

**Hazen City Commission
Regular Meeting
November 16, 2015
Hazen City Hall**

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

Others Present: Attorney Donovan, Planner Frovarp, Auditor Erhardt, Adam Schoenherr (Ulteig), Kelsey Timmer & Mark Sweeney (KLJ), Editor Arens, PW Director Neuberger, Police Chief Dahl, and Buster Langowski.

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

Minutes: Commissioner Wolf moved to suspend the reading of the November 2nd minutes and approve them as presented, second by Commissioner Brunmeier. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

Surge Project Update – Ulteig: Adam Schoenherr, Ulteig Engineers, introduced himself to the commission and advised that he will be the contact person for the remaining work on the surge projects. Mr. Schoenherr said the project is pretty well completed and the final walk-through will be done within the next week or two. There is still a question as to the receptacles for the lift station generator connection and these are on order according to Mr. Schoenherr. There are still questions with regard to extras and engineering which will be subject of a meeting with a couple commission members between now and final approval of the project. President Obenauer asked about the receptacles and Mr. Schoenherr said they were in the plans and the contractor was to contact the city to verify the proper equipment but this was not done prior to ordering them. Commissioner Stern asked about repairs to the tennis court parking lot and was advised that this work had been completed by the contractor working with PW Director Neuberger.

2016 Street Project(s): Mr. Schoenherr presented information to the commission with regard to the map of proposed street projects for 2016. Mr. Schoenherr was not certain as to the needed repairs so he had estimated cost for mill and overlay of most streets as well as an estimate for full reconstruction of the streets. Mr. Schoenherr also said that the work on 4th Street included water line and valves work in both estimates. There were questions as to the costs for installation of curb, gutter and asphalt on a couple of the streets and Mr. Schoenherr would like to do a walk-through of some of the areas to better evaluate the amount of work necessary to make repairs. Best case scenario of mill and overlay for most streets is estimated at \$3,121,377.74 and if the majority of the streets require full

reconstruction the estimated cost is \$7,790,711.61 (based on recent project estimates). Mr. Schoenherr said the commission would have to look at how they wish to proceed if they want to do specific streets or specific areas and what the long term goals of the city are. The commission next received information from Mark Sweeney, Kadmas Lee & Jackson, with regard to the 2016 street projects. Mr. Sweeney used estimates for mill and overlay of all streets except for portions of Fayette Drive and Sunflower Lane that require curb, gutter and asphalt. Mr. Sweeney did not include any estimated costs for replacement of utilities in 4th Street NE or for any necessary street lighting. Mr. Sweeney stated his estimates are based on unit prices from the 2014 projects with an adjustment for inflation and are \$2,271,798. Mr. Sweeney also stated it would be beneficial to do a walk-through to determine the needed repairs for the streets indicated on the map. When asked, Mr. Sweeney said it would be appropriate to begin survey work as soon as possible to get the project ready for spring bids. President Obenauer asked how the board wished to proceed and then asked how long the project, as presented, would take to complete. Mr. Schoenherr and Mr. Sweeney both estimated three to four months. Commissioner Brunmeier suggested that some of the proposed streets could possibly wait for repairs. President Obenauer would like to see the commission, in the near future, set a budget for the project and work with an engineer to help determine the best way to proceed with the project.

INTRODUCTION, READINGS & APPROVAL OF ORDINANCES

Amendments Ch. 1, Article 2, - Governing Board Salaries: The commissioner reviewed a proposed ordinance amendment to change the commission salaries from \$231.45, for the Commission President, to \$463/month and \$190.25, for commission members, to \$381.00/month. Commissioner Haack moved to approve the first reading of the proposed amendment to Chapter 1, Article 2, as presented, second by Commissioner Wolf. On roll call vote; Haack, "Aye", Wolf, "Aye", Stern, "Nay", Brunmeier, "Aye", Obenauer, "Aye", motion carried.

REPORTS

President: President Obenauer had nothing to report but did want to ask if the forester was done with trees for this year. Commissioner Haack said that they are completed with cutting, for now, and new trees have been purchased and placed in the nursery. President Obenauer said he had also measured the new joints at the commerce center, because of concerns brought to him, and they are as set out in the specifications. President Obenauer has asked the city crew to remove the majority of the remaining asphalt from the lot once the contractor has completed work as contained in the contract.

Water/Sewer: Commissioner Brunmeier informed the commission that ND Rural Water had measured the sludge in the lagoon cells and as pleased to report it is at the lowest levels since 1998.

Commissioner Brunmeier also had received a request for reimbursement of parts for a water heater that was damaged as a result of a water line break during surge project construction. The commission took no action on the request pending further information as to how the water back-fed from the

residence. Commissioner Brunmeier also informed the commission that the city crews cleaned out the storm drains with the vac trailer.

Street/Cemetery: Commissioner Stern informed the commission that the new Snowblower is expected to be delivered within a week or ten days.

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

Police/Fire/Forestry: Commissioner Haack asked Police Chief Dahl to update the commission on the enforcement of the nuisance ordinance. Chief Dahl said there are a couple of properties that were just recently contacted and they assured him the nuisance would be removed in the time allowed. Chief Dahl has also contacted the owner of the tanker in the truck parking lot and this matter should also be taken care of within the next couple of weeks. President Obenauer had concerns about the truck parking lot becoming a dump ground for tires and other items and Chief Dahl is working to determine who is responsible for the items to get it cleaned up. Chief Dahl informed the commission that the police department is working these on a case by case basis and they have worked to get all the campers off the streets before snowfall. Commissioner Haack encouraged the police department to keep working on this matter. President Obenauer spoke of an incident in Beulah relating to a fuel leak in the truck parking area and asked about liability of the city if this were to happen in our designated area. Attorney Donovan said if there is evidence of negligence and there are damages the owner causing the damages would be responsible. Attorney Donovan suggested a permit system that would make the city aware of who, and what material, is in the parking area in case there are damages. Commissioner Stern felt this is a minor concern at this point and the parking area is nice rather than all these vehicles trying to drive and park on streets.

CORRESPONDENCE

Wellness Center Foundation: The commission reviewed a letter from the Wellness Center Foundation requesting the City of Hazen consider financial support for the proposed wellness center in Beulah. President Obenauer feels this will be a fantastic addition to the city of Beulah and Mercer County, as a whole. President Obenauer also said he would encourage Hazen residents to take advantage of the facility but had reservations about committing funding to the project at this time. Commissioner Wolf agreed that this is a good project but that it would be hard to participate financially at this time. President Obenauer asked the auditor to prepare a response to the Wellness Center Foundation based on the commission's discussion.

OLD BUSINESS

Bus Facility – Specs/Invitation for Bids: Auditor Erhardt informed the commission that site approval has been received and the specifications/invitation for bids has been prepared pending one additional requirement from the ND Department of Transportation. The invitation for bids requests bids be received by December 28, 2015 for a January bid opening and award. Commissioner Wolf moved to approve the publication of bids for the bus facility, pending receipt of the additional requirements

from ND DOT, second by Commissioner Brunmeier. Upon discussion Commissioner Stern asked if additional public hearings would be required and was told that they would not. On roll call vote; Wolf, "Aye", Brunmeier, "Aye", Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried. Planner Frovarp said the specifications require purchase of a building permit and based on the cost of the proposed building the permit would be roughly \$700, unless the commission wished to establish a different cost for this project. Attorney Donovan suggested the commission leave the permit cost based on the present policy.

NEW BUSINESS

Audit Agreement – Rath & Mehrer, PC: The commission reviewed a letter from Rath & Mehrer, PC to conduct the financial audit of city finances for the year ending December 31, 2015. Commissioner Brunmeier moved to accept the agreement with Rath & Mehrer to conduct the city audit, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Approval of Bills: Commissioner Wolf moved to approve the bills and financial statement, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Ameripride Linen & Apparel Services, 416.01; Black Mountain Software, 100.00; Cardmember Service, 261.23; Cenex, 377.27; Coca-Cola Refreshments, 225.00; Dakota Fire Extinguishers, 148.60; Discovery Benefits, Inc, 25.00; Ecolab Pest Elimination, 185.23; Fastenal Co, 524.70; Hazen Community Development, 159.10; Hazen Motor Co, 50.60; Hazen Motor Farm Equipment Co, 88.00; Hazen Welding, 299.00; High Plains Concepts, 3563.80; Hiway Express, 540.63; Information Technology Dept, 5.30; J&M Hardware, 14.99; JP Cooke Co, 54.35; Jerry Obenauer, 80.50; Krause's Super Valu, 190.36; Lange Donovan & Kaffar PLLP, 1095.00; M&A Heating, 750.91; Matthew Bender & Co, 60.44; Mel Roth Oil, 524.55; Mercer County Treasurer, 4332.64; Mercer County Weed Board, 33.00; MDU, 3892.56; ND Dept of Health, 32.00; ND League of Cities, 120.00; ND Rural Water Users Assn, 100.00; NAPA, 747.25; ND One Call Inc, 37.40; Northland Financial, 302.00; Obenauer Plumbing LLP, 112.50; Power Plan, 330.68; Preble Medical Services, 141.00; Quality Asphalt Repair Inc, 13870.00; Roughrider Electric Coop Inc, 2280.99; Samantha Melberg, 266.55; SBM Inc, 57.98; Shannan Fink, 8.05; Swanston Equipment Co, 211.42; Trucks of Bismarck Inc, 2134.96; Verizon Wireless, 198.89; West River Telecommunications, 841.30. 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 6:23 PM CT. The next regular meeting of the commission will be Monday, December 7, 2015 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor