Rutland City Council
June 5, 2023

The monthly City Council meeting was convened at 5:05 p.m. by Mayor Mahrer. Council Members Anderson, Lysne, McLaen present; Erickson absent. City Auditor and City Engineer also present.

Agenda: Lysne/Anderson moved approval of the agenda. Motion carried.

Minutes: Lysne/Anderson moved approval of the May 1, 2023 minutes. Motion carried.

Public Comment: David Young asked the culvert and drainage on the southwest end of town. The Mayor said he has talked to Jacobson Plumbing about draining straight west into Drain 8. Anderson noted there is an advantage to the City to keep that drained. The issue is who will pay for the work to resolve the problem.

Anderson/Lysne moved that the City Attorney be requested to draw up an easement with the property owner to permit a drain to remove water west into the existing Drain 8. Motion carried.

Council Member McLaen entered the meeting at 5:20 p.m.

City Engineer: Mike Bassingthwaite, Interstate Engineering, discussed the Lead Service line Inventory Assistance Application. He informed the Council that this is an application for assistance to complete and submit the required lead service line inventory. Rutland may not have any lead service lines however, the inventory is required to be submitted to the State. It is a very involved process going through maps, project records, property records, building permits and other information to provide the proof that there are no lead lines. It could also require some excavation if paper documents are not available. There is some financial assistance through the program as well.

Anderson/Lysne moved adoption of the resolution authorizing filing of an application to the ND Department of Environmental Quality for assistance performing a lead service line inventory in compliance with the Lead and Copper Rule revisions:

WHEREAS the City of Rutland public water system is a community public water system regulated by the NDDEQ, the governing body of the City authorizes the City Auditor to submit an application to the NDDEQ to request assistance with a lead service line inventory, lead service line replacement plan, facility plan to prepare for a DWSRF loan, and/or to conduct non-regulatory sampling as described in the application. The City will provide to the NDDEQ and the NDDEQ's designated service provider physical access to records, public easements, public rights-of-way, and the City will provide any other information needed to perform the necessary work. If on-site investigation of service lines (such as potholing or hydrovacing) is performed by the NDDEQ's designated service provider or one of its subcontractors, the City will waive permit fees. Motion carried.

Water Mains and Gate Valves: Bassingthwaite has no recommendations at this time on the water mains or valves. The fire hydrants were installed in 1954 and the gate valves are getting old. The City water mains were replaced in the 1980s, however, the hydrants and valves were not included in that project. There is also the issue of the water tower that was built in 1954. The State is looking for water related projects but valves and hydrants may not get a ranking and he is skeptical if that would qualify.

Anderson asked about Bank of ND (BND) low interest loans. Bassingthwaite said 2% interest loans are available from BND. The City would be required to show what it will do with the water rates to cover the

debt. The City could start raising the water rates to bank funds up to five years in advance of a project to cover some costs.

Anderson asked about the Federal Infrastructure Bill. Bassingthwaite said the Infrastructure and Jobs Act has a lot of money but they are for "big rural" grants. The Routes Program has funded only tribal areas and those with high poverty rates. I The City needs to prioritize projects.

Anderson said the main street sidewalk needs to be addressed. Bassingthwaite said the Transportation Alternatives Program (TAP) funding process requires the same environmental steps as a large project. TAP funds cannot be used for the required preliminary design, archeological or biological studies. The City will need to commit about $100,000 to the project. There is a cost for 'free money.'

The Council discussed the TAP funding and the project timeline. Planning would be in 2024 and the project construction in 2025. The Council discussed possible revenue sources to help in funding the project sooner. Public hearings would also be needed if there will be assessments.

Lysne asked about just doing the east side of main street. Bassingthwaite said the City would still need ADA compliance at intersections. Construction plans for the DOT/TAP project would be about 20-30 pages; for a contractor ramp that would probably only be one page. He would still provide the surveying and slopes and distances for project maps. The project would most likely be under the $200,000 bid threshold so the City could do it on its own; however, it may be more expensive to piece it out.

McLaen said it would still be much cheaper than working the State and Federal government on the project. The City should probably skip the TAP funding award.

Bassingthwaite said if the City turns down the funds, it will not be able to reapply in the future. There are problems with the east side sidewalk and drain tile might be an issue. He will do a quick estimate for a valve and hydrant project. It will not be possible to find contractors for a project this year but it is something to plan for next year. This group should meet just prior to a meeting to look at the existing sidewalk and determine where and how much of the sidewalk needs to be replaced first. He informed the Council that it could take as much as 1.5 years to get a water tower done. Rosholt recently bid for a 75,000 gallon water tower and the bid came in at $1.8 million.

Hamilton Building: The City Attorney issued a demand letter to Hamilton Enterprises requiring removal of the raccoons within 7 days of receipt of the letter, or, at least, steps such as contracting with a pest removal company for dealing with the raccoons and notifying the city of the estimated timeframe to deal with the raccoons. The letter also informed Hamilton Enterprises, that failure to deal with the issue would result in the City having the raccoons removed and billing Hamilton for the costs, including attorney's fees.

The City Attorney suggests proceeding to remove the raccoons with a plan to invoice Hamilton Enterprises by the end of this month, giving 30 days to pay. Failure to pay will attach to his taxes. The letter specifically indicated those would be the steps taken.

McLaen said it appears the raccoons have moved out of the building. The Mayor stated the City should locate a pest control firm to check the building and close it up. He will contact EcoLabs to see if they do this type of work. It was noted that EcoLabs has not yet been paid for work at City Hall last fall.

City Jail Building/Shed: The Mayor said that estimates for a steel roof or shingles has not been obtained. Scott Haan may be able to put on steel shingles. If not, the City Auditor will obtain estimates.

City Hall Lights: McLaen presented an estimate of $1,500 for removing the ballasts and replacing the ceiling lights in City Hall. The project is expected to take one day and could be done this month. The Council concurred on proceeding with the project as soon as possible.

Financial Report: McLaen/Lysne moved approval of the May 2023 financial reports as presented. Motion carried.

Bills: Anderson/Lysne moved approval of the payment of bills:

238E	Waste Management	$ 1,765.01	Contract garbage
239E	Waste Management	99.23	Hall garbage
240E	DRN	145.20	Phone/Internet
13598	ND One Call	2.05	Line locate
13599	Sargent County Teller	41.48	April minutes
13600	Scott Haan	1,133.74	April 24 - May 5
13601	Vining Oil	1,010.07	Hall fuel oil
13602	Scott Haan	1,581.17	May 7-20
13603	Banyon Data Systems	1,190.00	ACH Software
13604	Deborah Banish	837.15	May
13605	Otter Tail Power	1,117.76	Electricity
13606	Quill	281.75	Office supplies
13607	Roger Pearson	52.50	Water reading, meter work
13608	Scott Haan	1,173.41	May 21-June 2
13609	SE Water	732.00	244,000 gals.
13610	Southside Automotive	150.04	hoses, parts
13611	Team Lab	361.50	street paint
	Total Checks	$ 11,674.06	

Motion carried.

Auditor Report: The Auditor reported that the full season snow grant application was submitted prior to the May 30 deadline. The tree grant funding application will be submitted; the State tree staff have reviewed the plantings and the City can apply. The annual backflow report has yet to be filed. No Records Retention report was submitted for this year.

The meeting adjourned at 6:20 pm.

ATTEST:

Deborah Banish, City Auditor

Michael Mahrer, Mayor