

**Hazen City Commission
Regular Meeting
October 15, 2018
Hazen City Hall**

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

Others Present: PW Director Brousseau, Planner Senger, Attorney Donovan, Auditor Erhardt, Jerod Klabunde & Jon Schroeder (Moore Engineering), Ted Billadeau (Mayo Construction), Adam Sailer, Steven Baardson & Buster Langowski.

The meeting was called to order at 5:30 PM by President Obenauer.
President Obenauer led the Pledge of Allegiance.

Minutes: Commissioner Wolf moved to suspend the reading and approve the minutes of the October 1st meeting, second by Commissioner Haack. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

2018 Street Project: Jerod Klabunde, Moore Engineering, presented pay estimate #6 as requested by Mayo Construction. Commissioner Pillar moved to approve Pay Estimate #6 to Mayo Construction in the amount of \$454,608.89, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Mr. Klabunde updated the commission on the core samples removed from Divide Street and Deapolis Avenue stating, a little information was received but nothing in detail or definitive. Mr. Klabunde also stated the updated milestone/substantial completion date of October 6, 2018 has passed and the city may assess liquidated damages. Ted Billadeau, Mayo Construction, said a request for an additional three (3) days but they had not received an official change order. Mr. Klabunde said he was aware of the three-day request but, there was some discussion about a written request being necessary and Mr. Billadeau again said they were waiting for a formal change order. Mr. Billadeau explained that part of the additional time is necessary because the concrete work ended 17% over quantity and that PCS (the concrete contractor) had planned to be in town for five months and ended being here more than six months. President Obenauer asked if some of the issue related to the west Hazen shared use path being open for several weeks while the contractor was out of town. Mr. Billadeau asked about completing a walk-through and Mr. Klabunde stated that when a request for substantial completion is received a walk-through will be scheduled and a punch list created. President Obenauer asked if there were any concerns about completing hydro-seeding this fall and Mr. Klabunde said there are cases where late fall works out best and some cases where there are areas of winter kill. Mr. Klabunde and

the commission discussed other areas to be addressed on 5th Street/3rd Ave NW & 6th Street/3rd Ave NE. Mr. Billadeau informed the commission that Kemper had completed vacuuming the sanitary sewer from 8th Ave NE to lift station #1. There was evidence of asphalt in the line on 8th Ave NE, near the hospital, but there didn't appear to be any other debris in the lines. Mr. Billadeau said lift station #1 was also cleaned and asked if the city would consider sharing some of the cleaning cost since, the city has the lift station cleaned annually. Commissioner Stern said, in discussing the issue with the water department, there were chunks of asphalt in the lines and Mr. Billadeau stated that there was no evidence of asphalt in the lift station only other debris.

Commissioner Haack moved to approve Bank of ND requisition #6 in the amount of \$476,367.49, second by Commissioner Wolf. On roll call vote; Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

REQUEST OF CITIZENS

Local Permit-Calendar Raffle – Knife River Pheasants Forever: Commissioner Haack moved to approve Local Permit #2018-12, as requested by the Knife River Pheasants Forever, to conduct a calendar raffle in 2019, second by Commissioner Pillar. Motion unanimously approved.

Neighborhood Concerns – A. Lindemann & A. Sailer: Adam Sailer appeared to express concerns about issues in his area of 1st Ave NE regarding the nuisance animals and the placement of a mobile home on a lot. President Obenauer thanked Mr. Sailer for his patience as the city works through these concerns with the health department and other agencies. Mr. Sailer asked if the mobile home could be inhabited without being placed properly on the lot and Planner Senger said she had prepared a letter requiring the placement be corrected within fifteen (15) days and that water and sewer connections must be paid for and approved prior to occupancy. Commissioner Stern had a question about city ordinance limiting the number of animals a resident may have and it was determined there is no strict limit relating to felines. Commissioner Haack feels that the issue of the cats needs to be addressed by law enforcement to determine who owns the animals or to begin impounding them. The commission directed Planner Senger to work with law enforcement regarding the cat issue. Commissioner Wolf asked if a city representative is on-site when a mobile home is moved in and suggested that someone be on-site to inspect placement of the structure, in the future. There was a question as to the city's action if the trailer is not moved into compliance and the city can impound it, at the expense of the property owner. Mr. Sailer asked what the next step is and was informed the city will work with Custer District Health, and law enforcement, to address cat issue and the notice to the owner of the mobile home, to correct its placement, will be completed and served within the next couple of days. Mr. Sailer said the city may want to address issues on another home, with windows open or missing, on Central Ave that has not been inhabited for some time.

Eagle Scout Project – S. Baardson: Steven Baardson appeared before the commission to discuss his proposed Eagle Scout project. Mr. Baardson was contacted by Roughrider Electric pledging \$500 for the project so, Mr. Baardson asked if the city would be willing to pledge the remaining \$200, as estimated for the project, according the material list. President Obenauer said the city is willing to allow the project to proceed and Director Brousseau said the public works department would be

willing to help drill holes for posts for the project. Commissioner Pillar said that he expected to receive a more detailed plan for the fundraising and he had higher expectations of thought and energy to develop a fundraising plan, suggesting Mr. Baardson reach out to other local businesses for support. Commissioner Stern said that, for other projects, the city received plans detailing the project information. Mr. Baardson said he didn't completely understand the process the city was looking for and realizes the city wants to see him take more initiative.

REPORTS

President: President Obenauer had nothing to report at this time.

Water/Sewer/Garbage: Commissioner Stern informed the commission that the results of lead/copper testing of the municipal water have been received and all reports are within acceptable levels.

Street/Cemetery: Commissioner Haack informed the commission that the public works department is gathering information regarding cost and durability of rubber cutting edges for snow removal. PW Director Brousseau said the department is considering using beet juice to limit snow/ice buildup on the streets this winter but, there is a concern that this substance can be detrimental to a new chip seal. Director Brousseau is working with the city engineer to get additional information on this matter. Director Brousseau also informed the commission that the state highway department began using rubber cutting edges within the last couple years and are experiencing a longer life cycle than normal steel cutting edges. The initial cost to install the edges on city equipment is slightly higher but, the overall savings from the extended life will quickly recoup these costs. Commissioner Haack said the initial cost is nearly \$1700 and the city replaced several sets of traditional edges last year at a cost of \$600, or more, per set. Director Brousseau will see if the edges can be purchased on the state bid. Director Brousseau said the crew continues to sweep leaves and today did tree trimming along streets where trees may contact city equipment.

Finance/Busing: Commissioner Wolf informed the commission that she will be attending the ambulance board meeting on October 22nd.

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

HCD: Buster Langowski reported that he is continuing to work on extending the renaissance zone program for an additional five (5) years and he will be meeting with the county commission and school board soon to request letters of support for the extension and the matter will be placed on the city commission agenda in December for final city action. President Obenauer asked about work being done at the apartments and Mr. Langowski told the commission that there is work to extend the concrete driveway to make it wider for vehicle traffic.

CORRESPONDENCE

Property Taken by County Tax Deed: The commission reviewed a letter from the county auditor relating to the taking of two (2) properties by county tax deed. The properties will be offered for sale at public auction on November 20th at the County Courthouse.

Jail Agreement – Mercer County Sheriff's Dept: Commissioner Pillar has discussed the jail agreement with Chief Wolff and this update contains no major changes to the previous agreement. Commissioner

Pillar moved to approve the jail agreement, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

Approval of Bills and Financial Statements: Commissioner Pillar asked if there had been any discussion on cost to repair the dog pound and Director Brousseau said, upon closer look, it appears the current structure can be repaired with having to rebuild it. Commissioner Pillar moved to approve the bills as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Ameripride, 300.50; Black Mountain Software, 9718.00; Butler Machinery Co, 216.04; Cenex, 1165.91; Coal Country CHC, 262.00; D&E Supply Co, 324.69; Dougherty & Company LLC, 300.00; Fastenal Co, 33.67; Grand Forks Fire Equipment Co, 73.53; Hazen Fire Dept, 100.00; Hazen Motor Co, 4979.95; ITD, 10.30; Innovative Office Solutions LLC, 164.95; Jimmy's Lounge & Pizza, 157.15; Krause's Super Valu, 39.56; Mandate Machinery, 950.59; Mayo Construction Co, 454608.89; Mercer Co Auditor, 217.20; Mercer County Treasurer, 4273.04; Michael Todd & Co, 170.19; MDU, 4945.83; ND Dept of Health, 32.00; ND Dept of Health, 576.73; NAPA, 290.79; ND One Call Inc, 43.20; Olson Electric, 2446.25; Peggy Rah, 93.95; Roughrider Electric Coop Inc, 3289.87; Shannan Senger, 167.38; St. Alexius Medical Center-EAP, 250.00; The Hub, 464.75; Uniform Center, 950.00; Verizon Wireless, 344.68; West Dakota Lumber, 170.00; West River Telecommunications, 1025.83. On roll call vote; Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:37 PM CT. The next regular meeting of the commission will be Monday, November 5, 2018 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor