

**Hazen City Commission  
Regular Meeting  
February 18, 2019  
Hazen City Hall**

**Present:** President Obenauer, Commissioner Haack, Commissioner Pillar, Commissioner Stern and Commissioner Wolf.

**Others Present:** Attorney Donovan, Editor Arens, and Auditor Erhardt.

The meeting was called to order at 5:29 PM by President Obenauer.

President Obenauer led the Pledge of Allegiance.

Commissioner Pillar led the commission in prayer.

**Minutes:** Commissioner Wolf moved to suspend the reading and approve the minutes of the February 4<sup>th</sup> meeting, second by Commissioner Haack. Motion unanimously carried.

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

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Block Corner Survey Proposal(s):** The commission discussed a proposal of Link Surveying to replace block corner monuments that have been removed or displaced over the years. Mr. Link provided three options for the project: Option #1 – Replacing sixteen (16) monuments removed/disturbed by the 2018 street project at a cost, not to exceed, \$10,000; Option #2 – Replacing forty-one (41) monuments, not due to the 2018 street project, at a cost, not to exceed, \$11,500; Option #3 – Replacing fifteen (15) monuments that have pins but, do not have caps, not due to the 2018 street project, at a cost, not to exceed, \$5,000. Commissioner Stern asked about recovering costs for replacing monuments disturbed by the 2018 street project and it was determined the city would work with the city engineer to address the cost for such monuments. Commissioner Pillar questioned the need to do all three options, at this time, or if it would be wiser to address specific monuments when there are questions or need to determine their appropriate location. Attorney Donovan stated the city has no responsibility to replace the monuments as that is a matter for each individual property owner to ensure they are within the building and zoning regulations. Attorney Donovan said there is also a danger in not completing the work as each surveyor may have a different opinion of the plat and monument location. Commissioner Pillar questioned the benefit to the city residents and Commissioner Stern stated the cost to complete this work is reasonable as it usually costs more than \$1000 to set individual pins. Commissioner Pillar just wants to make sure the benefit is there for the residents as it appears the city has not had a lot of instances when they needed to refer to a monument that has been removed. Commissioner Stern referred to questions relating to the alley location in some parts of the city, and how they alleys don't follow a straight line. Commissioner Haack said that he has personal experience on how the monument location, or lack thereof, can affect individual property owners. Attorney Donovan suggested that if the work is completed it would provide a good record, tied into the

property plats and the information should be good for the foreseeable future since platted boundaries do not change. Commissioner Stern moved to proceed with all three (3) options for the monument replacement, not to exceed the amounts specified in the agreement, second by Commissioner Haack. On roll call vote; Stern, "Aye", Haack, "Aye", Pillar, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

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

**Building Permit w/Variance Request – C. Jewell:** The commission reviewed an application for building permit, submitted by Chansey Jewell to construct a garage on his property at 1024 Central Ave N. Mr. Jewell would like to install a vehicle lift in the structure, so the permit request is for twelve-foot (12') sidewall height, which requires a variance. The commission discussed other similar structures and want to make sure they follow previous precedent. There were questions as to the construction of the building, if it would be framed or post/beam construction. Attorney Donovan said the city has adopted the uniform building code which allows post/beam (pole barn) construction. The commission took no action and asked that the application be updated to include the type of construction and materials and it will be placed on the agenda for the next regular commission meeting.

## **REPORTS**

**Water/Sewer/Garbage:** Commissioner Stern reported that a home on Bluegrass Lane experienced a water freeze-up and the city crew worked on it this date and did return water use. Commissioner Wolf said this has happened in the past and the city asks several residents, in this area, to allow a low flow of water and adjusts the utility billing. The commission would like the auditor to contact Moore Engineering to see what options the city may have to address a long-term solution to the problem. Commissioner Wolf said the city crew only ran into ice between the city main and the curb stop.

**Street/Cemetery:** Commissioner Haack reported the crews continue to sand intersections and are working with him, as street commissioner, to determine when to remove snow from residential areas and are making sure the emergency routes are cleaned in a timely manner. President Obenauer said it is hard to decide exactly when to go out, when you only get small amounts of accumulation at a time but, they add up over a longer period, adding the crew can't plow every two-inches (2") that comes down. Commissioner Stern suggested the snow could be removed every time including that the city has talked in the past that when the amounts are small to simply push them to the curb. President Obenauer said the streets get too narrow when it is pushed to the side and Commissioner Pillar added that he had been in Minot, Fargo and Moorhead over the past few days and they have been pushing snow to the curb which impedes sight lines at intersections. Commissioner Haack feels the streets are getting into better condition but, there are still some ruts that need to be addressed.

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

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

**HCD:** Buster Langowski absent, no report.

**President:** President Obenauer informed the board that HB 1066 (Prairie Dog) has come out of the appropriation committee with a "do pass" recommendation and it is likely to be voted on by the full

house within the next day or two. President Obenauer said the funding will be beneficial to future projects as there are still infrastructure issues to be addressed. Commissioner Haack shared information about the effects a large fire can have on a city's water availability.

## **CORRESPONDENCE**

**Rath & Mehrer PC, Representation Letter:** The commission reviewed a letter of representation, in connection with the annual independent audit. The letter states the city represents the financial statements have been prepared as requested, information has been provided regarding transactions of the city and that there are no pending actions against the city and investments are properly valued. Commissioner Wolf moved to approve the representation letter, as presented, second by Commissioner Stern. On roll call vote; Wolf, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

**PACE Maintenance Contract:** The commission reviewed an annual maintenance agreement of PACE for televising and cleaning of sewer lines within the city. The agreement pricing remains unchanged from the previous year. Commissioner Pillar asked if there are other companies that perform this work and there are other companies but, their pricing is not as competitive. Commissioner Stern moved to approve the PACE maintenance contract, second by Commissioner Pillar. On roll call vote; Stern, "Aye", Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

Due to concerns of attaining a quorum for the March 4<sup>th</sup> meeting, the commission tentatively scheduled the next regular meeting on March 11<sup>th</sup>, 2019 at 5:30 PM CT.

**Approval of Bills:** Commissioner Wolf moved to approve the bills, as presented, second by Commissioner Haack. Pre-paid and bills approved for payment are as follows: BHG Inc, 40.00; Cenex, 2737.42; City of Beach, 100.00; D'Andreas, 56.63; Dakota Pump & Control Inc, 131.89; Fastenal, 44.06; Global Safety Network, 71.45; ITD, 10.30; Jerry Obenauer, 979.50; L-Tron Corp, 172.00; M&T Fire and Safety Inc, 91.00; Mercer Co Treasurer, 3658.31; Mike Froelich, 100.00; MDU, 5578.84; ND Dept of Health, 32.00; ND One Call Inc, 6.10; Power Plan, 672.03; Purchase Power, 217.98; Roughrider Electric Coop Inc, 6243.28; The Hub, 179.04; Tractor Supply Credit Plan, 19.99. On roll call vote; Wolf, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:20 PM CT. The next regular meeting of the commission is tentatively scheduled for Monday, March 11, 2019 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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