

**RUGBY CITY COUNCIL
REGULAR MEETING
MONDAY, FEBRUARY 1, 2010, - 7:30 P.M.
COUNCIL CHAMBERS**

Council Members present: Rheault, Brossart, Jacobson, Bednarz, Hoffert, Hartl, Schneibel and Wentz. Also present were Mayor Niewoehner, City Attorney Butz, and City Auditor/Administrator Harmel.

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

The agenda was reviewed.

Motion by Schneibel to approve the minutes of the January 4, 2010 regular meeting as amended. Second by Hartl, all voting yes, motion carried.

Motion by Jacobson to approve the financial statements and payment of the bills, with the exception of Wold Engineering, until more information is obtained. Bills paid since last meeting: 9741 Alltel \$120.50, 9742 B & M Laundry \$37.26, 9743 Convention & Visitors Bureau \$4,824.41, 9744 HACTC \$4,230.00, 9745 ND One Call \$9.10, 9746 ND Public Health Lab \$48.00, 9747 ND Rural Water Systems Assn. \$190.00, 9748 ND Telephone \$617.80, 9749 Otter Tail \$10,632.64, 9750 Rugby Job Authority \$14,414.71, 9751 State Water Commission \$4,853.55, 9752 Postmaster \$266.82, 9753 Rugby Sanitation \$17,612.98, Total Regular Bills Paid \$57,857.77; 9754-9774 Payroll Checks \$42,198.57, Soc. Sec \$6,903.62, Medicare Taxes \$1,614.50, Payroll Taxes \$5,932.92, Electronic Total \$14,451.04, 9775 Voided Check, 9776 AFLAC \$375.68, 9777 NDPERS \$8,532.78, 9778 NDPERS \$620.00, 9779 NDPERS \$3,995.52, Total Bills For Payroll \$70,173.59; Grand Total All Bills Paid Since Last Meeting of 01/04/10 \$128,031.36; and the bills to be paid: 9780 Advanced Engineering \$2,450.00, 9781 Atco International \$428.90, 9782 Bartsch Electric \$101.25, 9783 Black Mountain Software \$100.00, 9784 BPS Plumbing Service \$750.00, 9785 Bremer Bank \$5,962.46, 9786 Commercial Maint. Chem. Corp. \$486.83, 9787 Ethanol Products \$1,524.96, 9788 Farmers Union \$3,500.88, 9789 H.E. Everson \$1,103.31, 9790 HACTC \$1,125.00, 9791 Hawkins \$288.00, 9792 Hi-Way Tesoro \$1,932.71, 9793 Integrated Process Solutions \$520.00, 9794 Johnson's Plumbing \$46.95, 9795 Law Enforcement Associates \$520.00, 9796 M.J. McGuire \$441.30, 9797 MARC \$264.33, 9798 Napa \$2.49, 9799 ND Chiefs of Police Association \$30.00, 9800 ND Municipal Judge's Assn. \$25.00, 9801 ND Rural Water Systems Assn. \$125.00, 9802 ND Surplus Property \$30.00, 9803 Newman Traffic Signs \$313.24, 9804 Northern Plains Electric \$2,104.13, 9805 Pamida \$66.58, 9806 Petty Cash \$65.78, 9807 Pierce County Auditor \$2,208.33, 9808 Pierce County Tribune \$438.28, 9809 Pioneer Mutual Life Ins. Co. \$236.25, 9810 Precision Autobody \$1,118.07, 9811 Premier Lube \$29.77, 9812 Radisson Hotel Bismarck \$63.00, 9813 Rugby Hardware Hank \$523.65, 9814 Rugby Insurance Agency \$1,328.90, 9815 Rugby Lumber \$39.90, 9816 Rugby Sanitation \$127.00, 9817 Rugby Veterinary Service \$409.00, 9818 Souris Basin Planning Council \$300.00, 9819 SRT \$29.10, 9820 St. Michel Furniture \$250.00, 9821 Staples \$101.09, 9822 The Computer Store \$99.99, Sub-Total Bills To Be Paid \$31,611.43; Bills Payable Upon Delivery: Commenco \$600.00, Rugby Fire Department \$16,480.54, Vision Business Products \$472.99, Total Bills Submitted For Approval \$53,497.60. Second by Bednarz, roll call vote: all voting yes, motion carried.

Motion by Jacobson to approve the Municipal Judge's report for January 2010. Second by Wentz, all voting yes, motion carried.

The council reviewed the Rugby JDA minutes & financial statements.

The Council reviewed a proposal for boiler and equipment insurance that was reviewed by the Finance Committee. Motion by Wentz to table the issue until Keith Gault can be available for questions. Second by Schneibel. All voting yes, motion carried.

The Council reviewed several potential ordinance amendments to the sales tax, animals, and curfew. Discussion was held on the sales tax ordinance and amending section 3.08.090 to include language that would require a portion of the infrastructure sales tax funds to be used for the District 2009-1 city wide street project. Motion by Jacobson to table the sales tax ordinance until a final draft is developed. Second by Hartl, all voting yes, motion carried. The council discussed amending sections of the animal ordinance, including a limitation on number of pets allowed, cruelty to animals, and abandonment. Motion by Jacobson to table the animal ordinance until a final draft is developed. Second by Hoffert, all voting yes, motion carried. Discussion was held on amending the curfew ordinance, and changing the hours from 10:30pm to 6:00am, every night of the week to the hours of 10:00pm to 6:00am, for the nights of Sunday through Thursday, and from Midnight to 6:00am on Friday and Saturday nights. No action was taken.

The council reviewed a letter awarding the city a 50% match grant from the ND National Guard for new windows in the National Guard offices at the Armory.

The council reviewed the minutes of the Special Assessment Commission meeting on January 8, 2010, along with a map of Hartley Hageness's residential property, parcels 8500000, 8504000, and 8508000. Parcels 8504000 and 8508000 were assessed for reconstruction, while parcel 8500000 was assessed for mill and overlay. Discussion was held on the assessments. Motion by Jacobson to approve the recommendation of the Special Assessment Commission to assess parcels 8500000, 8504000 and 8508000 as if they were all one parcel, with an address of 311 5th Ave SW, and reducing the assessment by \$14,870.82. Second by Rheault. Roll call vote: Rheault - yes, Wentz - yes, Hartl - yes, Hoffert - no, Brossart - no, Jacobson - yes, Bednarz - yes, Schneibel - yes. Motion carried.

Mayor Niewoehner made a commentary on the difficulty of city employee's occupations. Lengthy discussion was held regarding PWS Barnum's resignation, job duties of the position and employee issues. Dave Engeland will be in charge of the street dept. and Rick Larson will be in charge of the water dept., until a more permanent solution is found.

Kevin Schepp, Fire Dept. Secretary/Treasurer, reported that the Fire Dept. building committee had the opportunity to meet with EAPS Architects recently and that they had agreed to do a needs assessment on a new fire hall.

There was no other business, nor new business.

City Attorney Butz reviewed an amended raffle permit application submitted by Rugby Rural Volunteer Fire Dept., and recommended approval. Motion by Hoffert to approve the application. Second by Hartl, all voting yes, motion carried.

Committee Reports: Buildings/Property - no report. Finance - met this month to review the boiler policy and other housekeeping financial matters. Ordinances/Rec - met this month to review ordinances. Public Safety - met this month and discussed safe routes to schools grant, and recommended a budgeted computer purchase for the police dept. Motion by Schneibel to approve the computer purchase as recommended by the committee. Second by Hartl. Roll call

vote, all voting yes, motion carried. Streets/Sewer - no report. Water - no report.

The council reviewed correspondence, special meetings and reminders. The Council is invited to the Little Flower School Open House on February 4, from 5:30pm - 7pm. The council also received a report from ND State Health dept. on the Inert Landfill Inspection. Meetings this month are: Tues. 2/2/10 - Strategic Planning Meeting at Noon at JDA office, Wed. 2/3/10 - Safe Communities Meeting at 1:30pm at Hub, Wed. 2/10/10 - JDA Meeting at Noon at JDA office, Mon. 2/15/10 - President's Day Holiday - offices closed, Tues. 2/23/10 - Street/Sewer Committee meeting at Noon at Coffee Cottage, and Thurs. 2/25/10 - Public Safety Committee at 3:30pm.

There being no further business to transact or to come before the Council at this time, Mayor Niewoehner adjourned the meeting at 9:20pm.



Karla Harmel, City Auditor/Administrator

2-8-10

Date Submitted



Dale G. Niewoehner, Mayor

3-1-10

Date Approved