

**Hazen City Commission
Regular Meeting
October 16, 2017
Hazen City Hall**

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

Others Present: Auditor Erhardt, Editor Arens, Attorney Donovan, Mark Sweeney (Moore Eng.), PW Director Neuberger, Craig & Deb Smith, and Buster Langowski.

The meeting was called to order at 5:30 PM by Commissioner Wolf.

Minutes: Commissioner Haack moved to suspend the reading and approve the minutes of the October 2nd meeting, as presented, second by Commissioner Stern. Motion unanimously carried.

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

President Obenauer arrived at the meeting.

CONSULTATION WITH ATTORNEY & ENGINEER

2018 Street Projects: Mark Sweeney, Moore Engineering, provided Task Order #5 relating to design, development and project bidding for the 2018 street project. Mr. Sweeney said this will cover work of the engineering firm, up to, awarding a contract for the project. Commissioner Wolf moved to approve Task Order #5, second by Commissioner Stern. Upon discussion, President Obenauer asked what exactly this task order will do; and Mr. Sweeney said this will direct the engineering firm to compile the information from the reports of the GeoTech analysis and the sanitary sewer cleaning and televising. Commissioner Pillar commented on the amount of prioritization for the project and Mr. Sweeney said this will get all the preliminary design based on information that is more detailed than the visual assessment conducted earlier this year. Mr. Sweeney also stated that this will not include final drawings as they will be developed after preliminary work is finished and the commission has an opportunity to review the plan to ensure the scope of the project is as requested. On roll call vote; Wolf, "Aye", Stern, "Aye", Pillar, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

The commission was provided a draft resolution of necessity for the project. This will allow the public the opportunity to protest going forward with the project. Commissioner Stern asked if the intention is to proceed with the entire project and President Obenauer stated yes. Mr. Sweeney said the project could be completed in phases, based on the desire of the commission. Commissioner Pillar asked if the entire scope of the project, as proposed, could be completed in one year and Mr. Sweeney said that it could be; depending on the weather. There was also discussion about the price of asphalt and it being reasonably low at this time, so it may be beneficial to bid the entire project and Commissioner Haack

agreed it may be best to bid the entire project to get the best bid. Commissioner Stern said he would still like to hold a meeting, or meetings, to keep the public informed about the project and Mr. Sweeney said once preliminary work is completed the engineering firm can provide information and attend public meetings to answer questions the public may have. Commissioner Pillar moved to approve the Resolution of Necessity and set a hearing date on the opportunity to protest for 5:30 PM CT on November 20th, 2017, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried. The full text of the resolution will be published and available for review at the city office.

REQUEST OF CITIZENS

Local Permit – Raffle – Knife River Pheasants Forever: Commissioner Haack moved to approve Local Permit #2017-13 as requested by Knife River Pheasants Forever to conduct a calendar raffle January through December 2018, second by Commissioner Wolf. Motion unanimously approved.

APPROVAL OF APPLICATIONS & BUILDING PERMITS

Building Permit w/Variance Request – C. Smith: The commission reviewed an application for building permit, with variance request, presented by Craig Smith to construct a detached garage at 1210 Sunrise Drive. Mr. Smith would like to build the garage ten feet (10') from the rear and four feet (4') from the east property lines. Mr. Smith said he would accept a distance of fifteen feet (15') from the rear property line if the commission did not want the lesser distance. Commissioner Haack moved to approve the building permit and allow a variance for the garage to be constructed fifteen feet from the rear property line and four feet from the side property line, second by Commissioner Wolf. Upon discussion, the fact that the area has restrictive covenants was brought up and it was determined these are to be enforced by the homeowner's association or individual homeowners. Commissioner Stern asked if Mr. Smith had discussed the four-foot distance from the property line with his neighbor and Mr. Smith said he has and there is no objection. Deb Smith asked about the proper procedure for approval of the structure regarding the restrictive covenants and was advised that they must seek an opinion from private counsel. On roll call vote; Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

REPORTS

President: President Obenauer had nothing to report.

Water/Sewer/Garbage: Commissioner Stern informed the commission that recently water supply to the city, from Southwest Water, was interrupted for most of a day and was restored by evening. The commissioners were made aware of water levels and the amount of usage the city can expect from normal water usage. There was discussion on the process to start-up the city's old system and any legal or health department consequences. Attorney Donovan suggested development of an emergency plan in case water service is disrupted for a longer period.

Street/Cemetery: Commissioner Haack informed the commission that the all the necessary repairs have been completed on the Sterling dump truck but, there is a need to replace the front tires to meet DOT standards. The street department had received tire proposals from Farmer's Union Oil and Fitterer Oil. Commissioner Haack moved to purchase, narrow, steer tires from Farmer's Union Oil at a cost of \$727.00, second by Commissioner Stern. Upon discussion, Commissioner Pillar asked if the vehicle has been inspected and was informed that once the tires are replaced it will be taken to Mandate Machinery for a DOT inspection. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

Commissioner Haack informed the commission that the box liner on the Freightliner truck needs some repairs and may need to be replaced entirely, sometime in the future.

Commissioner Haack asked the commission to consider re-purposing the Sterling garbage truck, as a dump truck, once a new garbage truck is purchased in the next year or two. Commissioner Haack said this is a service that Sanitation Products can do.

Finance/Busing: Commissioner Wolf had nothing to report.

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

HCD: Buster Langowski reported the appliances for the Pioneer Apartments are expected to be delivered and installed by October 23rd. Carpet in the apartments is complete and the carpet layers hope to complete the long, hallway, runs very soon. The HCD board will be touring the apartments on October 24th, October 25th will be a walkthrough to address punch list items and a grand opening ceremony is scheduled for October 27th. President Obenauer asked if the appliances include television and Mr. Langowski said that, as well as including basic cable service, has been discussed. President Obenauer asked about work on the alley west of the building and Mr. Langowski said it will likely need some more fill material then it will be ready for crushed asphalt/concrete.

CORRESPONDENCE

Vision West Membership: The commission reviewed information about membership to the Vision West Consortium. The city is not currently a member however; HCD is, and the commission asked Mr. Langowski to forward information as to the consortium's purpose and goals for future discussion.

2018 Visitor's Guide: Commissioner Wolf moved to approve advertising a single page, inside cover, in the 2018 Visitor's Guide at a cost of \$450, second by Commissioner Pillar. This is the same advertisement and cost as previous years. On roll call vote; Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

OLD BUSINESS

Fence – Crushed Material: After the previous meeting, Director Neuberger contacted West Dakota Lumber about the fence materials and was advised that the previous quote was not for commercial grade materials and that to get commercial grade materials would cost a total of \$7,700. President Obenauer suggested the site could be used for impounding of property as the crushed asphalt and gravel material is removed from the site. There was a question about city liability if the site is used as

impound and Auditor Erhardt stated he had contacted the city's insurance agent and was advised that there wouldn't be additional liability if the city exercises due diligence to secure the property. Commissioner Pillar moved to authorize an additional \$2,700 for fence materials, above the \$5000 previously authorized, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

NEW BUSINESS

Insurance Claim – PD Water Damage: Commissioner Pillar informed the board that there was water damage at the police department due to water running in the basement lavatory. Arrow Service team was contacted on Saturday, October 7th, and began the process to dry out the basement. Arrow has provided estimates for work completed (\$3198.39) and work to be completed (\$1327.13) to return the property to its former condition. A claim, with a \$1000 deductible, has been filed with State Fire & Tornado Fund. Commissioner Pillar moved to direct that the work be completed either by Arrow Service or by local contractor, second by Commissioner Haack. On roll call vote: Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Policy Update – Part-time Benefits: The commission reviewed a proposed policy change to provide single group policy coverage for part-time employees that average a minimum of twenty-one (21) hours per week. Commissioner Pillar feels this may be beneficial when posting vacant positions. President Obenauer was informed that this will not include seasonal or temporary employees, only regular part-time staff. Commissioner Stern asked if this is for the busing department and was advised that it would include busing, the library and city hall staff. Commissioner Wolf moved to approve the policy revision, as presented and effective November 1, 2017, second by Commissioner Haack. Upon discussion it was determined that this would not require additional reading prior to approval. On roll call vote; Wolf, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Approval of Bills: Commissioner Pillar moved to approve the bills, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Ameripride, 529.70; Black Mountain Software, 9107.00; Cenex, 302.84; Chamber of Commerce, 450.00; D&E Supply, 599.74; Dakota Fluid Power, 1915.81; Discovery Benefits, 20.00; Doboszinski & Sons Inc, 140391.00; Dunn County, 95.00; Erick Holen, 300.00; Fastenal, 106.78; Fire Safety USA, 987.00; Hazen Drug, 8.97; Hazen Motor Co, 63.58; Hazen Welding, 153.05; Information Technology Dept, 10.30; J&M Hardware, 645.44; Kim's Appliance Service Inc, 175.74; Kurt's Small Engine, 158.95; L-Tron Corp, 422.07; Lange Donovan & Kaffar, 1460.00; Mercer Co Treasurer, 4697.43; MDU, 5511.29; Myron Stern, 19.72; ND Dept of Health, 32.00; ND Dept of Health, 223.63; ND League of Cities, 112.50; NAPA, 1559.06; Obenauer Plumbing, 759.05; Power Plan, 95.36; Promiseland Designs, 75.00; Purchase Power, 520.99; Ron Muth, 160.00; Rough Rider Industries, 1483.00; Roughrider Electric Coop Inc, 2518.02; Select Account, 4.50; The Hub, 191.44; Verizon Wireless, 334.71; West Dakota Lumber, 130.00; West River Telecom, 1186.46. 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 6:44 PM CT. There will be a special meeting of the commission, regarding special assessments for the 2016 street project on Monday, October 30, 2017 at 5:30 PM, in the Commission Room of the Hazen City Hall. The next regular meeting of the commission will be Monday, November 6, 2017 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor