarding this.

Murray questioned why the Attorney Certification had not been signed when the contract was signed. Olson explained that he had asked the former City Attorney to complete that quite some time ago. Murray questioned if this was going to cause a problem with USDA reimbursements. Olson does not believe there will be any problems in the future due to this. Murray signed this earlier today. There was a motion by Lotvedt to approve the pay application #3 in the amount of \$647,457.06 for the 2 ½ Ave Project. Second by Kraft, roll call vote, Lotvedt-yes, Lunde-yes, Kraft-yes, Schneibel-yes, Larson-yes and Brossart-yes, motion carried.

Olson explained that at the June NAWS meeting the director had asked Olson to meet with their engineer and complete a new cost estimate for the proposed water line replacement from the city wells to the water treatment plant. Once that is complete NAWS would meet a final time and decide on the replacement of the raw water line from the city wells to the water treatment plant. Lotvedt questioned if AE2S would be charging the city to complete a new cost estimate. Olson explained that standard fees would apply. Kraft questioned how old the cost estimate currently is. Olson explained that it is a year old. Lotvedt questioned what pre-engineering would cost. Olson explained that \$325,000 is the pre-engineering cost.

Jon Nelson elucidated that he has attended every NAWS meeting. The first presentation to NAWS, for the cost of the project, to install a new line from the city water wells to the water treatment plant was \$8.95 million. Nelson explained that Minot City sales tax pays 35% of NAWS costs. NAWS participation lowers the local share of projects costs. Nelson advocated the project be done in the most cost efficient manner and utilize Houston Engineering who works for NAWS.

Olson gave the council the history of this project for the last two years. He explained the cost differences from \$8.95 million - \$10 million is the difference between two different types of pipe that could be utilized in the project.

Nelson indicated that the City of Minot is not willing to pay 35% of the cost of this project. He explained they may be willing to pay a portion of the 35%.

The council discussed the history of the replacement of the water transmission line. They discussed that the water plant is only able to get 1050-1080 gallons per minute and they should be able to get 1,200 gpm. There is an issue somewhere in the waterline. Munyer explained that a valve along the transmission line may be partially shut. 200gpm, though an entire day, does make a big difference in water production.

LaRocque asked for a motion to update current project costs. Lotvedt is not willing to spend \$400,000. Schneibel questioned if it was \$400,000 for a cost estimate. Olson clarified that a cost estimate does not cost \$400,000; the cost of pre-engineering is \$325,000. Lotvedt wants Nelson and public works to talk to NAWs and ask them what they want. Nelson explained that the NAWs advisory committee meets each month.

There was a motion by Schneibel that this topic be sent back to the Public Works Committee for review and discussion. Second by Lotvedt, all voting yes, motion carried.

Brossart explained that Bonnie Berginski requested that the pool roof not be replaced until swimming lessons are complete this fall. A & R Roofing will need to set up a crane on the west side of the pool, which would block the main entrance. A & R Roofing is okay with the delay as they have a roof in New Rockford to complete. The former mayor had negotiated with Berginski and A & R Roofing to utilize the northwest door as the entrance and complete the roof after the Armory roof. LaRocque questioned when A & R would be back to complete the swimming pool roof. Lotvedt explained they will be back mid-August. There was a motion by Lotvedt to have A & R Roofing stop and return in August to complete the swimming pool roof. Second by Brossart, all voting yes, motion carried.

The Armory roof will be complete tomorrow. Lotvedt would like the pay request of \$159,850 to be considered. There was a motion by Lotvedt to approve the pay request for A & R Roofing for \$159,850. Second by Kraft, roll call vote, all voting yes, motion carried.

Lotvedt distributed a drawing regarding a sewer line replacement for the Hurly and Austin properties. He explained that it has been decided that a new water and sewer line will be ran, where the current sidewalk is and each of the residents will pay for their portion of the line from the main to their homes. Lotvedt explained that an easement may be necessary to run a new sewer line where the current sewer line is. Kraft questioned if an alternative is to dig up the street for the new sewer line. Lotvedt suggested that the new lines could also be bored in to each home. The sewer line is the city line. Munyer and B & J Excavating will deliver a cost estimate, in the future, to the council.

LaRocque explained that the City Engineer position will remain open and Jim Olson is acting engineer until the completion of the 2 ½ Ave project.

The council reviewed the Request for Qualification for Engineering Services. There was a motion by Brossart to approve the Request for Qualification for Engineering Services. Second by Lotvedt, all voting yes, motion carried.

The council conducted the second reading of Ordinance 436- Beer Licenses. There was a motion by Lotvedt to approve the second reading of Ordinance 436-Beer Licenses. Second by Brossart, all voting yes, motion carried.

The council conducted the second reading of Ordinance 437- Liquor Licenses. There was a motion by Kraft to approve the second reading of Ordinance 437- Liquor Licenses. Second by Schneibel, all voting yes, motion carried.

The council conducted the first reading of Ordinance 438- General Commercial District.

The council conducted the first reading of Ordinance 439-Light Industrial District.

Per Attorney Murray, both ordinances may be approved together.

There was a motion by Lotvedt to approve the first reading of Ordinance 438- General Commercial District and first reading of Ordinance 439- Light Industrial District. Second by Larson, all voting yes, motion carried.

The council considered an agreement with Otter Tail Power to give the city owned street lights to Otter Tail. In a previous meeting the council agreed to turn over the city owned street lights. Prior to today, the city had not received an agreement to finalize relinquishing ownership of the lights. There was a motion by Schneibel to approve the Otter Tail Power agreement. Second by Lotvedt, all voting yes, motion carried.

Olson presented a pay request for Mike Swanson Construction for the swimming pool project. Olson asked for approval, pending walk through with the architect tomorrow. Olson is checking into the fans that were installed and the possibility of making them variable speed. There was a motion by Lotvedt to approve the pay request for Mike Swanson Construction, pending architect walk through, in the amount of \$21,309.60. Second by Kraft, roll call vote, all voting yes, motion carried.

The council reviewed correspondence from the Office of the State Auditor regarding the approval of the city 2020 Audit.

Nelson explained that tomorrow at 3:00pm there is a Regional Water Commission meeting in Minot.

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 Lunde, all voting yes, motion carried. Meeting adjourned at 9:48 p.m.

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Frank LaRocque, Mayor

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

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Approved