RUGBY CITY COUNCIL
REGULAR MEETING
MONDAY, APRIL 5, 2010, - 7:30 P.M.
COUNCIL CHAMBERS

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

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.

There were no additions to the agenda.

Motion by Jacobson to approve the minutes of the March 1, 2010 regular meeting. Second by Hoffert, all voting yes, motion carried.

Motion by Wentz to approve the financial statements and payment of the bills, with the addition of three bills: KZZJ - $309.00, National Imprint Corp. - 409.83, and Premier Lube & Tire - $30.80. Bills paid since last meeting: 9911 Dyvonne Zinck $500.00, 9912 Farm Plan $322.00, 9913 Power Plan $2,472.28, 9914 Alltel $120.32, 9915 B & M Laundry $24.84, 9916 Convention & Visitors Bureau $4,163.04, 9917 ND One Call $13.00, 9918 ND Public Health Lab $48.00, 9919 ND Telephone $550.96, 9920 Otter Tail $9,898.95, 9921 Rugby Job Authority $14,325.49, 9922 Sarah Johnson $1,000.00, 9923 Merchants Bank $8,110.69, 9924 Postmaster $268.83, 9925 Rugby Sanitation $19,285.00, Total Regular Bills Paid $61,103.40, 9926-9956 Payroll Checks $37,095.90, Soc. Sec $5,888.34, Medicare Taxes $1,377.10, Payroll Taxes $4,082.58, Electronic Total $11,348.02, 9957 AFLAC $375.68, 9958 NDPERS $7,506.16, 9959 NDPERS $620.00, 9960 NDPERS $3,174.35, 9961 State Tax Commissioner $2,180.83, Total Bills For Payroll $62,300.94, Grand Total All Bills Paid Since Last Meeting $123,404.34. and the bills to be paid: 9962 A & C $270.00, 9963 Advanced Engineering $3,830.00, 9964 Aqualogix $81.00, 9965 BPS Plumbing Service $350.00, 9966 Brad's Towing & Service $220.00, 9967 Bremer Bank $5,962.46, 9968 D & S Motors $3,735.43, 9969 Dan Volk $128.39, 9970 Dell Marketing $1,533.40, 9971 Environmental Equip. & Serv. $866.18, 9972 Ethanol Products $1,214.87, 9973 Fargo Water Equipment $1,591.12, 9974 Farmers Union $2,924.77, 9975 Fraternal Order of Police $108.00, 9976 Fritz Delivery $27.00, 9977 G & P Commercial Sales $25.24, 9978 H.E. Everson $112.88, 9979 HACTC $5,955.00, 9980 Hawkins $1,847.51, 9981 Hi-Way Tesoro $2,393.32, 9982 Hy-Z Wireless $210.44, 9983 I Design $102.50, 9984 Karla Harmel $165.15, 9985 KZZJ AM 1450 $309.00, 9986 Law Enforcement Systems $55.00, 9987 Municipal Government Academy $80.00, 9988 Napa $291.33, 9989 Nathan Moen $150.00, 9990 National Imprint Corp $409.83, 9991 ND Public Health Lab $48.00, 9992 Northern Improvement $541.25, 9993 Northern Plains $1,682.06, 9994 Pamida $89.31, 9995 Petty Cash $87.30, 9996 Phyllis Johnson $193.37, 9997 Pierce County Auditor $2,208.33, 9998 Pierce County Tribune $560.46, 9999 Pioneer Mutual Life Ins. $220.50, 10000 Power Plan $76.84, 10001 Premier Lube $30.80, 10002 Radisson Hotel Bismarck $252.00, 10003 Ramada Plaza Suites $89.00, 10004 Rugby Hardware Hank $427.85, 10005 Rugby Sanitation $127.00, 10006 Rugby Veterinary $131.00, 10007 Rugby Welding & Machine $85.00, 10008 SRT $29.10, 10009 Staples $69.57, 10010 Starion Bond Services $41,556.50, 10011 The Computer Store $390.97, 10012 The HR Specialist $48.00, 10013 Troy Munyer $335.36, 10014 Wold Johnson $1,080.00, Total Bills Submitted For Approval $85,309.39. Total Bills Submitted For Approval $57,868.40. Second by Hoffert, roll call vote: all voting yes, motion carried.

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

The council reviewed the Rugby JDA minutes & financial statements. Brenda Foster, JDA Executive Director, presented the 2010 Strategic Plan to the Council, which outlines goals and objectives for Rugby and Pierce County. Motion by Hoffert to adopt the Strategic Plan. Second by Bednarz, all voting yes, motion carried.

The Council opened bids for 2000 cubic yards, more or less, of class three gravel as set forth in the standard specifications for road and bridge use by the ND Department of Transportation. Gravel to consist of 10% fractured faced and between 5% and 10% fines. Bids were also opened for washed sand in the quantity of 2000 cubic yards, more or less. No bids were received for washed crusher fines in the quantity of 500 cubic yards, more or less. Sand, gravel and crusher fines to be delivered to the City of Rugby as directed by the Street Department Superintendent. The bids submitted were for class five gravel:

Bidder	Class 5 Gravel	Washed Sand
Schneider Custom Hauling	$10.00	$10.00
Deplazes Redi-Mix	$9.00	$16.00

Motion by Wentz to accept both bids and to order accordingly as needed. Second by Brossart, roll call vote: all voting yes, motion carried.

Roger Grimsley, Engineer with AE2S, reviewed drainage details of a map submitted to the Council. Change Order #5 will consist of twelve areas that need improvement, with two of them covered under warranty, which was negotiated by Grimsley from an original cost of $185,000.00 down to a cost of $104,788.00. Change Order #4 was a quantity reduction of $91,541.51, which will help cover the majority of the cost of the drainage improvements. Lengthy discussion was held on valley gutters, drainage problems and other issues and several members of the council questioned Grimsley on the details of their concerns. Grimsley also informed the council that the warranty inspection would occur in April, instead of June, although any warranty items are covered through September. After more discussion, motion by Hoffert to approve Change Order #5 for $104,788.00. Second by Bednarz, roll call vote: all voting yes, motion carried.

Grimsley reviewed information on a sewer main obstruction on 2 ½ Ave SE, which serves most of SE Rugby and is considered an emergency. A camera was installed in the line, an unknown obstruction was found, along with clay tile that is in danger of caving in. Ben Mack, BPS Plumbing, reported on the details of the sewer video. The council asked questions of Mack & Grimsley, and reviewed two quotes from local contractors for replacing the sewer main. Discussion was held on sewer manholes, plumbing codes, and costs. Motion by Hartl to authorize city employees to repair the sewer main. Second by Rheault. More discussion followed. Roll call vote: all voting yes, motion carried.

Grimsley reviewed the Safe Routes to Schools sidewalk along 4th St SW. The current plan has the sidewalk installation on the north side of 4th St SW. Installing the sidewalk on the north side would require the removal of bushes, trees, and a lengthy retaining wall along Ellery Park. Discussion was held on moving the sidewalk to the south side of 4th St SW. The path of least resistance would be to place the sidewalk along the north side between Hwy 3 and 5th Ave, then place sidewalk along the south side from 5th Ave to 7th Ave. Motion by Hoffert to place the sidewalk along the north side between Hwy 3 and 5th Ave, then place sidewalk along the south side from 5th Ave to 7th Ave. Second by Wentz. More discussion followed. Roll call vote: all voting yes, with the exception of Hartl and Jacobson, motion carried.

The council reviewed a plat correction in Southview Estates. Motion by Jacobson to authorize Mayor Niewoehner and City Auditor/Administrator Harmel to sign the plat on behalf of the city as property owners, and to approve the corrected plat. Second by Hartl, Hoffert called the question, roll call vote: all voting yes, motion carried.

Grimsley presented information on grants available for sanitary sewers.

Mayor Niewoehner presented information from ND Job Service "Train ND" classes that are administered by four ND colleges to provide training, education and support to employees. Motion by Hoffert to approve providing the training to city employees. Second by Jacobson, roll call vote: all voting yes, motion carried.

The council reviewed an ordinance and several resolutions.

Motion by Jacobson to approve the first reading of Ordinance 374 - Amending Title 6 - Animals, a copy of which is attached. Second by Brossart, roll call vote: all voting yes, motion carried.

Motion by Jacobson to approve Resolution 2010-1 - Continuance of Amtrak on Northern Route, a copy of which is attached. Second by Hartl, all voting yes, motion carried.

Motion by Jacobson to approve Resolution 2010-2 - Silver Star Banner Day Proclamation, remembering the sacrifices of service members and their families, a copy of which is attached hereto and made a part hereof. Second by Bednarz, all voting yes, motion carried.

Motion by Jacobson to approve Resolution 2010-3 - Recognizing City Government Week, April 12 - 16, 2010. Tours will be available for grade school children at the law enforcement center. Second by Bednarz, all voting yes, motion carried.

The council reviewed a recommendation by the Building/Property Committee to allow the ND National Guard to erect a fence on Armory property, which will provide protected parking and enclose their storage buildings. The fence may be eight feet or higher, and may come up to the south property line. The National Guard has tractor trailers as long as 50 feet, so the fenced area will need to be large enough to accommodate this type of equipment. Motion by Hoffert to permit the ND National Guard to build a security fence on Armory property. Second by Brossart, all voting yes, motion carried.

Mayor Niewoehner appointed the following as Election Inspectors: Pete Murtaugh - First Ward, Precincts 1 & 2, Harriett Kreklau - Second Ward, Candy Munyer - Third Ward, Renae Dockter - Fourth Ward. Motion by Jacobson to approve the appointments. Second by Brossart, all voting yes, motion carried.

Motion by Hartl to designate May 15, 2010 as city wide clean up day. Second by Jacobson, all voting yes, motion carried.

City Attorney Butz reviewed raffle permit applications submitted by the Geographical Center Museum and Pierce County Fair, and a liquor license name transfer for Third Street Station from David Corum to Daniel Corum.

Motion by Jacobson to approve the raffle permit applications. Second by Wentz, all voting yes, motion carried.

Motion by Hartl to approve the liquor license name transfer for Third Street Station. Second by Jacobson, all voting yes, motion carried.

Committee Reports: Buildings/Property - Discussed the condition of the Armory floor and the swimming pool. City staff will obtain more information for the next council meeting. Finance - no report. Ordinances/Rec - no report. Public Safety - no report. The Fire Dept. toured several newly built fire halls and gained much information. Costs for the new fire halls ranged from $600,000.00 to $680,000.00. Streets/Sewer - reviewed costs for an air compressor, and will continue researching the purchase. Discussion was held on advertising for a Public Works Supervisor. Motion by Bednarz to advertise for a Public Works Supervisor. Second by Brossart. Roll call vote: Wentz - no, Hartl - no, Hoffert - no, Bednarz - yes, Jacobson - yes, Brossart - yes, Rheault - no. Motion fails. Motion by Hartl to hire a full time street/water laborer with full benefits. Second by Wentz. Lengthy discussion followed. Mayor Niewoehner instructed the Street Committee Chairman and Finance Committee Chairman to organize wages for the street dept. supervisor and new street/water laborer. Roll call vote: all yes, with the exception of Jacobson, motion carried. Water - will meet with All Seasons Water Users District possibly April 19 or 20.

Meetings this month are: April 7 - Town Hall Meeting at Otter Tail at 6pm; April 8 - NDDOT Public Input meeting in Devils Lake; April 8 - NDLC meeting - Creating Strong Communities through Economic Dev. in Lakota; April 9 - Deadline to file for election at 4pm, April 12 - Draw straws for placement on ballot at Noon; April 13 - Tax Equalization Meeting at 7:30pm; April 15 - School tours at LEC for City Government Week; April 21 - Ordinance/Recreation committee meeting at 3:30pm; April 22 - Public Safety committee meeting at 3:30pm; April 21 - 22 - NDLC Human Resource conference for local government in Bismarck; April 27 - NDLC Regional meeting in Wilton.

There being no further business to transact or to come before the Council at this time, Mayor Niewoehner adjourned the meeting at 9:40pm.

Karla Harmel

Karla Harmel, City Auditor/Administrator

4/12/10

Date Submitted