

**Hazen City Commission
Regular Meeting
April 4, 2016
Hazen City Hall**

Present: President Obenauer, Commissioner Brunmeier, Commissioner Haack, Commissioner Stern and Commissioner Wolf.

Others Present: Attorney Donovan, Planner Frovarp, Auditor Erhardt, Mark Sweeney (KLJ), Editor Arens, Mark & Doreen Ost, Dan Pillar, Leonard Hibl and Buster Langowski.

Meeting was called to order at 5:29 PM CT by President Obenauer.

Minutes: Commissioner Brunmeier moved to approve the minutes of the March 21st meeting, as presented, second by Commissioner Wolf. Motion unanimously carried.

Agenda: Commissioner Haack moved to approve the agenda, with addition(s), second by Commissioner Brunmeier. Motion unanimously carried.

CONSULTATION WITH ATTORNEY & ENGINEER

Ulteig – Work Order: The commission reviewed a proposed work order under the recently approved Master Services Agreement with Ulteig for various engineering tasks not to exceed \$5,000. Commissioner Haack moved to approve work order #16.00366.01, as presented, second by Commissioner Wolf. On roll call vote; Haack, “Aye”, Wolf, “Aye”, Stern, “Aye”, Brunmeier, “Aye”, Obenauer, “Aye”, motion carried.

2016 Street Projects: President Obenauer asked Mark Sweeney (KLJ) for an update on the progress of the street project. Mr. Sweeney said the notice of bids has been advertised and seven (7) contractors have picked up plans for the project, including the contractor that did the 2014 street project. Mr. Sweeney also updated the commission on the progress of the proposed development by Williams Builders indicating there are some proposed changes to the plat and some significant changes to the plans which will require additional meetings with KLJ and Williams. President Obenauer asked about the need for additional zoning approval and Planner Frovarp indicated there will be no additional public hearings required based on the nature of the changes to the plat.

INTRODUCTION, READING & APPROVAL OF ORDINANCES

WRT Franchise Ordinance: The commission was informed that Attorney Lange had reviewed the proposed franchise ordinance, submitted by West River Telecom and only recommends one minor addition of the term “non-exclusive” as to the right to use and occupy city streets, alleys and other public places. Commissioner Brunmeier moved to approve the first reading of the WRT Franchise

Ordinance, with the change recommended by Attorney Lange, second by Commissioner Wolf. Upon discussion Commissioner Stern asked about the term of twenty (20) years and Attorney Donovan indicated that is the maximum term and also advised the commission that the “non-exclusive” term does not prohibit the city from approving additional franchises for similar services. On roll call vote; Brunmeier, “Aye”, Wolf, “Aye”, Haack, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

APPROVAL OF APPLICATIONS & BUILDING PERMITS

Building Permit w/Variance Request – M & D Ost: Planner Frovarp informed the commission that he had received an application for a building permit from Mark & Doreen Ost to construct a porch “deck” on their home at 10 3rd Street NW. The proposed construction does not extend any farther than the current steps and the construction will require a variance of eight feet (8’). Mr. Ost said they will also be installing rafters for a covered overhang. Commissioner Brunmeier moved to approve the building permit and variance of 8’, as presented, second by Commissioner Wolf. On roll call vote; Brunmeier, “Aye”, Wolf, “Aye”, Haack, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

REPORTS

President: President Obenauer had nothing to report at this time.

Water/Sewer: Commissioner Brunmeier informed the commission that the new employee in the water-waste water department began work today and that a shared, full-time, position employee will begin work in a couple of weeks. Commissioner Brunmeier also informed the commission that staff had worked on a sewer issue late Sunday night into early Monday morning and it was determined that the issue is the responsibility of the property owner.

Street/Cemetery: Commissioner Stern informed the commission that a recently hired employee accepted another position so this position has been offered to another interviewed candidate and he has started working today. Commissioner Stern moved to approve repairs to the Bobcat bucket in an amount not to exceed \$800, second by Commissioner Haack. On roll call vote; Stern, “Aye”, Haack, “Aye”, Wolf, “Aye”, Brunmeier, “Aye”, Obenauer, “Aye”, motion carried. Commissioner Haack asked if the street sweeper had been repaired and Commissioner Stern advised that he was not certain but he would visit with Director Neuberger.

Finance/Busing: Commissioner Wolf had nothing to report at this time.

Police/Fire/Forestry: Commissioner had nothing to report at this time but stated the fire department may be very busy this year if moisture conditions do not improve.

CORRESPONDENCE

FY2014 Grant – Radio Replacement: Auditor Erhardt informed the commission that Dakota Communications had recently assessed the city radios for narrow-band compliance and several will need to be replaced. Auditor Erhardt contacted Mercer County Emergency Manager Carmen Reed

about the availability of grant funds and she assisted in preparing a grant application which was submitted for review on March 30th. Announcement of the grant awards is expected by mid-April.

Mercer County Multi-Hazard Mitigation Plan: The commission was informed that the county multi-hazard mitigation plan has been approved by FEMA and, since the city is included in the plan, the commission needs to approve a resolution adopting the plan. Commissioner Brunmeier moved to approve a resolution adopting the Mercer County Multi-Hazard Mitigation Plan, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Auditor Erhardt attended a meeting of the SW Water "Authority", earlier in the day, and informed the commission that the proposed agreement regarding transfer of service area is something that will have to be negotiated with each city individually, rather than one blanket agreement for all cities served by SW Water. The Authority used an income based approach in determining the lost revenue should a SW Water customer be served by the city upon annexation of additional property. The meeting also included discussion of making the property owner responsible for the costs to the Authority by making it part of the building permit process for any customer that was, or could be, served by the Authority. Commissioner Stern questioned what happens if the city and the Authority can't reach an agreement and it was discussed that an agreement is the ultimate goal rather than having to consider litigation. Commissioner Stern also asked about the process for those that are currently served by the Authority when ordinance requires them to connect to city services and this is something the board will have to negotiate when a meeting is set.

Leonard Hibl, Roughrider Electric, was present for the meeting to discuss the Roughrider Electric Coop Franchise Ordinance. Mr. Hibl was informed that this was not on the agenda as Attorney Donovan had not had the opportunity to review it prior to the meeting, due to the time the proposed document was received. Mr. Hibl informed the commission that the proposed ordinance is very similar to the ordinance adopted by the other cities that are served by the cooperative. President Obenauer had a question about any changes or discontinuing services, such as street light installation. Mr. Hibl explained that there are changes to the way in which street lights will be billed because they are trying to meter the lights rather than just charging a flat fee. As to installation, should a subdivision be developed it will require a private contractor to install the street lights as this service will no longer be provided by the cooperative.

Approval of Bills and Financial Statements: Commissioner Wolf moved to approve the bills, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: US Postal Service, 275.00; Universal Premium Fleetcard, 2248.86; BHG Inc, 749.04; Cardmember Service, 423.30; Chamber of Commerce, 32.00; D&E Supply Co, 90.82; Dakota Communications, 320.00; Dakota Fire Extinguisher, 175.94; Dan Wettstein, 320.00; Dean Byrd, 89.03; Fastenal Co, 163.92; Great Lines Inc,

900.40; Harlow's Bus Sales, 2962.65; Hazen Hardware, 273.74; Hazen Motor Co, 83.00; Hazen Welding, 427.40; Hiway Express, 216.13; J&R Vacuum & Sewing, 20.00; Kasey Lesmann, 100.00; Krause's Super Valu, 145.62; Loren Wiest, 350.00; Matthew Bender & Co, 61.38; Mel Roth Oil, 1118.33; Mercer County Treasurer, 3601.51; Monte Erhardt, 99.90; NAPA, 179.66; Preble Medical Services, 100.00; Rath & Mehrer PC, 5500.00; Roberts Floral, 24.50; Rough Rider Industries, 390.33; SBM Inc, 51.98, Shannan Fink, 245.44; Southwest Water Authority, 20603.09; Streichers, 92.95; Swanston Equipment Corp, 7061.71; USA Blue Book, 127.01; Verizon Wireless, 198.23. On roll call vote; Wolf, "Aye", Stern, "Aye", Brunmeier, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 5:56 PM CT. The next regular meeting of the commission will be Monday, April 18, 2016 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor