

**RUGBY CITY COUNCIL  
REGULAR MEETING  
MONDAY, APRIL 6, 2020– 7:30PM  
VIRTUALLY BY GOTOMEETING**

Council Members present: Albrecht, Rheault, Kraft, LaRocque, Berg, Longie and Melgaard. Also present were Mayor Steinke, City Attorney Hartl and City Auditor Stewart. Absent was Bednarz.

Steinke called the meeting to order at 7:41 pm.

Council members recited the Pledge of Allegiance.

Roll call was taken by Steinke.

There were no amendments, additions or deletions to the agenda. There was a motion by Albrecht to approve the agenda as presented. Second by Kraft, motion carried.

There was a motion by Albrecht to approve the minutes of the March 2, 2020, regular council meeting. Second by Berg, all voting yes, motion carried.

Grand total of all bills paid after 03/02/2020 meeting: \$223,136.88

20392	Andrew Hallof	\$225.74
20393	B & M Laundry	\$16.15
20394	Convention & Visitors Bureau	\$21,461.21
20395	Dakota Fire Extinguisher	\$211.86
20396	Envision	\$941.78
20397	Greg Boucher	\$100.00
20398	HACTC	\$156.00
20399	Hawkins Inc.	\$1,341.47
20400	Heart of America Library	\$49,384.25
20401	Integrated Process Solutions	\$1,750.00
20402	John Deere Financial	\$1,115.79
e-check	JP Morgan	\$2,150.60
20403	Lisa Marshall	\$105.00
20404	MEDICO	\$305.50
20405	NAPA	\$490.95
20406	ND Dept. of Health-Chemistry	\$18.54
20407	ND One Call Concepts Inc.	\$1.85
20408	ND Telephone Co	\$674.24
20409	North Central Printing	\$105.60
20410	Northern Plains Electric Coop.	\$3,349.34
20411	Otter Tail Power Co.	\$10,405.19
20412	Pierce County Tribune	\$1,126.31
20413	Rugby Job Authority	\$29,410.03
20414	Rugby Park District	\$1,066.00
20415	Staples	\$704.01
20416	Valli Information Systems	\$631.32
20417	Verizon Wireless	\$80.02

ACH	Payroll Checks	\$52,534.74
ACH	Social Security	\$8,480.68
	Medicare Taxes	\$1,983.40
	Payroll Taxes	\$5,656.30
20418	AFLAC	\$938.88
20419	ND State Disbursement	\$463.00
ACH	NDPERS	\$385.00
ACH	NDPERS	\$8,346.35
ACH	Sanford Health / NDPERS	\$15,043.68
20420	State Tax Commissioner	\$1,976.10

Grand Total All Bills Submitted for 04/06/2020: \$441,272.00

20421	Advanced Engineering Inc.	\$122.10
20422	B & J Excavating	\$10,675.00
20423	Big State Industrial Supply Inc.	\$169.30
20424	Brad's Auto & Towing Service	\$84.00
20425	Circle Sanitation	\$18,465.75
20426	Core & Main LP	\$2,097.61
20427	D & S Motors Inc.	\$424.90
20428	First District Health Unit	\$75.00
20429	Flexible Pipe Tool Company	\$44.35
20430	G & P Commercial Sales	\$185.62
20431	H. E. Everson, Co	\$87.42
20432	Jennifer Stewart	\$100.00
20433	Johnson's Plumbing	\$285.92
e-check	JP Morgan	\$1,214.96
20434	JS Wholesale & Vending	\$40.37
20435	Leevers	\$13.95
20436	Medico	\$152.75
20437	Merchants Bank	\$21,400.00
20438	NAPA	\$463.71
20439	ND League of Cities	\$30.00
20440	ND Municipal Judge's Assoc.	\$25.00
20441	ND One Call Concepts Inc.	\$8.50
20442	NDTC	\$790.38
20443	Normont Equipment Co	\$266.99
20444	Northern Plains Electric Coop	\$3,461.03
20445	Northern States Supply Inc.	\$42.60
20446	Otter Tail Power Co	\$1,323.30
20447	Petty Cash	\$19.19
20448	Pierce County Auditor	\$3,412.50
20449	Power Plan	\$684.45
20450	Precision Autobody & Glass	\$622.00
20451	Rebecca Jordan	\$170.00
20452	Rugby Broadcasters	\$24.00
20453	Rugby Farmers Union Elevator	\$34.00
20454	Rugby Hardware Hank	\$590.25
20455	Rugby Insurance Agency	\$2,071.88
20456	Rugby Lions c/o Joni Johnson	\$10,000.00
20457	Rugby Lumber	\$6.40
20458	Rugby Sanitation	\$5.00

20459	Rugby Service Center	\$556.06
20460	Sensus USA, Inc.	\$1,949.94
20461	Share Corporation	\$227.21
20462	Staples	\$469.56
20463	State Water Commission	\$4,269.00
20464	Team Laboratory	\$6,826.50
20465	Therma-Stor LLC	\$112.90
20466	US Bank	\$345,815.00
20467	Verizon Wireless	\$404.63
20468	Wex Bank	\$701.02
20469	Workforce Safety & Insurance	\$250.00

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

The council considered the March 2020 Municipal Judges Report. There was a motion by Berg to approve the March 2020 Municipal Judges Report. Second by Rheault, all voting yes, motion carried.

Mike Hurly, Rugby Resident, addressed the council regarding his neighbor's sewer line that is shared with his. Barbra Austin, neighbor of Mike Hurly, had sewer problems and the plumbers had to go into the Hurly residence to clear Ms. Austin's line. This is when it was discovered that the lines were joined. It was not disclosed to Hurly when he purchased the property. Austin also confirmed that the joined sewer line was not disclosed to her either when she purchased her property.

Hartl explained that this is a unique situation. Hartl did not have a concrete answer as to the liability. Steinke suggested that the Public Works Committee look into this issue. Hurly explained that this is acceptable, but expects a response or solution in a timely manner.

Hurly gave the history of both properties and transfer of ownership of the properties. He explained how the property was split and who the owners were. Berg clarified that Hurly had never owned the property south of his home. Hurly concurred that he had not. Steinke thanked them for their time and Public Works Committee will review this.

The March 23, 2020 Special Council minutes were omitted from the agenda, but included in the council packet. Hartl advised to address it at the May council meeting.

The council reviewed the financials. Stewart gave a summary of the cash report, revenue and expenditure reports. There was a motion by Melgaard to approve the financials as presented. Second by Kraft, roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes, Melgaard-yes, motion carried.

Liz Heisey, JDA Executive Director, gave her report to the council. The council reviewed the JDA minutes and financials. There was a motion by Albrecht to approve the JDA minutes and financials as presented. Second by LaRocque, roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes, Melgaard-yes, motion carried.

Ashley Berg, Convention and Visitors Bureau, was present to take questions on the 2020 CVB Budget. Albrecht and Mayor Steinke questioned portions of the CVB budget. Albrecht suggested taking the CVB budget to the Finance Committee for review. Kraft felt that all the council was waiting for was a CVB

budget to move forward. There was a motion by Rheault to approve the 2020 CVB budget as presented. Second by Kraft, roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes, Melgaard-yes, motion carried.

The council reviewed the Pandemic Illness Plan as well as Resolution 2020-1 Adoption of the Pandemic Illness Plan. There was a motion by Albrecht to approve the Pandemic Illness Plan and Resolution 2020-1 Adoption of the Pandemic Illness Plan. LaRocque questioned if this could be discussed. Steinke assured him it could be discussed. LaRocque believes that the Pandemic Illness Plan lacks a plan; it does not specify a response to the situation. Steinke drew attention to the tiered task structure in the plan and explained how the current COVID planning is working in a tiered structure. There was a second to the motion by Kraft. Roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-no, Longie-yes, Melgaard-yes, motion carried.

The council conducted the first reading of Ordinance 424 Planning & Zoning. Kraft clarified that the change in the ordinance is members of the Planning & Zoning Committee, that are not on the city payroll, will be paid \$50, per Planning & Zoning Committee meeting that they attend. There was a motion by Kraft to approve the first reading of Ordinance 424 Planning & Zoning. Motion was seconded by Rheault. Berg questioned why this change was necessary. Steinke clarified that the Planning and Zoning Committee members, that were not council members, were receiving \$50 per month for sitting on the Planning and Zoning Committee, but it was not in the ordinance to compensate them. Hartl then questioned if the Building Inspector will receive the compensation of \$50 for sitting on the Planning and Zoning Committee. Hartl explained that the current building inspector contacted him about receiving the \$50 pay. The building inspector explained to Hartl that under a prior Mayor he was being paid \$50 per month to be on the Planning and Zoning Committee, on top of his building inspector wage. Hartl explained that if the intent is to not compensate the building inspector, \$50 for sitting on the Planning and Zoning Committee, the council may need to address this if the ordinance amendment goes forward.

Steinke called for a vote, all members voting yes, motion carried.

The Grass Hauling Bid was considered. Kraft explained that they had only received one bid for the Grass Hauling and the Finance Committee felt it was a fair price. The Grass Hauling bid would eliminate the need for employees to work overtime to haul grass clippings. There was a motion by Albrecht to accept the Grass Hauling Bid received from Rick Koenig and Bob Spallinger. Motion was second by Melgaard. Berg questioned if there was a more suitable place for the grass trailers than in the city parking lot. Steinke asked to sort that out at a later time. Steinke called for roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes, Melgaard-yes, motion carried.

The Gravel Bids received were opened. The first bid, from Deplazes Redi-Mix- Washed Sand \$18/yard, Class 5 Gravel - \$14/yard. Second bid, from Schneider Custom Hauling- Class 5 Gravel- \$13.50/yard, Washed Sand \$18/yard. Third bid, from B & J Excavating, Inc. – Class 5 Gravel \$13/yard, Washed Sand \$19/yard. There was a motion by Kraft to accept all three gravel bids received. Second by Melgaard, roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes, Melgaard-yes, motion carried.

The Pick-up Bids received were opened. The first bid, from Justin Tufte for \$1,261. Second bid, from Rick Koenig for \$1,726. Third bid, from Robert Keys for \$500. Fourth bid, from Eugene Jundt for \$2,000. Fifth bid, from Ken Kuntz for \$2,100. Ken Kuntz had the high bid at \$2,100. There was a motion by Berg to accept the high bid from Ken Kuntz for \$2,100. Second by Longie, roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes, Melgaard-yes, motion carried.

Recreation Committee: Chairman Berg explained they are waiting to see what happens with COVID-19 before they determine the future of the recreation programs for 2020. Berg explained that the committee is asking Finance to consider a \$.50 per hour raise for returning grounds keeper, Gary Storbakken.

Finance Committee: Kraft explained that they had reviewed the electricity cost for Wells 1 & 2, to help determine what costs are associated with pumping water to the Golf Course. Kraft made a motion to charge the Rugby Golf Course \$250/month, for use of city water services. Second by Albrecht, roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes, Melgaard-yes, motion carried.

Ordinance Committee: Nothing to report.

Public Works Committee: Melgaard informed the committee that the generator for the Main Lift Station has been ordered. Steinke would like the committee to address City-wide Clean-up at the April Committee Meeting. Due to COVID-19, it is a concern if it should be held or postponed.

Public Safety Committee: Nothing to report.

Buildings Committee: No meeting.

Kraft questioned if a new meeting date would be scheduled for the Ely School hearing. Steinke explained that this council meeting was a trial run with the virtual platform and the hearing would be scheduled after this.

Attorney Brian Van Grinsven, addressed the council regarding the connection for the upcoming executive session. The conference line he had set up for the executive session is not functioning. He asked Stewart to set up a Gotomeeting for the executive session.

Steinke explained that the Executive Session is in regards to the Zachmeier v. City of Rugby, et al, Case No. 35-2019-CV-00083 by NDCC § 44-04-19.1 authority. Melgaard left the meeting.

There was a motion by Albrecht to meet in Executive Session, with legal counsel, in regards to the Zachmeier v. City of Rugby, et al, Case No. 35-2019-CV-00083 by NDCC § 44-04-19.1 authority. Second by Berg, roll call vote, Albrecht-yes, Rheault-yes, Kraft-yes, Berg-yes, LaRocque-yes, Longie-yes.

City Council went to Executive Session at 9:32pm.

There being no further business to transact or come before the Council at this time, there was a motion by Kraft to adjourn the Executive Session as well as the Council Meeting. Second by Lonige, all voting yes, motion carried. Meeting adjourned at 10:11p.m.

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

APPROVED: \_\_\_\_\_  
Susan Steinke, Mayor

DATE APPROVED: \_\_\_\_\_