

**RUGBY CITY COUNCIL MEETING MINUTES**  
**MONDAY, AUGUST 21, 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 Mayor LaRocque.

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

Council Members present by TEAMS: none.

Absent was Kraft.

Also present were Mayor LaRocque, Attorney Murray, Chief Bommersbach, Public Works Director Munyer, and Auditor Stewart.

The council considered the agenda. There was a motion by Nelson to approve the agenda as presented. Second by Gannarelli, all voting yes, motion carried.

The council considered the August 2, 2023, regular council minutes. There was a motion by Schneibel to approve the August 2, 2023, regular council minutes as presented. Second by Brossart, all voting yes, motion carried.

The council considered the August 7, 2023, special council minutes. There was a motion by Gannarelli to approve the August 7, 2023, special council minutes. Second by Nelson, all voting yes, motion carried.

The council considered the July 2023 Rugby Police Department report. Chief Bommersbach explained the department had 112 calls for service, 16 citations, 6 arrests, 6 vehicle accidents and 13 medical assistance calls in the month of July. There was a motion by Larson to approve the July 2023 Rugby Police Department report. Second by Zachmeier, all voting yes, motion carried.

Portfolio Holder Reports

Buildings: Portfolio Holder Lotvedt explained there are some issues at the Parkland Trailer Court with the alley. Ten feet of the twenty-foot alley, Lotvedt is still trying to determine where the boundary is. One of the barricades was removed from the dead-end street that borders Parkland Trailer Court the night before. The Police Department moved the barricade back to its proper location.

Lotvedt asked Attorney Murray if the contract for the clarifier project had been returned. Murray explained that she has some questions for Wade Senger, Interstate Engineering, regarding the contract and dollar amounts. She has been busy and will get ahold of him soon. Lotvedt explained that they may begin the project in September.

Lotvedt explained that the cameras at the Armory have been installed.

Lotvedt explained that the trailer courts need to have some issues taken care of with the owner of the courts. He asked if a letter had been sent to the owner and Bommersbach explained that he sent a letter from his office last fall regarding the screening requirements between the court and residential area. He asked Murray to follow up with Bommersbach and move forward with whatever needs to be done to get the issue taken care of.

Finance: Portfolio Holder Nelson had nothing to report.

Ordinance: Portfolio Holder Zachmeier is working on revisions with the City Attorney on Ordinance 19.02.050 that will be ready for the September 7 Council Meeting.

Personnel: Portfolio Holder Gannarelli had nothing to report.

Public Safety: Portfolio Holder Larson explained the police have been addressing vehicles, campers and trailers parked on the street for longer than 48 hours. Jeccica Fjellanger has been hired to fill an open officer position. Fjellanger will be going to the academy this fall. Bommersbach explained she should be working alone by the end of January 2024.

Public Works: Munyer explained that the clarifier replacements should begin mid to late September to begin working on one train of the water treatment plant. The city has two trains, which will allow water to be treated while the construction is going on.

Munyer explained that once the crop comes off the fields, they will be checking the valves along the water transmission line, from the wells to the water plant, to make sure all the valves are open. Once that is determined, they may choose to PIG the water transmission line, however Munyer recommends that a PIG with a GPS tracer be utilized.

LaRocque explained that he has received numerous compliments about how nice the street painting and flags look around town. He commended Public Works for their efforts.

Lotvedt explained that they have had a citizen complaint regarding the Amtrak Depot parking to the west of the depot. The concern was with all the work they had done to the platform, they had damaged the road and parking along there. The citizen was concerned with who was going to repair this damage. He explained that currently Amtrak has set up temporary parking to the south of the depot in the parking lot behind Bucks. Lotvedt suggested that he and Chief Bommersbach speak to the contractors working on the east side of the depot and see what their plan is.

Nelson asked Mayor LaRocque if there has been any correspondence from AE2S or Wagner Construction regarding the punch list that was sent out. Murray explained that the letter has not been sent out yet, due to her schedule.

Recreation: Portfolio Holder Schneibel reported that the summer programs are wrapping up. The baseball program is complete, and swimming will be wrapped up shortly. He explained that at the next meeting he will have a new contract for open skating with the Rugby Hockey Association.

He explained the past issues with hiring an individual to work at the admission desk for open skating.

### Unfinished Business

Nelson explained that he and Lotvedt had met with Candace Berg and Tonia Dosch regarding the Splash Pad. He explained Lake Region Public Health had concerns with the requirements they have for the Splash Pad. He explained that he and Lotvedt gave support from the city for the Splash Pad. He explained that Lotvedt will draft correspondence regarding the city's approval and involvement with the Splash Pad. He explained that no lifeguard is required at the Splash Pad.

Nelson explained that there would be a 3,000-gallon holding tank that recirculates the water through the Splash Pad. Lotvedt explained that First District Health Unit, Minot, was very helpful with information regarding the requirements to operate a Splash Pad.

### New Business

The council considered correspondence from the ND DOT regarding the frontage road extension for the new hospital. Lotvedt explained that the city has agreed to complete the storm drain from the retention pond to the north to tie into the city storm sewer at a cost of \$143,193.54. They also agreed to pay to run the water main along 15<sup>th</sup> Ave SE, at a cost of \$134,928.77. He explained that the hospital wanted to loop the waterline to the front of the property and the hospital is paying for that on their own. At this point the city is into the HAMC project \$278,122.31.

Originally the ND DOT told the city they would have to pay 20 percent of the cost of a new frontage road that was \$162,000, however the bids came in higher and \$257,698.88 was the cost. Erik Christianson, HAMC CEO, went to Pierce County Commission and they agreed to pay \$150,000 towards the frontage road. He also received a commitment of \$12,000 from the Rugby Park District towards the frontage road. This leaves \$95,698.88 for the city to pay for. He explained that there are budgeted funds for this cost. The ND DOT is awaiting concurrence from the council. There was a motion by Schneibel to approve the ND DOT request for concurrence and the amount of \$95,698.88 to be paid by the city. Second by Lotvedt, roll call vote, all voting yes, motion carried.

The council considered a Gaming Site Authorization for North Dakota Community and Rec. Rachel Nadeau, President of ND Community and Rec, addressed the council. Nadeau is a graduate of Rugby High School and presently resides in Minot. She explained the organization's involvement in the pool tournament that was held in Rugby this past March. She explained that currently their organization has two gaming sites in Dunseith.

Nelson asked how long the organization has been organized. Nadeau explained that the organization was formed in 2016. Nadeau read aloud the organization's mission statement. She explained that they have board members in different communities to include Dunseith. She explained that should they be allowed to conduct gaming in Rugby they would look to add up to two board members from the community. Nadeau explained how the organization distributes funds that they generate.

Murray explained that she had researched that the organization is in good standing with the ND Secretary of State, since September 2016, however beyond that she did not research other information. Murray recommended that she be given a list of the board members and their information such as meeting minutes, etc.

Gannarelli asked Nadeau if she would have local individuals from Rugby on their board. Nadeau explained that she would look to adding two board members from the Rugby area.

LaRocque explained that past practice of the council has been to keep the gaming organizations local. He would like to see local organizations involved with community gaming.

Nelson asked if past organizations that have been denied the opportunity to conduct gaming in Rugby had promised the same percentage. Schneibel and LaRocque explained that a percentage was offered in the past.

Nadeau explained that when they began gaming in Dunseith, they added two board members from Dunseith. Nelson asked why the owner of BackRoads Bar didn't approach the local gaming organizations.

Gannarelli asked Nadeau if their organization could have individual boards from each community, they do gaming in. Nadeau was unsure and would have to check with the state regarding that. Nadeau mentioned that she understood the concerns the Council has regarding the topic.

Murray explained the options the council had regarding how they wish to handle the topic.

There was a motion by Schneibel to deny North Dakota Community and Rec Gaming Site Authorization. Second by Zachmeier. Gannarelli asked again if her entity could have a separate board from the community, in addition to the current board. Nadeau explained she would have to investigate that to answer the question. Tracy Hageness, community member, explained that administrative monies for an out-of-town organization do not stay in the community. LaRocque called for a vote, Brossart- yes, Zachmeier – yes, Gannarelli-yes, Larson-yes, Schneibel-yes, Nelson-yes, and Lotvedt-yes, motion carried.

The council considered Planning and Zoning Findings of Fact regarding Whites 1<sup>st</sup> Addition – East 80' Lots 26-27-28-Block 19, currently owned by June and Jim Hager. They are requesting a variance to allow for a concrete addition to the current driveway that will run along the lot line between this residence and the residence to the south. Larson explained that Planning and Zoning recommended approval. There was a motion by Larson to approve the Findings of Fact for a variance for Whites 1<sup>st</sup> Addition – East 80' Lots 26-27-28-Block 19. Second by Lotvedt, all voting yes, motion carried.

Planning and Zoning approved a contract for Meridian Manufacturing, for bin placement for Envision. Larson explained that the ND DOT requires the zoning authority to complete the application for the signage. There was a motion by Larson to approve the Meridian Manufacturing Bin Placement Contract and application. Second by Nelson, all voting yes, motion carried.

Larson asked if Kyler Lemar, a citizen, could address the council regarding the Parkland Trailer Court. LaRocque asked Lemar to approach the podium. Lemar explained that he lives at 708 5<sup>th</sup> Ave and the garbage from the trailer court is always in his yard. He expressed his concern that ordinance requires screening or fencing to separate the court from the residential area and this area does not have screening or a fence. Larson explained that there are three trailer homes in the park that also need to be removed. Lemar explained that tarps, tires, dirty diapers, etc. all end up on his property. Murray explained that the Chief of Police has sent correspondence to the owner of the property in the past and they will need to follow up on the history of the departments reports on the property as well.

Lemar explained that in the past he had found a garden hose attached to his house that was feeding one of the trailers. He did not report it, but it occurred last year. Murray explained that this is a crime and should be reported should he find that again.

Murray explained that the city may need to investigate citing the court for the refuse and being a public nuisance. She and Chief Bommersbach will need to meet regarding this.

Lemar and the council continued to discuss the rubbish and debris that is being generated by the trailer court.

The next meeting is scheduled for September 7, 2023, at 7:00p.m.

There being no further business to transact or come before the council at this time, there was a motion by Larson to adjourn the meeting. Second by Brossart, all voting yes, motion carried. The meeting was adjourned at 8:22 p.m.

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Frank LaRocque, Mayor

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

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Approved