

**RUGBY CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 6, 2023– 7:00 PM
ARMORY COUNCIL CHAMBERS AND MICROSOFT TEAMS**

Mayor LaRocque called the meeting to order at 7:00 pm.

Council members recited the Pledge of Allegiance.

Roll call was taken by LaRocque.

Council Members present: Schneibel, Lotvedt, Nelson, Kraft, Larson, Gannarelli, and Zachmeier.

Council Members present by TEAMS: Brossart.

Council Members absent, none.

Also present was Mayor LaRocque, Attorney Murray, and Auditor Stewart.

The council considered the agenda. There was an addition of B & J Excavating bills. There was a motion by Nelson to approve the agenda as amended. Second by Lotvedt, all voting yes, motion carried.

The council considered the October 16, 2023, meeting minutes. There was a motion by Kraft to approve the October 16, 2023, meeting minutes. Second by Gannarelli, all voting yes, motion carried.

Bills Paid Since Last Meeting of 10/02/2023: \$238,262.17

23572 Drive Chevrolet Rugby	\$33,670.64
23573 3rd Street Station	\$68.75
23574 American Welding & Gas	\$65.87
23575 ATCO International	\$354.00
23576 B & M Laundry Service	\$179.17
23577 Bechtold Paving Inc	\$1,475.10
23578 Brady, Martz & Associates	\$17,000.00
23579 Chamber of Commerce	\$75.00
23580 Column Software	\$804.96
23581 Computer Express	\$350.00
23582 Convention & Visitors Bureau	\$2,798.25
23583 Convention & Visitors Bureau	\$5,808.91
23584 David Bednarz	\$85.15
23585 EcoLab	\$173.80
23586 Envision	\$26.21
23587 H. E. Everson	\$112.78
23588 Home of Economy	\$170.55
23589 I Design	\$185.00
23590 Information Technology Dept	\$97.20
E-Ck Job Service North Dakota	\$4,102.00
23591 John Deere Financial	\$95.13
E-Ck J. P. Morgan / P-Card	\$1,791.94

23592	Leo Adam	\$218.50
23593	Napa	\$17.10
23594	ND Dept. of Water Resources	\$7,687.35
23595	ND One Call	\$40.30
23596	ND Telephone Co	\$982.29
23597	Northern Plains Elec. Coop	\$3,123.59
23598	Otter Tail Power Company	\$7,600.22
23599	Pierce County Tribune	\$54.00
23600	Power Plan	\$3,424.38
23601	Precision Auto Body & Glass	\$192.00
23602	Radisson Hotel Bismarck	\$96.30
23603	Rick Larson	\$850.00
23604	Rugby Job Authority	\$32,658.72
23605	Schock's Safe & Lock	\$32.50
23606	State Tax Commissioner	\$174.99
23607	Uniform Center	\$309.97
23608	Valli Information Systems	\$752.35
23609	Wellabe	\$317.25
E-Ck	Wex Bank	\$1,354.70
ACH	Payroll Checks	\$59,706.80
ACH	Social Security	\$8,870.58
ACH	Medicare	\$2,074.58
ACH	Payroll Taxes	\$5,279.15
23610	AFLAC	\$922.10
ACH	AFLAC	\$377.28
ACH	NDPERS	\$700.00
ACH	NDPERS	\$8,839.68
ACH	Sanford Health / NDPERS	\$22,115.08
Bills To Be Approved and Paid 11/02/2023:		\$218,642.36
23611	A & C Tire, Truck Repair & Towing	\$502.00
23612	American Welding & Gas Inc	\$65.87
23613	B & J Excavating Inc	\$224,781.99
23614	Bechtold Paving, Inc	\$7,451.74
23615	Circle Sanitation Inc	\$20,996.48
23616	Coffee Cottage Café	\$76.95
23617	Column Software PBC	\$596.31
23618	Core & Main	\$4,292.55
23619	Dakota Farms	\$50.10
23620	David Jaeger	\$950.00
23621	Drive Chevrolet Buick Rugby	\$81.85
23622	First District Health Unit	\$90.00
23623	H. E. Everson Co.	\$297.22
23624	Harper Oil Co	\$3,141.60
23625	Hawkins Inc	\$50.00
23626	Home of Economy	\$628.54

23627	I Design Inc	\$430.00
23628	Industrial Contracting Services Inc	\$98,955.00
23629	Interstate Engineering Inc	\$13,749.73
23630	Johnson's Plumbing	\$69.64
23631	Leevers Foods	\$148.48
23632	MARC	\$1,010.94
23633	ND Dept of Transportation	\$50,560.96
23634	ND League of Cities	\$700.00
23635	ND One Call	\$38.65
23636	ND Sewage Pump & Lift Station	\$125.00
23637	Northern Plains Electric Coop	\$2,107.45
23638	Pierce County Auditor	\$3,412.50
23639	Rebecca Jordan	\$170.00
23640	Robert Spallinger	\$3,245.00
23641	Rugby Broadcasters Inc/KZZJ	\$220.00
23642	Rugby Greenhouse	\$52.95
23643	Rugby Hardware Hank	\$873.00
23644	Rugby Insurance Agency	\$126.00
23645	Rugby Lumber	\$228.15
23646	Rugby Service Center	\$1,614.71
23647	Rugby Veterinary Service	\$182.00
23648	Schaan Oil Co	\$413.91
23649	Swanston Equipment Corp	\$100.33
23650	Verizon Wireless	\$661.75
23651	Yvonne Hagen	\$175.00

LaRocque explained that Larson had completed cement work and check number 23603 would need to be set aside to allow Larson to vote on the remaining bills. The bills were individually reviewed by Kraft and Schneibel. There was a motion by Schneibel to approve the bills, withholding check number 23603 to Rick Larson. Second by Kraft, roll call vote, all voting yes, motion carried.

There was a motion by Schneibel to approve check number 23603 to Rick Larson for \$850.00. Second by Lotvedt, roll call vote, Brossart-yes, Zachmeier-yes, Gannarelli-yes, Larson-abstain, Schneibel- yes, Kraft-yes, Nelson-yes, Lotvedt-yes, motion carried.

The council considered the monthly financial reports. The council reviewed the cash report. Stewart explained that the city has received reimbursement from the SORN 20/20 program for the police radios. There was a motion by Nelson to approve financials as presented. Second by Lotvedt, roll call vote, all voting yes, motion carried.

The council reviewed the bills from B & J Excavating. Nelson asked if the city could compile a running total of what they have contributed to the new hospital project. Stewart provided the totals to LaRocque and he shared them with the council. The total projected liability to the city is \$373,821.00.

The first invoice was for the 15th Ave SE Water Main Expansion for the remaining balance of \$81,818.45. The second invoice was for the storm drain piping, manholes and castings connecting to the new HAMC retention pond tying into the city storm drain system. This amount was \$141,693.54. The third invoice was for a service line replacement for \$1,000.00. The fourth invoice was for a snow gate repair in the amount of \$270.00. The city also received a check from B & J Excavating in the amount of \$6,000.00. Lotvedt explained to the council what the check was paying for. There was a motion by Lotvedt to pay the four invoices from B & J Excavating, as presented. Second by Larson, roll call vote, all voting yes, motion carried.

The council briefly discussed that the HAMC frontage road will be paid by the city in full, as the DOT bills are submitted. Once the billing is complete, the city will bill Pierce County for their pledged funds of \$150,000 and the Rugby Park District for their pledge of \$12,000. Which would be payable as a reimbursement to the city.

The council reviewed the monthly financials to include the cash report, expenditures vs. budget and revenues vs. budget. Stewart did not have any concerns about the financials at this time. There was a motion by Kraft to approve the monthly financials to include the cash report, expenditures vs. budget and revenues vs. budget. Second by Nelson, roll call vote, all voting yes motion carried.

The council reviewed the 2022 Audit report that was completed by Brady Martz. Stewart reviewed that the financial statements were presented fairly, and the three findings were explained. The three routine findings, due to the size of the government and staffing: 1) the typical financial statement preparation, 2) proposition of journal entries and 3) segregation of duties. She explained that due to the USDA federal funds exceeding \$750,000, a Federal Audit was also required, completed, and had no findings. There was a motion by Schneibel to accept the 2022 Audit report as presented. Second by Kraft, roll call vote, all voting yes, motion carried.

The council considered the 2023 October Municipal Court Report. There was a motion by Lotvedt to approve the 2023 October Municipal Court Report. Second by Zachmeier, all voting yes, motion carried.

Lotvedt explained that the JDA's efforts to recruit an optometrist to open a practice have not been successful. The JDA is still working with Rugby Dental to purchase lots and relocate their existing business once the current HAMC facility moves to the new building. He explained that they are looking into "My Town" marketing to help attract individuals to the community.

He explained that they are looking at a new housing incentive to help market the Chalmers Addition and encourage lot development. They are still discussing the hiring scenario of the JDA Director. There was a motion by Lotvedt to approve the JDA minutes and financials. Second by Nelson, all voting yes, motion carried.

Laurie Odden, CVB and Chamber Executive Director addressed the council with her report. Odden explained that the CVB and Chamber are also looking at the "My Town" marketing and have allocated funds to the project. This is a video production to market the community. Odden

explained that the local 3rd grade class from Ely Elementary sold pumpkins this fall and donated their proceeds of approximately \$2,400 to the monument project. This year the free matinee at the Lyric will be offered again in December. She explained that their event last weekend was the Fun Pianos. They did run into an electrical issue, where they blew a breaker. She explained that the caterer for the event had suggestions for an Armory kitchen remodel. Odden explained the kitchen did not have to be big or elaborate, however stainless-steel prep tables and a sink large enough to wash roasters in would be helpful. Odden explained the upcoming events that the Chamber is sponsoring. There was a motion by Larson to approve the CVB minutes and financials. Second by Gannarelli, all voting yes, motion carried.

Portfolio Reports

Buildings/Property: Portfolio Holder Lotvedt explained he will be obtaining siding samples for the south side of the Armory. He explained that Attorney Murray is searching for an easement with DOT for the city infrastructure lines crossing Hwy 2. Murray explained that she cannot find any document that relates to this. She also explained that former City Attorney Hartl had mentioned in the Preliminary Title Opinion for the USDA project that a survey of the area should be complete. Murray could not find a survey that had been done either. It was discussed that Jim Olson, AE2S, had directed the city to contact the city attorney for these documents. Murray is in the process of completing the Closing Title Opinion for the USDA loan closing.

Finance: Portfolio Holder Nelson commended Stewart for a successful 2022 Audit.

Ordinance: Portfolio Holder Zachmeier explained they will have a first reading of an ordinance later in the meeting.

Personnel: Portfolio Holder Gannarelli had nothing to report.

Public Safety: Portfolio Holder Larson reported the new police vehicle will arrive in a few days. It will be January or February before the vehicle can be outfitted with the equipment. LaRocque mentioned that with snow removal that the 48-hour street parking ordinance needs to be enforced to help keep streets clear when moving snow.

Kraft explained that in the past Ely Elementary was allowed to have STOP signs added before their building project. Now that the project is completed, Kraft would like to review the STOP sign locations. Lotvedt explained that he had spoken to the Ely Elementary Principal. The council would like to discuss this at their next meeting.

Public Works: Portfolio Holder Kraft explained the water plant project is going along well. He said one of the blades was being repaired and a few other things to be repaired were found have been fixed. The tube settlers are currently being installed on the first train of the water treatment plant upgrades. They will commission the first train sometime after Thanksgiving. Kraft noted that the computers to operate the water treatment plant went down about a week ago. It was discussed that the next water treatment plant project will be to upgrade the computers. Kraft explained that the project is moving forward much faster than anticipated.

Recreation: Portfolio Holder Schneibel had nothing to report.

Nelson explained that he has followed up with Michael Lee, State Mobile Home Park Inspector, regarding the two parks located in Rugby. The parks were issued violations on October 2, 2023, and had 30 days to correct their violations. Nelson will follow up again and see if the violations have been resolved.

The council reviewed the correspondence that Attorney Murray received from AE2S. Murray explained the response received from AE2S. Murray explained the request was for all items related to the City of Rugby that AE2S had, be turned over to the city. Murray would like a list of all the projects (items), bills for each project and itemized amounts paid, per project, to AE2S from them. The council had a lengthy discussion regarding the projects that AE2S completed for the city and the information the city believes should be turned over. Kraft suggested that the council put together a list of what they want from AE2S.

Nelson suggested that a small group of council members be put together to work with Attorney Murray to put together a list of AE2S work. LaRocque appointed Nelson, Larson and Kraft to the group.

Zachmeier explained Ordinance 447 for service pipe regulations. This would allow water service lines to be copper or Municipex, which is a more economical type of line, to be utilized by ordinance. The council conducted the first reading of Ordinance 447 Service Pipe Regulations. There was a motion by Nelson to approve the first reading of Ordinance 447 Service Pipe Regulations. Second by Lotvedt, all voting yes, motion carried.

The council considered the call for Fuel Bids. There was a motion by Larson to approve the call for Fuel Bids. Second by Kraft. The council discussed the past bids and businesses that participate in the city fuel bids. LaRocque suggested that bids could be accepted up until the meeting date and time. Murray explained that the council has the option of revising the call for bids. Schneibel explained that it doesn't really matter, because past practice has been to accept all bids and if a bid is not received the city has been allowed to fuel at those businesses as well. Larson amended his motion to amend the call for bids to accept bids until December 4, 2023, at 7:00pm. Second by Kraft, all voting yes, motion carried.

The council discussed the Pierce County Flood Plain Mapping update. LaRocque explained that the State Department of Water Resources is updating the flood plain map for Pierce County. This process will take 5-7 years to complete.

Nelson explained that the last meeting of the FEMA meetings will take place this week. It will be held on Thursday at 6:30pm at the Fox Auditorium.

The council considered an application for Local Permit from Rugby Dollars for Scholars and Rugby Sports Boosters. Murray explained that both were in order for consideration. There was a motion by Larson to approve both applications for Local Permit for Rugby Dollars for Scholars and Rugby Sports Boosters. Second by Zachmeier, all voting yes, motion carried.

The next meeting is scheduled for Monday, November 20, 2023, at 7:00p.m.

There being no further business to transact or come before the council at this time, LaRocque adjourned the meeting at 8:46p.m.

Frank LaRocque, Mayor

Attest: _____
Jennifer Stewart, City Auditor

Approved