

**Hazen City Commission  
Regular Meeting  
October 17, 2016  
Hazen City Hall**

**Present:** President Obenauer (arrived at 5:58 PM CT), Commissioner Haack, Commissioner Pillar, Commissioner Stern and Commissioner Wolf.

**Others Present:** Attorney Donovan, Planner Frovarp, Auditor Erhardt, Mark Sweeney (Moore), Eric Schuler (KLJ), Editor Arens, Darcie Handt (ND Cares), Bonnie Johnson (CVB), and Larry Schnaidt.

Meeting was called to order at 5:30 PM CT by Vice-President Wolf.

**Minutes:** Commissioner Haack moved to suspend the reading and approve the minutes of the October 3<sup>rd</sup> meeting, as presented, second by Commissioner Pillar. Motion unanimously carried.

**Agenda:** Commissioner Stern moved to approve the agenda, as presented, second by Commissioner Pillar. Motion unanimously carried.

**CONSULTATION WITH ATTORNEY & ENGINEER**

**2016 Street Projects:** Eric Schuler, KLJ, informed the commission that as of today all the work has been completed on the project. The grass seeding was completed over the weekend and the last of the mailboxes was finished earlier today. Mr. Schuler will schedule a walk-through to develop the final punch list and then he will complete the information for final payment. This evening Mr. Schuler provided Pay Estimate #4, which is for work completed through September 30<sup>th</sup>, in the amount of \$90,074.24. Commissioner Haack moved to approve Pay Estimate #4, to Bechtold Paving, in the amount of \$90,074.24, second by Commissioner Pillar. On roll call vote; Haack, "Aye", Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried. The commission also reviewed the formal Requisition for Payment, from Bank of ND, in the amount of \$200,944.86. Commissioner Haack moved to approve Requisition for Payment #2, from Bank of ND, in the amount of \$200,944.86, second by Commissioner Stern. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", motion carried.

**Moore Engineering:** Mark Sweeney, Moore Engineering, presented a revised Task Order #2 for GIS mapping and data storage. Commissioner Pillar asked if ARC Reader and ARC GIS are different forms of desktop applications and Mr. Sweeney stated they are and that the ARC Online and MEI Online are the web-based systems for map data and storage. Mr. Sweeney explained that, when this was initially presented, they had determined a range of cost for the data hosting of \$4000 to \$5000 and that after review this cost, for the MEI Online option, has come down to \$3,200 annually. Commissioner Stern asked about the ARC Reader software and Mr. Sweeney stated this is a free software that can be installed on multiple machines. Commissioner Pillar asked about storing data on our server and Mr.

Sweeney said it would depend on the use. ARC Reader works more as a “library” of information while the ARC GIS can be used in the field and can be more useful. Commissioner Pillar stated that the ARC GIS may be something the city can grow in time. Commissioner Stern asked about the document format and Mr. Sweeney explained they are shape files, like CAD drawings, and that, no matter what option the city chooses, the data files will be property of the city. Commissioner Stern inquired about the budget and was advised there is nearly \$34,000 unexpended in the general fund engineering budget. Attorney Donovan stated that all city plats are currently available through ARC Reader and Mr. Sweeney said that the infrastructure data will be added to the system and will provide more detailed map options. Commissioner Pillar moved to proceed with the GIS Mapping, not to exceed \$18,763, and the city will utilize ARC Reader to access the data, second by Commissioner Stern. On roll call vote; Pillar, “Aye”, Stern, “Aye”, Haack, “Aye”, Wolf, “Aye”, motion carried.

### **REQUEST OF CITIZENS**

**ND Cares Community:** Darcie Handt appeared before the commission to present information relating to the ND Cares Community Program. The program is designed to support Service Members, Veterans, Families, and Survivors (SMVFS) to bridge the gaps in accessibility for veterans and their families. Mr. Handt explained that this program began in 2013 and it is not intended to raise money, per se, as this is done by the agencies within the coalition. For a community to participate in the program it must adopt a resolution of support, establish a three (3) person steering committee which must hold at least one event annually and the city must purchase highway signs, at a cost of \$40 each, to display with the ND DOT city name sign. Vice-President Wolf thanked Mr. Handt for the information and the commission will review it for future action.

**2017 CVB Budget:** The commission was provided a copy of the 2017 Convention and Visitors Bureau budget and Bonnie Johnson appeared to answer any questions they may have. Ms. Johnson explained that CVB has updated the look of the booth for the area sport shows which are a main venue for sharing information with the public. Commissioner Pillar moved to accept the 2017 CVB Budget as presented, second by Commissioner Haack. Motion unanimously carried.

### **APPROVAL OF APPLICATIONS AND BUILDING PERMITS**

**Variance Request – L. Schnaidt:** Larry Schnaidt appeared before the commission to request consideration of a variance to allow a recreational vehicle on a mobile home lot in Lot 11, Block 104 North Star 1<sup>st</sup> Addition to the city of Hazen. Planner Frovarp explained this is like a request approved at the previous meeting and that the RV in question has a good appearance and appears to be skirted with a material that matches the rest of the RV. Commissioner Wolf asked how long the RV would be at the site and Mr. Schnaidt was not certain as the occupant is currently employed on the urea plant project. Commissioner Stern asked about Mr. Schnaidt’s plan for the lot and he stated he would ideally like to put a mobile home on the lot. Commissioner Stern moved to approve a variance to allow the RV on the mobile home lot until April 1, 2017, second by Commissioner Pillar. ON roll call vote; Stern,

“Aye”, Pillar, “Aye”, Haack, “Nay”, Wolf, “Aye”, motion carried. Mr. Schnaidt asked what would happen if the camper is still on the lot next year. Commissioner Pillar explained that the city and park district have worked hard to create the RV parks and we would like to see these utilized before approving variances.

## REPORTS

**Water/Sewer:** Commissioner Stern was asked to discuss the current amount of the late fee for non-payment of city utility bills. Each month there are more than seventy (70) accounts that are not paid in a timely manner and they are then assessed a late fee of \$5. This question has recently gone through the city list serve and most cities are charging from \$10 to as much as \$40 for late fees. The commission discussed raising the fee to \$10 or \$20. Planner Frovarp explained the process of mailing notices is not simply printing a new card and mailing it, the notices are printed on plain letter paper and they must be folded and placed into envelopes with full postage. Commissioner Haack moved to proceed with amending the city ordinance to change the late for utility accounts from \$5 to \$20, second by Commissioner Pillar. Motion unanimously carried.

(President Obenauer joined the meeting now.)

**Street/Cemetery:** Commissioner Haack informed the commission that the mechanic has assessed issues with the JD Loader. A sensor was replaced and the technician recommends changing all four (4) tires so they are all the same diameter. Commissioner Haack moved to approve purchase of tires for the JD Loader at a cost of \$7318.50 (after allowance for the old tires, second by Commissioner Wolf. Upon discussion Commissioner Stern questioned when, and why, the two (2) tires were installed on the loader and it was discussed that it had been some time ago. On roll call vote; Haack, “Aye”, Wolf, “Aye”, Pillar, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

Commissioner Haack also informed the commission that PW Director Neuberger is working with Bobcat to resolve the issue relating to the additional hydraulic that was to be installed on the new machine. Commissioner Pillar wanted more information to better understand why this had happened and President Obenauer explained that the salesperson had reviewed the equipment on our machine to ensure compatibility with our attachments but when the machine was configured the additional hydraulic connections were not included so it would not work with all our equipment. President Obenauer also stated that initially it was suggested it would cost \$5,000 to correct this situation and PW Director Neuberger would not agree because this was to have been part of their proposal. After working with the dealer, it was determined that they could come get the machine, make the repairs and return it to us for no more than \$2,700. Commissioner Wolf stated the modification would have to be made sooner or later and Commissioner Haack, and President Obenauer, commended PW Director Neuberger for holding firm on a fair amount to make the correction. Commissioner Haack moved to approve the modifications to the Bobcat at a cost not to exceed \$2,700, second by Commissioner Wolf. Upon discussion Commissioner Stern asked if a pump was needed and it was discussed that a third

connection is needed. On roll call vote; Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**President:** President Obenauer informed the commission that the ground breaking for the Hazen Pioneer Apartments was held today. It was a very nice, well attended ceremony and they hope to start digging for the foundation for the new structure very soon.

**Finance/Busing:** Commissioner Wolf informed the commission that Sienna Sailer at the library had received an estimate, from Western Steel Builders, to repair the crack in the basement wall in the amount of \$1,500. President Obenauer would like to see the weeds and debris cleaned up when the stairs and platform are removed to make the repair. Commissioner Wolf moved to accept the proposal of Western Steel Builders in the amount of \$1,500 to complete repairs at the library, second by Commissioner Haack. On roll call vote; Wolf, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**Police/Fire/Forestry:** Commissioner Pillar informed the commission that the posting for the forestry/public works position has closed and the city received applications from some good candidates. Interviews will be scheduled and a recommendation brought to the board.

**HCD:** Buster Langowski was not present. No report.

## **CORRESPONDENCE**

**ND Oil and Gas Association Meeting:** President Obenauer had registered for this meeting but will not be able to attend. The information will be sent to the rest of the commission and they are to notify the auditor if they will be able to attend.

## **OLD BUSINESS**

**7<sup>th</sup> Street Speed Limit – School Zone:** The commission reviewed information relating to the proper signing for a school zone and Planner Frovarp indicated that these signs need to be placed one hundred feet (100') from school property and there should be either an "End School Zone" or speed limit sign at the end of the zone. Attorney Donovan suggested review of the city ordinance to ensure that any citations issued in the school zone have the statutory fee paid to the proper authority. Commissioner Wolf moved to establish school zones with a 15 MPH speed limit and to increase the speed limit, on 7<sup>th</sup> Street from Central Ave west to 3<sup>rd</sup> Ave NW, to 25 MPH, second by Commissioner Pillar. On roll call vote; Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

**Approval of Bills:** Commissioner Wolf moved to approve the bills and financial statements, second by Commissioner Pillar. Pre-paid and bills approved for payment are as follows: Southwest Water Authority, 36127.85; Ameripride Linen & Apparel Services, 416.01; Bechtold Paving, 90074.24; Black Mountain Software, 8615.00; Cardmember Service, 50.31; Cenex, 840.39; Chamber of Commerce, 450.00; Chuck Dahl, 91.50; Dakota Fence, 6119.00; Dakota Supply Group, 780.08; Dakota Transit Assn; 205.00; Fastenal Co, 30.42; Fitterer Oil LLC, 964.46; Hazen Community Development, 2200.33; Hazen

Motor Co, 49.25; Hazen Welding, 23.75; Information Technology Dept, 10.30; Interstate Battery, 117.00; Kadrmas Lee & Jackson Inc, 720.13; Lange Donovan & Kaffar PLLP, 1843.75; Loren Wiest, 630.00; Menards, 35.76; Mercer Co Treasurer, 4669.03; Michael Todd & Co Inc, 161.67; Mike Froelich, 100.00; Millennium Express, 14.75; MDU, 4529.61; Monte Erhardt, 75.60; Myron Stern, 30.55; ND Dept of Health, 32.00; NAPA, 350.18; ND One Call Inc, 31.00; Northern Safety Co, 173.53; Power Plan, 1328.65; Pride Contracting Inc, 630.00; Roughrider Electric Coop Inc, 2319.43; Ryan Tunge, 100.00; SBM Inc, 2.58; Sletten Excavating, 3752.50; Speidel's, 89.00; St. Alexius Medical Center, 250.00; Stroup Insurance, 95.00; Swanston Equipment Corp, 463.22; The Hub, 326.23; Verizon Wireless, 199.27; WL Construction Supply LLC, 183.94; West River Telecommunications, 849.74. On roll call vote; Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:27 PM CT. The next regular meeting of the commission will be Monday, November 7, 2016 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: \_\_\_\_\_  
Jerry Obenauer, President

Attest: \_\_\_\_\_  
Monte J. Erhardt, Auditor