

**REGULAR RUGBY CITY COUNCIL MEETING MINUTES
MONDAY, FEBRUARY 1, 2021– 7:30PM
COUNCIL CHAMBERS AND BY GOTOMEETING**

Council Members present: Albrecht, Kraft, Bednarz, Berg, Lunde, LaRocque, and Trottier. Council Members present by GOTOMEETING: Longie and Attorney Hartl. Also present were Jim Olson, AE2S and City Auditor Stewart. Absent was Mayor Steinke.

Council President Kraft called the meeting to order at 7:30 pm.

Council members recited the Pledge of Allegiance.

Roll call was taken by Kraft.

There was a motion by Albrecht to approve the agenda as presented. Second by Trottier, motion carried.

The council considered the January 4, 2021 meeting minutes. There was a motion by Albrecht to approve the minutes of the January 4, 2021, regular council meeting. Second by Lunde, all voting yes, motion carried.

Stewart explained the opportunity that the city has to refinance the 2013 Chalmers Addition Bonds, and save money on interest. The bonds may be called on May 1, 2021. Ann Wuollet, PFM Financial Advisors, addressed the council regarding the possible refinance of the 2013 Chalmers Addition Bonds. Wuollet explained the estimated gross savings of \$153,000. She explained that this is a refinance of the current bonds, to reduce the interest rates, and will not extend the term of the bonds. The current bonds are scheduled to be paid off in 2033. The original interest rate was 2.14%; the estimate interest rate for the refinance would be 1%. Wuollet explained that the interest rates can change daily or weekly. They have been steady at this point but the longer the city waits the higher the interest rates could be. She explained that the proposed resolution for providing for the public sale of the refunding improvement bonds, on the agenda this evening, would set the sale date of March 1, 2021. The bids received on March 1 would be fixed rate bids and lock in the interest rates.

The council considered Resolution 2021-1 Providing for the Public Sale of Refunding Improvement Bonds, Series 2021. There was a motion by Lunde to accept Resolution 2021-1 Providing for the Public Sale of Refunding Improvement Bonds, Series 2021. Second by Albrecht, roll call vote, Albrecht-yes, Bednarz-yes, Lunde-yes, Berg-yes, Trottier-yes, LaRocque-yes, Longie-yes, motion carried.

Bills Paid Since Last Meeting of 1/4/2021:	\$276,270.43
Wire Sioux Falls Truck & Trailer Center	\$121,015.00
21118 ACME Tools	\$1,089.97
21119 Aqua-Pure Inc.	\$663.95
21120 B &M Laundry Service	\$24.30
21121 Billi Warcken-Lamoure Co. Clerk	\$100.00
21122 Circle Sanitation	\$35.00
21123 Colonial Research Chemical Corp	\$2,574.64
21124 Convention & Visitors Bureau	\$1,289.33

21125	Convention & Visitors Bureau	\$3,330.57
21126	Dakota Farms	\$57.79
21127	David Bednarz	\$75.60
21128	Envision	\$905.72
21129	Fargo Tire Service	\$679.00
21130	G & P Commercial Sales	\$83.02
21131	H. E. Everson Co	\$472.12
21132	Home of Economy	\$149.97
21133	John Deere Financial	\$221.73
e-ck	JP Morgan Chase Bank	\$1,160.15
21134	Locators & Supplies Inc.	\$50.02
21135	Medico	\$129.25
21136	NAPA	\$139.97
21137	ND Dept. of Health/Chemistry	\$18.54
21138	ND Dept. of Environmental Quality	\$20.00
21139	ND Municipal Judges Assoc.	\$25.00
21140	ND One Call Concepts	\$3.60
21141	NDTC	\$782.21
21142	Northern Plains Electric Coop	\$3,108.62
21143	Otter Tail Power Company	\$13,381.46
21144	Pierce County Tribune	\$603.10
21145	POST Board	\$45.00
21146	Rugby Job Authority	\$30,938.05
21147	State Water Commission	\$6,570.45
21148	Valli Information Systems	\$632.98
21149	Verizon Wireless	\$80.02
e-ck	Wex Bank	\$440.86
ACH	Payroll Checks	\$46,806.70
	Social Security	\$7,335.40
	Medicare Taxes	\$1,715.56
	Payroll Taxes	\$4,892.30
21150	AFLAC	\$971.77
ACH	NDPERS	\$350.00
ACH	NDPERS	\$7,218.11
ACH	NDPERS	\$16,083.60
Bills Submitted for payment 01/04/2021:		\$87,383.44
21151	Advanced Engineering	\$15,947.85
21152	Austin Dibble	\$35.00
21153	B & J Excavating	\$1,957.50
21154	Bartsch Electric LLC	\$12,010.04
21155	Brad Radomski	\$700.00
21156	Circle Sanitation	\$20,072.00
21157	Core & Main LP	\$1,343.21
21158	Corrpro Companies Inc.	\$840.00
21159	First District Health Unit	\$75.00

21160	H. E. Everson Inc.	\$93.62
21161	I Design	\$160.86
21162	Integrated Process Solutions	\$2,482.50
21163	MBF Drain Tile Systems	\$6,865.00
21164	MeBulbs or PQL Inc.	\$440.56
21165	Metropolitan Compounds Inc.	\$234.35
21166	NDDOT	\$9,152.65
21167	Northern States Supply	\$10.58
21168	Petty Cash	\$4.65
21169	Pierce County Auditor	\$3,412.50
21170	Power Plan	\$2,797.28
21171	Radisson Hotel Bismarck	\$79.00
21172	Rebecca Jordan	\$170.00
21173	Rugby Broadcasters	\$91.00
21174	Rugby Hardware Hank	\$2,434.10
21175	Rugby Lumber	\$23.80
21176	Rugby Service Center	\$591.86
21177	Rugby Veterinary Service	\$122.00
21178	Schock's Safe & Lock	\$432.90
21179	Verizon Wireless	\$642.08
21180	Workforce Safety & Insurance	\$4,161.55

The bills were reviewed by the council. Bills were individually reviewed by Albrecht and Lunde. There was a motion by Albrecht to approve payment of the bills as presented. Second by Lunde, roll call vote, Albrecht-yes, Lunde-yes, Bednarz-yes, Berg-yes, LaRocque-yes, Longie-yes, and Trottier-yes, motion carried.

The financials and budget amendments were reviewed by the council. Stewart explained the transfer for the 2020 budget from the General Fund to the Highway and Street fund, to offset the shortfall of the Highway and Street Fund in the amount of \$3,000. There was a motion by Albrecht to approve the transfer for the 2020 budget from the General Fund to the Highway and Street fund, to offset the shortfall of the Highway and Street Fund in the amount of \$3,000, as presented. Second by Lunde, roll call vote, Albrecht-yes, Lunde-yes, Bednarz-yes, Berg-yes, LaRocque-yes, Longie-yes, and Trottier-yes, motion carried.

Stewart explained the 2020 year-end report. There was a motion by Albrecht to approve the 2020 year-end report. Second by Bednarz, roll call vote, Albrecht-yes, Lunde-yes, Bednarz-yes, Berg-yes, LaRocque-yes, Longie-yes, and Trottier-yes, motion carried.

Stewart explained the 2021 Financials. This included the cash report, statements of expenditures and revenues to date. Stewart explained the recent deposits from property tax as well as highway tax and other revenue. There was a motion by Trottier to approve the 2021 financials as presented. Second by Lunde, roll call vote, Albrecht-yes, Lunde-yes, Bednarz-yes, Berg-yes, LaRocque-yes, Longie-yes, and Trottier-yes, motion carried.

The council considered the January 2021 Municipal Court Report. There was a motion by Albrecht to approve the January 2021 Municipal Court Report. Second by Lunde, all voting yes, motion carried.

The council reviewed the Convention & Visitors Bureau meeting minutes for January 7, 2021, as well as the financials. There was a motion by LaRocque to approve the CVB January 7, 2021 minutes and financials as presented. Second by Lunde, all voting yes, motion carried.

The council reviewed and considered the JDA December 9, 2020 meeting minutes and financials presented at the January 13, 2021 JDA meeting. There was a motion by Albrecht to approve the JDA December 9, 2020 meeting minutes and January 13, 2021 financials. Second by Bednarz, roll call vote, Albrecht- yes, Berg-yes, Bednarz – yes, LaRocque-yes, Trottier- yes, Lunde-yes, Longie-yes, motion carried.

Recreation Committee: Chairman Berg presented a final payment to MBF Drain Tile in the amount of \$6,865. Both the Recreation and Finance Committee's prepared the recommendation of final payment. The balance owed to MBF Drain Tile is \$19,200. The committee's made deductions for 84 hours use of the skid steer at \$65/hour, 10 hours use of the mini excavator at \$100/hour, \$3,375 to cover 75% of the Dakota Fence estimate of \$4,500, and \$2,500 for reseeded grass in the spring. This left the balance of \$6,865.

The council discussed the scratches on the skid steer that MBF Drain Tile operators created. The estimate to repair the scratches was \$1645. Berg informed the council that he had spoken to Marcus from Ironhide, the business that leases the skid steer to the city, and that the scratches would not impact our trade in next spring. Trottier questioned if Berg had this in writing; he does not, but will obtain this.

There was a motion by Berg to make a final payment to MBF Drain Tile in the amount of \$6,865 contingent on the approval of the sales man that the scratches would not cost the city additional money. Second by , roll call vote, Albrecht-yes, Berg-yes, LaRocque-yes, Bednarz-no, Trottier-no, Lunde-no, Longie-yes, 4-3, motion carried.

Finance Committee: The committee discussed the AE2S Water and Sewer Rate Study, which was last complete in 2016. The committee discussed completing a new study to address the next 5 years of water and sewer rates. This allows the city justification of the water and sewer rates they charge consumers. The cost for the city to complete a new rate study is \$12,230. Longie questioned if the city water and sewer rates are in compliance with the previous rate study. Stewart explained that the council has chosen to not follow the exact amounts the study recommended in all cases. The city has chosen to use rates that are less than the recommended amounts in some cases. There was a motion by Albrecht to complete a new water and sewer rate study with AE2S. Second by Lunde, roll call vote, Albrecht-yes, Berg-yes, Bednarz-yes, LaRocque-yes, Trottier-yes, Lunde-yes, Longie-yes, motion carried.

The committee reviewed and approved the City of Rugby Work Order and rates for equipment and labor. This order does not allow city equipment to be rented to citizens or contractors. All city equipment must be operated by a city employee only. An example of previous billing the

city has done was discussed. Longie questioned Olson as to if he is familiar with other cities, that he works with, renting out equipment. Olson does not see other cities renting out their equipment to individuals or contractors. Munyer explained that they have taken the street sweeper and jet machine to other cities, and city employees operate the equipment. There was a motion by Albrecht to approve the City of Rugby Work Order. Second by Bednarz, all voting yes, motion carried.

The Recreation Manager salary was discussed. The committee is recommending \$1,100 per month salary as a six month position. Trottier questioned who the Personnel Committee was. LaRocque, Albrecht and Longie are the council members on the committee as well as Candy Munyer, Deputy Auditor. This committee meets as needed. The Personnel Committee, in the past, had dealt with policy and procedures, not the hiring. Depending on the open position within the city, determines which committee does the hiring. When the Police Department has an opening, the Public Safety Committee does the hiring. Kraft explained that every spring/summer we hire 20-30 people for the summer programs. The Recreation Manager and Director hire the coaching staff for the baseball program and Pool Manager hires the lifeguards. Trottier questioned how resignations are dealt with. Stewart explained that when a resignation is received, the council is made aware of the resignation. When a police officer resigns, Chief Rose informs the Public Safety Committee. They then decide how they move forward to hire a new employee. Kraft reminded the committee that they are not discussing the use of the Personnel Committee. Bednarz explained that the Personnel Committee had been set up in the past to deal with employee conduct and misconduct issues. Kraft directed the council back to the agenda item of the Recreation Manager. There was a motion by Albrecht to hire a Recreation Manager at \$1,100 per month for six months. Second by LaRocque, roll call vote, Albrecht-yes, Berg-yes, LaRocque-yes, Bednarz-yes, Trottier-no, Lunde-no, Longie-yes, 5-2, motion carried.

Ordinance Committee: Kraft explained that they had discussed Hemp Processing.

Public Works: Chairman Bednarz explained that they have received the new dump trucks. He informed the council that the CO2 tank, for the water plant, has had some mechanical issues. Olson reported that it was last inspected in 2018 and at that time it failed testing. We currently have a supplier of CO2, whom has been able to refill it since then. Olson explained it is the oldest tank being used in North Dakota. He explained the parts on the tank that have exceeded their useful life. Boucher was able to find some replacement parts to fix the immediate issue, until a new tank can be installed. The current tank is 12 ton. Olson recommends installing a new tank of equal or greater capacity. LaRocque questioned what a new tank would cost. Olson estimated it would be a total cost of \$130,000. The refurbished tank or new tank would each have a one year warranty. Olson explained that the lead time on a new tank is anywhere from 12-20 weeks, until delivery.

Kraft explained that being on the Finance Committee, he has never been aware that our current tank had failed testing and that a replacement needed to be obtained. Stewart explained that Boucher has listed this on his budget request in the past. Berg questioned why the council had not been made aware of the failed test back in 2018.

Olson explained that the water plant is using 20 pounds of CO2 a day at the plant. This indicated that the tank is leaking somewhere. There was a motion by Albrecht to have Olson obtain proposals for a new CO2 tank. Second by Lunde, all voting yes, motion carried.

The council discussed how to get by with the current CO2 tank until they can decide and purchase a new CO2 tank. There was a motion by Berg to have Boucher obtain the necessary equipment for the CO2 tank to keep it working until a new tank can be ordered. Second by Trottier, all voting yes, motion carried.

Bednarz explained that an estimate for generators for the lift stations and wiring them was in the council materials. Munyer has contacted Bartsch Electric to get the lift stations wired and the generators will be budgeted for. Longie questioned why the lift stations have not been wired yet. It has been discussed many times to get the lift stations wired and it has not happened, Longie wants this done.

Longie questioned the Comprehensive Land Use plan and where it is at. Olson explained that a Steering Committee has been selected and a meeting will be happening in the near future. Once Olson knows when the Steering Committee meeting is he will notify council.

Kraft explained that Boucher is looking into purchasing or leasing a portable CO2 tank for back up, should the current tank go down. Olson explained that a portable tank is 600 pounds and he will be obtaining an estimate of cost tomorrow. There was a motion by Bednarz to obtain a portable CO2 tank for a cost of \$5,000 or less. Second by Lunde, roll call vote, Albrecht-yes, Berg-yes, Bednarz-yes, Trottier-yes, Lunde-yes, LaRocque-yes, Longie-yes, motion carried.

Public Safety Committee: Chairman Longie explained they discussed the police report and that Officer Farmer has been hired back and Officer Lafferty has begun working. LaRocque had recommended removing snow on the streets if the city receives an inch of snow or more.

Building: Nothing to report.

Olson addressed the council regarding geotechnical exploration proposals for the 2 ½ Ave Project. He presented proposals from Terracon, Northern Technologies and Material Testing Services. The Terracon proposal was for \$11,000, Northern Technologies for \$11,500 and Material Testing for \$6,100. There was a motion by Berg to accept the Material Testing Services proposal at \$6,100. Second by LaRocque, roll call vote, Albrecht-yes, Berg-yes, Bednarz-yes, Trottier-yes, LaRocque-yes, Lunde-yes, Longie-yes, motion carried.

Olson explained that the Public Works Committee has discussed televising and flushing sewer lines in the northwest part of town. This is approximately 11,079 lineal feet of line. Olson has obtained estimates from Kemper Construction Company in the amount of \$32,440 and one from Pipe Detectives in the amount of \$20,772. Olson explained that this will not begin until after April 1, 2021. There was a motion by Bednarz to accept the Pipe Detectives proposal in the amount of \$22,772. Second by Lunde, roll call vote, Albrecht-yes, Berg-yes, Bednarz-yes, Trottier-yes, LaRocque-yes, Lunde-yes, Longie-yes, motion carried.

The council conducted the first reading of Ordinance 431- Chapter 19.28- I-3 Industrial Park District. Stewart explained that the addition to the current ordinance is to allow for hemp processing in the Industrial Park Zoning District. Currently there is nothing in ordinance that stipulates where hemp processing can or cannot occur in the city. There was a motion by Albrecht to accept the first reading of Ordinance 431- Chapter 19.28- I-3 Industrial Park District. Second by Bednarz, all voting yes, motion carried.

Kraft explained that a number of city employees utilize their personal cell phone, daily for city business. It is the recommendation of the Finance Committee to pay full-time, regular city employees, whom do not have a city, provided cell phone, \$25 dollars per month for the use of their personal cell phone for city business. There was a motion by Albrecht to pay full-time, regular city employees, whom do not have a city provided cell phone, \$25 dollars per month for the use of their personal cell phone for city business. Second by Bednarz, roll call vote, Albrecht-yes, Berg-yes, Bednarz-yes, LaRocque-yes, Trottier-yes, Lunde-yes, Longie-yes, motion carried.

The Personnel Committee was discussed by council. LaRocque requested that the City Auditor email the minutes from the last five Personnel Committee meetings. The last meeting of this committee was January 2019. Chief Rose questioned if Candy Munyer, Deputy Auditor and member of the Personnel Committee was a voting member of the committee. Stewart explained that prior to June 2018; the employee representative on the committee had been a voting member. As of June 2018 committee appointments, the employee representative was made a non-voting member of the committee by Mayor Steinke.

Longie expressed his concern with the committee system. He feels that the committee system is limiting the sharing of information from each committee. He would like to see all council members in the loop and recommended that the council meet twice a month instead of having committee meetings. Berg agreed that he would like to see two council meetings and assign research to committees. Albrecht and Kraft expressed the importance of the committee meetings to help limit the length of council meetings.

Bruce Rheault, former Council Member, explained he was on the Personnel Committee and that they met regularly in 2017 and 2018. Albrecht explained that many issues should be handled outside of the Personnel Committee and tried to be handled before it escalates to the Personnel Committee.

Berg expressed concern that if the Recreation Committee makes a recommendation to the Finance that the Recreation Committee members cannot attend the Finance meeting, due to open meeting laws and the City Council.

Lunde requested that all minutes, prepared by the City Auditor, be emailed out to the Council as they are completed.

Attorney Hartl explained that application for Local Permit or Restricted Event Permit for Pierce County 4-H Leaders Council, Rugby High School FBLA and Rugby Dollars for Scholars were all in order for approval. There was a motion by Albrecht to approve the application for Local

Permit or Restricted Event Permit for Pierce County 4-H Leaders Council, Rugby High School FBLA and Rugby Dollars for Scholars. Second by Longie, all voting yes, motion carried.

There being no further business to transact or come before the Council at this time, there was a motion by Albrecht to adjourn the Council Meeting. Second by Bednarz, all voting yes, motion carried. Meeting adjourned at 9:40p.m.

Susan Steinke, Mayor

ATTEST: _____
Jennifer Stewart, City Auditor

Date Approved