

**Hazen City Commission  
Regular Meeting  
October 21, 2019  
Hazen City Hall**

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

**Absent:** Commissioner Pillar

**Others Present:** PW Director Brousseau, Editor Arens, Attorney Donovan, Ted Billadeau (Mayo Const), Jerod Klabunde (Moore Engineering), Auditor Erhardt, and Dennis Cahoon.

The meeting was called to order at 5:30 PM by President Obenauer.

President Obenauer led the Pledge of Allegiance and the prayer.

**Minutes:** Commissioner Wolf moved to suspend the reading and approve the minutes of the October 7<sup>th</sup> meeting, as presented, second by Commissioner Haack. Motion unanimously carried.

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

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Engineer's Report/Agenda:** Jerod Klabunde, Moore Engineering, addressed items on the engineer's report. 1) Street Project; There are a couple of clean-up items, chip seal and turf establishment, that are still outstanding. There are no invoices to approve at this meeting but there will be a pay estimate at the next meeting. The closing date of the project is approximately six-weeks away. 2) 5<sup>th</sup> Street NW Sewer; Mr. Klabunde still recommends televising the sewer line connecting to the new manhole but, this is work that can be coordinated when a televising company is in the area so costs can be reduced. 3) Expedition Estates; Mr. Klabunde received an email from the developer regarding the issues to be resolved at Expedition Estates and it is clear this is work that will have to be addressed in 2020. 4) Water Storage; Mr. Klabunde presented Task Order #6 relating to work on the water capacity study amendment and reports for the proposed water storage tank and funding request. The task order is separated into two (2) parts; the first relating to the water study amendment and the second relating to following up on the funding request and necessary work, at a total cost of \$12,500. Commissioner Stern was concerned that this hadn't come up before when the costs are rather high and Mr. Klabunde said because of the contact from the ND League of Cities, to submit a funding request, it was not addressed in detail. Mr. Klabunde said the study was completed and the reports required by the State Water Commission have also been completed. Commissioner Wolf moved to approve Task Order #6, second by Commissioner Haack. Upon discussion the commission was informed that the city budgeted \$29,00 for general engineering and an additional \$10,000 was budgeted in the water/sewer department for engineering services. On roll call vote; Wolf, "Aye", Haack, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried. 5) Miscellaneous items; Mr. Klabunde said Moore Engineering will assist in filing the Clean Water and Drinking Water Revolving Funds program documents and will work

with the city to address any projects that may be eligible for funding through the N D S T R E E T program.

Ted Billadeau, Mayo Construction, was present and asked what additional work needs to be done regarding the chip seal. Mr. Klabunde said he had reviewed information from the previous meeting and the commission expressed concerns about the cleaning process and results. Mr. Billadeau asked for documentation. Mr. Billadeau also asked about a pay estimate he had submitted in mid-September and the payment history will be reviewed as, there was a payment made in September. Mr. Billadeau also asked what the city expects to be done relating to the turf establishment. President Obenauer, in his opinion, thought the seed application was very "light" and Mr. Billadeau said they plan to come in and mix it heavier when they apply it. Mr. Billadeau also asked about snow removal and PW Director Brousseau said the snow is windrowed and hauled away for most of the city.

### **REQUEST OF CITIZENS**

**2020 CVB Budget:** Carla Borlaug, CVB Board President, met with the commission to review the 2020 budget. Ms. Borlaug said the revenue estimates were reduced from \$35,000 to \$30,000 and the expenditures were also reduced to balance the budget. The Hometown Hero banner program required expenditures for additional brackets, which was taken from reserve funds. Commissioner Stern moved to approve the 2020 CVB Budget, second by Commissioner Haack. On roll call vote; Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

### **APPROVAL OF APPLICATIONS & BUILDING PERMITS**

**2020 Liquor License – Jimmy's Lounge & Pizza – K. Putnam:** The commission reviewed an application for "On & Off" sale beer and liquor license as requested by Kari Putnam of Jimmy's Lounge and Pizza. Ms. Putnam must renew her state license, because of her name change, and must have the local license approved prior to addressing the state license. Commissioner Haack moved to approve the liquor license for Jimmy's Lounge & Pizza, as presented, second by Commissioner Wolf. On roll call vote; Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**Building Permit w/Variance Consideration: D. Cahoon:** Dennis Cahoon appeared before the commission, again, to discuss proposed purchase of a lot in west Hazen and to present a draft building plan that will require a variance on each side of the property. Mr. Cahoon has not completed a city building permit application but, he would like some indication on the variance request before he moves forward. Attorney Donovan suggested the current property owner request a variance, as the variance is for the property and remains if the property is later sold. Commissioner Wolf expressed concern that the owner was not requesting the variance and Commissioner Stern said if Mr. Cahoon were to submit a building permit, and the required fee, it could be refunded if the project does not move forward. Mr. Cahoon said he would work to finalize building plans and return with a building permit. Attorney Donovan suggested the variance could be part of the purchase agreement between Mr. Cahoon and the current property owner.

### **REPORTS**

**Water/Sewer/Garbage:** Commissioner Pillar absent. No report.

**Street/Cemetery:** Commissioner Haack informed the board that the John Deere payloader is operational and is being tested by RDO Equipment. The city hopes to get the loader back before the end of the week. Conversion of the old garbage truck to a dump truck is nearly completed. PW Director said the city staff is still picking up leaves and addressing tree issues.

**Finance/Busing/Library:** Commissioner Stern had nothing to report at this time.

**Police/Fire/Forestry:** Commissioner Wolf informed the board that the city forester has planted one-hundred eight (108) trees and has removed fifty-two (52) boulevard trees. Mr. Froelich is actively seeking grants and funding for various forestry projects and will be attending trainings over the next several months.

**HCD:** Buster Langowski absent. President Obenauer informed the commission that Mr. Langowski reports the garages at Hazen Pioneer Apartments should be completed by the end of October and there are currently thirteen (13) residents in the apartments.

**President:** President Obenauer informed the board that he recently attended the Lignite Energy Conference and there was much discussion on electric generation plant life cycles and the fact that severance and conversion taxes will continue to decline in the future. President Obenauer also attended a recent meeting of the Mercer County Planning/Zoning board as they considered a request for a conditional/temporary use permit to remove frac sand in rural Mercer County. It was reported that, at peak capacity, there would be as many as one hundred thirty (130) semi-trucks on the county and state roads in a twenty-four (24) hour period. Editor Arens said he would be doing an article and editorial on the meeting.

## **OLD BUSINESS**

**City Property for Sale:** The commission reviewed an offer, in the amount of \$15,000, to purchase the property located at 214 1<sup>st</sup> Ave NE. The person making the offer has requested that the property be returned to its original condition, prior to work on the neighboring property. President Obenauer said it had been suggested to keep the property and use the garage for storage of city equipment but, he doesn't really want to do that. Commissioner Stern said if the city were to build storage it would be close to city hall. Commissioner Wolf did not feel the location was appropriate for city storage. Commissioner Stern moved to accept the offer of John Younker, in the amount of \$15,000, to purchase the property, second by Commissioner Wolf. On roll call vote; Stern, "Aye", Wolf, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

**Digital Speed Limit Sign:** The commission reviewed a quote to purchase the digital speed limit sign that is currently on Main Street near the library. The commission was also informed that, in the past week, 4342 vehicles travelled past the sign. The cost to purchase would not exceed \$2,649. Commissioner Wolf questioned why it was placed in the current location and President Obenauer liked the fact that the sign can be moved to any location. Commissioner Haack moved to approve the digital speed limit sign, at a cost of \$2,649, second by Commissioner Wolf. Upon discussion, Commissioner Stern asked what the city is doing with the sign; is it just to monitor or for enforcement. Commissioner Wolf hoped it would serve as a deterrent to speeding traffic. Mr. Klabunde said signs, like this, can be

used to “calm” traffic in problem areas. Commissioner Stern feels a member of the police department would be just effective sitting there, issuing citations. President Obenauer asked if it is a waste or if it is intrusive and, he has no problem with more enforcement. On roll call vote; Haack, “Aye”, Wolf, “Aye”, Stern, “Nay”, Obenauer, “Aye”, motion carried.

**Approval of Bills:** Commissioner Wolf moved to approve the bills, as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Bobcat of Mandan, 390.26; Dakota Pump & Control, 375.00; Dept of Environmental Quality, 251.58; Fitterer Oil LLC, 58.38; Further, 9.75; High Plains Concepts, 467.82; Loren Wiest, 560.00; MacQueen Emergency, 623.90; Mandate Automotive, 91.00; Marco Technologies LLC, 393.54; Mike Froelich, 87.00; Millennium Express, 13.80; MDU, 4075.92; Myron Stern, 24.12; ND One Call Inc, 44.40; Power Plan, 773.28; Purchase Power, 108.99; Radar Shop Inc, 86.00; Roughrider Electric, 3034.72; Samantha Becker, 88.74; Samantha Melberg, 110.00; St. Alexius EAP, 250.00; Stamps.com, 50.00; Stein’s Inc, 214.00; Stroup Insurance, 54.00; The Hub, 159.08; US Postal Service, 278.59. On roll call vote; Wolf, “Aye”, Stern, “Aye”, Haack, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business, the meeting was adjourned at 6:34 PM CT. The next regular meeting of the commission is scheduled for Monday, November 4, 2019 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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