

**Hazen City Commission
Regular Meeting
March 7, 2016
Hazen City Hall**

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

Others Present: Attorney Donovan, Planner Frovarp, Auditor Erhardt, Kelsey Timmer, Mark Sweeney, Joel Quanbeck (KLJ), Adam Schoenherr (Ulteig), Editor Arens, Dan Pillar and Buster Langowski.

Meeting was called to order at 5:30 PM CT by President Obenauer.

President Obenauer immediately opened the public hearing with regard to a request to rezone Lots 4, 5, 6, 7 & 8 of the Lewis & Clark Addition from Commercial (C-2) to Residential (R-2). No public comment was received in person or in writing. Commissioner Stern asked if this property was already within city limits and was advised that it is. Having no other comments or questions President Obenauer closed the public hearing at 5:32 PM CT.

Minutes: Commissioner Brunmeier moved to suspend the reading of the February 15th minutes and approve them as presented, second by Commissioner Wolf. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

Zoning Map Amendment: As there was no comment or opposition to the request, Commissioner Wolf moved to approve amendment of the zoning map from Commercial to Residential for Lots 4, 5, 6, 7 & 8, Lewis & Clark Addition, as presented, second by Commissioner Haack. On roll call vote; Wolf, "Aye", Haack, "Aye", Stern, "Aye", Brunmeier, "Aye", Obenauer, "Aye", motion carried.

2016 Street Project(s): Mark Sweeney, KLJ, presented the plans and specifications, and updated estimates, for the 2016 Street Projects and also provided a copy of the proposed bidding documents. Attorney Donovan has also had opportunity to review the contract and bidding documents and had no objection to them, at this time. Mr. Sweeney explained that he worked with city staff to address all the different elements of the project to get the plans prepared and ready for approval, after the protest period and hearing scheduled for March 21st. President Obenauer asked if the new curb on the streets would be mountable and Mr. Sweeney said yes they are using design similar to what is already in place in other areas of the city and spoke about the placement of sidewalks along the cul de sac on Fayette Drive. Commissioner Haack asked about distance the curb would be from a driveway in this area and

Planner Frovarp stated it is roughly fifteen feet (15') from the curb to the property line. Commissioner Stern asked about the cost and benefit of the portion of Sunflower Lane if the proposed development in the area goes forward. President Obenauer and Attorney Donovan said the Special Assessment Committee would be looking at that to determine each property owner's benefit and the property of this proposed development should be considered. Commissioner Stern also said there are a couple of properties along Fayette Drive that do not currently have service connections and this should be done prior to paving the street. Planner Frovarp said there are actually four (4) lots but only two (2) property owners so the city should consult with them as to the desired location of the service and a local contractor could complete this work prior to the project being completed in this area. President Obenauer asked the commissioners to review the proposed plans and come back to the next meeting prepared to offer recommendations and act on them.

Surge Project(s) – Pay Request #4: Adam Schoenherr, Ulteig, presented pay request #4, in the amount of \$86,699.21, for work completed by Tand Construction. Mr. Schoenherr explained that pay request #3 only paid up to 90% of completion and they have since come to Hazen with representatives of Tand Construction to verify quantities and this pay request still maintains retention for a portion of the work or extras requested. President Obenauer asked about cost for tree removal and Mr. Schoenherr explained this was near lift station #5 to conduct de-watering work. Attorney Donovan inquired about line 67 of the pay request and was advised this was to reconnect service to a residence along 10th Street NE. Commissioner Stern said the city had previously voted to approve payment of extras in the amount of \$68,000 and Mr. Schoenherr explained that this pay request does take that into account as it only includes the remaining \$30,000 of extra as established by the city and that funds held in retention will remain until the project is final and all information has been verified and accepted. Commissioner Wolf moved to approve payment of Pay Request #4, as presented, second by Commissioner Haack. Upon discussion Commissioner Brunmeier inquired about the amount approved for extras and it was agreed that the city proposed payment of extras in the amount of \$68,604.24. On roll call vote; Wolf, "Aye", Haack, "Aye", Stern, "Nay", Brunmeier, "Aye", Obenauer, "Aye", motion carried.

REQUEST OF CITIZENS

Local Raffle Permit – Meridian Lodge #116 and Hazen Ministerial: Commissioner Brunmeier moved to approve the raffle permit for Meridian Lodge #116 and Hazen Ministerial, as presented, second by Commissioner Wolf. Motion unanimously carried.

APPROVAL OF APPLICATIONS & BUILDING PERMITS

Application for Property Tax Exemption – F. Madche: Planner Frovarp provided a corrected copy of the application for property tax exemption as submitted by Ferd & Dee Madche, for renovations to the property at 301 4th Avenue NE. Planner Frovarp said, in the original application, the value, after improvements, was misstated. Planner Frovarp further explained that the request is for exemption of

the value of the improvements for a period of five (5) years, that on the sixth year the property tax would be levied on the full current value, at the time of assessment. Commissioner Haack moved to approve the five (5) year property tax exemption, as presented, second by Commissioner Brunmeier. On roll call vote; Haack, "Aye", Brunmeier, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

REPORTS

President: President Obenauer informed the commission that the meetings will be videotaped for display on the website and the access channel. President Obenauer asked about the bus facility and was advised that the public works staff have been cleaning up the area for construction and have done a great job.

Water/Sewer: Commissioner Brunmeier informed the commission that she attended the last ambulance board meeting and was introduced to all the other directors and it went very well. The next meeting will be in Beulah on the 4th Monday of the month. Commissioner Brunmeier also discussed staffing concerns of the water/sewer department and, if approved by the policy committee, would like to institute a system of compensation for the department's on-call time.

Street/Cemetery: Commissioner Stern informed the commission that one of the street sweepers is in need of parts and that a quote has been received from Swanston Equipment. Commissioner Stern moved to approve, up to \$7,100, for the purchase of parts to repair the street sweeper, second by Commissioner Wolf. President Obenauer asked if the parts were for the sweeper or the vac and Director Neuberger said they are for the sweeper.

Finance/Busing: Commissioner Wolf had nothing to report but stated she had driven past the bus facility location and the public works staff has done a good job of preparing it for construction.

Police/Fire/Forestry: Commissioner Haack had nothing to report at this time.

CORRESPONDENCE

Post Prom Donation Request: Commissioner Brunmeier moved to approve a donation of \$125 for the Hazen Post Prom Party, second by Commissioner Stern. On roll call vote; Brunmeier, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

101 Things to do Advertisement: Commissioner Wolf moved to approve a 1/4 page, full color advertisement in the 101 Things to Do circular, at a cost of \$195, second by Commissioner Brunmeier. On roll call vote; Wolf, "Aye", Brunmeier, "Aye", Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

NEW BUSINESS

Busing – Fleet Maintenance Policy – FY2017 Grant Resolution: Commissioner Brunmeier moved to approve the update busing fleet maintenance policy, as recommended by the busing advisory board, and to approve a resolution authorizing Auditor Erhardt to act as signer for signature for the FY2017

Grant Application process, second by Commissioner Stern. On roll call vote; Brunmeier, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

Approval of Bills and Financial Statements: Commissioner Wolf moved to approve the bills, second by Commissioner Haack. Pre-paid and bills approved for payment are as follows: US Postal Service, 274.48; Universal Premium Fleetcard, 2207.01; Verizon Wireless, 117.38; Payroll, 119246.56; AED Everywhere, 100.20; ASCAP, 336.08; BHG Inc, 2212.57; Breanne Slavick, 49.55; Cardmember Service, 99.24; Cenex, 410.49; CVB, 3316.00; D&E Supply Co, 122.24; Dakota Pump & Control Co, 855.00; Dakota Supply Group, 193.32; Dan Wettstein, 320.00; Ecolab Pest Elimination, 115.19; Harlow's Bus Sales, 208.65; Hazen Hardware Inc, 135.18; Hazen High School, 125.00; Hazen Motor Co, 187.80; Heiman Fire Equipment Inc, 83.95; Hiway Express, 179.15; Information Technology Dept, 10.30; J&L Automotive LLC, 97.90; Jerry Obenauer, 97.20; Kasey Lesmann, 100.00; Krause's Super Valu, 138.69; Lange Donovan & Kaffar PLLP, 4797.50; Loren Wiest, 420.00; Marc Corp, 877.80; Mel Roth Oil, 1639.18; Mercer County Treasurer, 3816.16; ND League of Cities, 25.00; NAPA, 624.57; Northern Safety Co, 188.90; Pam Borlaug, 79.99; Power Plan, 601.72; Preble Medical Service, 128.00; Pretty Petals, 45.00; Pride Contracting, 1293.00; Promiseland Designs, 328.68; RDO Truck Centers, 2.40; Rocky Evans, 77.97; SBM Inc, 79.98; Secretary of State, 36.00; Share Corp, 564.44; Sleep Inn & Suites, 2620.80; Southwest Water Authority, 22702.16; Steve Frovarp, 15.12; Stroup Insurance, 50.00; Tand Construction LLC, 86699.21; Team Laboratory Chemical Corp, 147.00; Ulteig Engineers, 348.00; Verizon Wireless, 197.95; West Dakota Lumber, 16.00. On roll call vote; Wolf, "Aye", Haack, "Aye", Brunmeier, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:13 PM CT. The next regular meeting of the commission will be Monday, March 21, 2016 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor