

**Hazen City Commission
Regular Meeting
August 1, 2016
Hazen City Hall**

Present: Commissioner Haack, Commissioner Pillar, Commissioner Stern and Commissioner Wolf.

Absent: President Obenauer

Others Present: Attorney Donovan, Planner Frovarp, Auditor Erhardt, Public Works Director Neuberger, Eric Schuler (KLJ), Mark Sweeney (Moore), Editor Arens, Ashley & Adam Mickelsen, and Buster Langowski (HCD).

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 July 18th meeting, as presented, second by Commissioner Pillar. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

2016 Street Projects: Eric Schuler, KLJ, informed the commission that Wildrose Lane is ready for asphalt and that Williams Builders will be connecting to water and sewer in this area. Sunflower Lane curb and gutter is complete and after driveway aprons are complete they will move up and begin curb and gutter on Fayette Drive. Some of the patching on 7th Avenue NE needed to be redone because of issues raised by recent precipitation. With regard to patching on 11th Ave NW, 12th Ave SW and Fayette Drive (south of Divide), Mr. Schuler informed the commission that there are issues with the street base and he recommends the following: 11th Ave NW it is recommended to reconstruct the portion that has not already been patched at an estimated cost of \$70,000; 12th Ave SW it is recommended to save as much as possible but, to completely reconstruct the west fourteen feet (14') of the street at an estimated cost of \$62,000; and Fayette Drive they will attempt to minimize patching as much as possible and make repairs of areas utilizing three inches (3") of asphalt with an additional two inch (2") overlay at an estimated cost of \$17,000. The commissioners have had the opportunity to review these streets and agree that repairs should be made to ensure the integrity of the streets lasts for a longer period. Commissioner Haack moved to proceed with the repairs, as described, second by Commissioner Stern. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", motion carried.

Moore Engineering Contract: Attorney Donovan has reviewed the proposed contract with Moor Engineering stating it is a standardized agreement with addendums included to cover specific tasks and

associated costs. Mark Sweeney, Moore, stated that the task order utilized by the company is similar to a scope of services utilized by other companies and that the billing rates are included with the document. Commissioner Pillar moved to accept the contract as presented by Moore Engineering, second by Commissioner Stern. Upon discussion it was determined the contract will be for a one-year period. On roll call vote; Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

Weight Restrictions – Repaired/Constructed Streets: Planner Frovarp stated that, at the construction meeting on July 29th, there was discussion about the need to protect the newly resurfaced or constructed streets and that the city may want to consider imposing some weight restrictions on 12th Ave SW and Sunflower Lane during the construction of the housing development and the hotel project. PW Director Neuberger stated he had ordered signs advising, "no truck traffic", but there was concern if this would be sufficient under the current ordinance or if the ordinance would need to be amended. It was discussed that the streets are generally able to handle 80,000 pounds but the city may wish to consider a lesser weight, such as 60,000 pounds. Commissioner Stern suggested a "per axle" weight restriction be considered and Mr. Sweeney said he would make a provide a recommended weight per axle to the commission. It was discussed that the restrictions would be mainly during the construction of the hotel and housing development projects.

APPROVAL OF APPLICATIONS & BUILDING PERMITS

Conditional Use Permit – Non-Farm Residence - Schwab: Planner Frovarp presented an application for a conditional use permit, non-farm residence, as requested by Tom & Renae Schwab. The request is to place a mobile home on the property at 114 9th Ave SW for Schwab's daughter and son-in-law. The planning and zoning board met on July 25th and recommend approval of the permit.

Commissioner Pillar asked if there are any limits associated with the permit and Planner Frovarp indicated the commission may place limits but there are none at this time. It was determined that if the mobile home is removed a new conditional use permit would be required prior to any other structure being moved in. Commissioner Pillar moved to approve the conditional use permit, as requested, second by Commissioner Haack. Upon discussion, Commissioner Pillar asked how the mobile home will get the necessary water/sewer utilities. Planner Frovarp indicated the sewer will be connected to the existing system with a new drain field and they will try to utilize the artesian well on the property for water. If the artesian well cannot support both families, they may appear before the commission to request approval to connect to Southwest Water. On roll call vote; Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

Access Easement – D & S Aaseth: Pursuant to a request for access easement presented by Mr. Aaseth at the June 20th meeting, Attorney Donovan prepared the Access (Ingress and Egress) Easement. Commissioner Haack moved to approve the access easement, second by Commissioner Stern. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", motion carried.

Site Authorization – Hazen Winter Sports – Bison Bar & Grill: Commissioner Haack moved to approve site authorization for Hazen Winter Sports to place a pull-tab dispensing machine at the Bison Bar &

Grill, second by Commissioner Pillar. On roll call vote; Haack, "Aye", Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

REPORTS

President: President Obenauer absent; no report.

Water/Sewer: Commissioner Stern reported that there are issues with a sewer line, near the tennis courts in north Hazen, but it does not appear to be an issue on the sewer main but on the connection from the property.

Street/Cemetery: Commissioner Haack reported that, he had checked on a request by Marguerite Kilber to plant trees in the northwest corner of the city cemetery and this is acceptable and will likely be completed yet this year.

Finance/Busing: Commissioner Wolf reported that progress on the bus facility continues.

Police/Fire/Forestry: Commissioner Pillar reported that the fire department has evaluated the former police vehicle and will accept it for use by the Fire Chief or Asst. Fire Chief.

HCD: Buster Langowski reported that they are still waiting for a response from USDA with regard to the hotel market study. Mr. Langowski also reported that a construction call has been scheduled for August 2nd, with regard to the Hazen Pioneer Apartment project, in anticipation of advertising for bids and they are also waiting for an update on the re-platting of the property.

CORRESPONDENCE

2017 Budget: The commission was provided very preliminary budget numbers for 2017 and advised that meetings with the various departments and portfolio holders will be scheduled throughout the month of August to determine the budget for the coming year.

Approval of Bills: Commissioner Stern moved to approve the bills, second by Commissioner Pillar. Pre-paid and bills approved for payment are as follows: USPS, 272.61; Mercer Co Recorder, 13.00; Payroll, 138682.40; Bank of ND, 109395.00; BHG Inc, 993.20; Cardmember Service, 1112.40; CVB, 2586.36; D&E Supply, 321.99; Dakota Supply Group, 1711.20; Emergency Apparatus, 1921.31; Fastenal Co, 25.52; Hazen Hardware, 673.53; Hazen Parks & Rec, 20000.00; J&L Automotive LLC, 129.04; Jerry Obenauer 95.81; Joyce Lemer, 119.00; Kandi McConnell, 134.84; Krause's, 64.73; Lange Donovan & Kaffar PLLP, 770.00; Loren Wiest, 140.00; Marc Corp, 1422.38; Matthew Bender & Co, 117.60; Menards, 35.76; Mercer Co Recorder, 3.00; Monte Erhardt, 12.96; Mul-T-Services, 250.00; ND League of Cities, 1864.00; ND Assn of Gas & Oil Producing Counties, 200.00; New Pig Corp, 56.18; Peggy Rahn, 207.84; Postmaster, 110.00; SBM Inc, 19.23; SW Water Authority, 47856.57; Steve Frovarp, 50.22; Stroup Insurance, 454.00; Universal Premium Fleetcard, 3489.33; Verizon Wireless, 116.06. On roll call vote; Stern, "Aye", Pillar, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:01 PM CT. The next regular meeting of the commission will be Monday, August 15, 2016 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor