

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

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

Absent: Commissioner Haack

Others Present: PW Director Brousseau, Planner, Senger, Attorney Donovan, Jerod Klabunde (Moore Eng.), Auditor Erhardt, Steve Scheid, and Buster Langowski.

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

President Obenauer led the Pledge of Allegiance and Commissioner Pillar said the prayer.

Minutes: Commissioner Wolf moved to suspend the reading and approve the minutes of the November 4th meeting, as presented, second by Commissioner Pillar. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

Bank of ND Requisition #10: The commission reviewed Bank of ND requisition #10 in the amount of \$390,854.08. There was a question as to what is left, and it was determined there is \$5000 to the contractor and engineering will be minimal to close out the project. Commissioner Pillar moved to approve BND Requisition #10 in the amount of \$390,854.08, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Engineer's Report/Agenda: Jerod Klabunde, Moore Engineering, reported that, at the last meeting, the commission approved the semi-final payment and the project can be closed out next year, pending vegetation establishment. Mr. Klabunde said the water tower project is still on the list and expects there to be more on this matter when the water commission meets in the spring. Mr. Klabunde said there are grant funds under the ND STREET program that can be used for improvements along a state highway such as paths and lighting. There is a maximum of \$2,000,000 for a project and the total funds available, among all applications is \$3,000,000. This is a 90% grant and the projects are usually completed by ND DOT with the city paying the 10% share to ND DOT. The deadline for applications is December 31st so, if the city is interested, they will have to act on it at their December meetings. Mr. Klabunde reviewed the city's CWSFR project notice which can be used for items such as; lagoon, sanitary sewer and ditches. President Obenauer asked if it could be used to address drainage along Main Street, west of downtown, and Mr. Klabunde said it could be. Commissioner Wolf moved to submit the CWSRF questionnaire with a proposed project amount of \$1,500,000, second by Commissioner Stern. On roll call vote; Wolf, "Aye", Stern, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried. Mr. Klabunde had nothing further but, remained at the meeting in case there were any questions on other matters.

APPROVAL OF APPLICATIONS & BUILDING PERMITS

Building Permit – S. Scheid: Steve Scheid appeared before the commission to continue discussion on the mobile home moved into the city and compliance with the city building ordinances. Mr. Scheid received a list of items to be addressed, from Planner Senger, and he has insulated lower areas, leveled and blocked the trailer. In response to a question of President Obenauer, Mr. Scheid said this is not the same trailer he had discussed with Planner Senger, earlier this year, but this one is in much better condition on the interior, with many improvements having been made by the previous owner. Commissioner Stern said that there was previous discussion about having the mobile home inspected prior to considering the permit and Commissioner Pillar suggested an inspection should be done so Mr. Scheid knows what must be done. Mr. Scheid stated the roof does not leak and the interior has been updated/upgraded with new cabinets and fixtures. The exterior of the trailer needs to be addressed because it had several additions which were removed prior to it being moved. Commissioner Wolf said the permit must be considered but, there must be consequences for moving it into the city without permission or the permits. The commission discussed action on the permit, to include conditions that must be met, prior to occupancy. There was also discussion about the role of the contractor in building projects and their responsibility to ensure permits are in place. There was additional discussion about the proper amount of the fine to ensure future incidents can be limited. Commissioner Stern asked if the water and sewer were tied into the mobile home and was advised they are not connected, to the trailer, but they are into the property from the city mains. Commissioner Pillar moved to approve the building permit with the following conditions: mobile home must be leveled, blocked, anchored, openings must be insulated and closed, siding installed, skirting installed, painted and water/sewer tap fees paid, prior to June 1, 2020, and to include a fine of \$500, second by Commissioner Wolf. Upon discussion, Commissioner Stern suggested that fines be established by the Planning/Zoning Board and recommended to the city commission, and if the conditions aren't met what are the consequences. President Obenauer said that if the conditions aren't met Mr. Scheid can be fined, up to, \$500/day, or he can be directed to remove the trailer as a nuisance. On roll call vote; Pillar, "Aye", Wolf, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried. Since it was not discussed in the previous motion, Commissioner Pillar moved to have the fine due, and payable, within thirty (30) days of today's date, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried.

Building Permit Review – W. Soland: President Obenauer said he noticed work being done on a structure, for which Mr. Soland had received a building permit earlier this year. President Obenauer was not certain if the work in progress followed the permit approved and asked that the matter be placed on the agenda for review, and discussion. Mr. Soland was directed to remove items from his property by April 25th however the letter didn't include the year. Discussion by the commission was that this was to be done by April 2020 and they would review it after January 1st. Planner Senger was asked to address a letter to Mr. Soland reminding him of the city's request and to clarify that the completion date is April 25, 2020.

REPORTS

Water/Sewer/Garbage: Commissioner Pillar informed the board that the posting for the Public Works Specialist II position has closed. Applications will be reviewed, the list will be narrowed, and the interviews will be held soon. Commissioner Pillar informed the board that the Mack garbage truck needs to have the turbo actuator replaced. The estimated cost for this work is 803.36. The work will be scheduled, and the equipment will be re-tested to ensure components are working properly. There is also a recall campaign for this truck which can wait until the new truck has been delivered.

Street/Cemetery: Commissioner Haack absent. No Report. PW Director Brousseau informed the commission that the snow removal equipment is ready, and the staff will be washing down lift stations while the weather is still favorable.

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

Police/Fire/Forestry: Commissioner Wolf informed the board that Fire Chief Lesmann would like to purchase a piece of rescue equipment with the 2019 funds still in his budget. The equipment is \$7613, and the budget has nearly \$10,000 remaining for rescue/equipment. Commissioner Wolf moved to approve the purchase of the rescue equipment, in the amount of \$7613, second by Commissioner Pillar. On roll call vote; Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried. Commissioner Wolf informed the board that she will be attending the ambulance board meeting on Monday, November 25th.

HCD: Buster Langowski presented some ideas to utilize the ND STREET grant including; 1) a shared use path from 10th Avenue west to 12th Ave, 2) path/sidewalk north of Hazen Pioneer Apartments (HPA) then connecting to Heritage Park, and 3) path/sidewalk from Cenex south. These projects would encircle the entire city with shared use paths. Mr. Klabunde said maps and a cost estimate would need to be ready for the December 2nd meeting, as the process would require public input that could be taken at the December 16th meeting. Mr. Langowski said the work on the HPA garages continues.

President: President Obenauer informed the board that he would like to see a new community needs assessment with a focus on engaging younger residents and high school students, to keep them in the city long term. President Obenauer would like the commission to start looking at the financial picture of the city and how future revenues and expenditures may affect local services and how to address declining coal revenues. Commissioner Stern questioned the difference in the way the coal is taxed and how wind generation is taxed. President Obenauer agreed that it may be helpful to engage our local legislative contingency.

OLD BUSINESS

Cost Share – Lot Survey: Casey Stern reviewed information, presented at the November 4th meeting, relating to the survey of Lots 1&2, Block 2, Schafer Addition. Mr. Stern said when the city received, and then conveyed, the land the road was not included on any map drawings. Mr. Stern feels the city does benefit from the work done by Mr. Link, at a cost exceeding \$5,000.00, because the road is included on the plat and the square footage of the road, and lots, has been established. President Obenauer informed the board that he, Planner Senger and Auditor Erhardt had met with Mr. Link and it was determined there was very little benefit, to the city, in the survey conducted and most of the work was to divide a portion of Mr. Stern's father's property and to properly locate a pin that was not

in the correct position. Commissioner Pillar said the costs for locating the pins, on the north boundary, and to make the drawings could be considered a benefit to the city. Commissioner Pillar moved to reimburse Mr. Stern \$350 for costs associated to locating the pins and to draft the road on the plat, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Nay", Obenauer, "Aye", motion carried.

NEW BUSINESS

GovPay – Credit Card Payment Options: The commission reviewed information from Approval Payment Solutions (GovPay) to accept credit card payments for city services. The program is very similar to the nCourt system currently used by the city but, would allow additional flexibility as to what types of payments could be made by credit card and would provide for a lower fee, to the customer, than currently charged. The current payment system is only utilized for utility payments and traffic citations. Under the new system, payments for any services, or invoices, processed by the city could be paid by credit card. No action taken pending further information on other municipalities utilizing Approval Payment Solutions and their experiences in implementing the service.

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: Bank of ND, 226338.86; BHG Inc, 880.11; Black Mountain Software, 100.00; Casey Stern, 350.00; Cenex, 669.26; Coal Country CHC, 10.00; D&E Supply, 228.76; Fitterer Oil LLC, 505,87; Hazen Welding, 8537.08; ITD, 10.30; J&M Hardware, 3.99; J-S Sanitation, 68.00; Menards, 17.94; Mercer Co Sheriff's Dept, 25.00; Mercer Co Treasurer, 4621.48; Mike Froelich, 87.00; Millennium Express, 27.60; MDU, 4240.71; ND Dept of Health, 32.00; ND League of Cities, 720.00; ND One Call Inc, 38.40; OK Tire Store, 997.10; Power Plan, 29177.47; Purchase Power, 217.98; Roughrider Electric, 3786.84; Safeguard Business Systems, 628.33; Sletten Excavating, 6115.04; Stein's Inc, 390.07; The Hub, 417.61; Tractor Supply Credit Plan, 69.36. On roll call vote; Wolf, "Aye", Stern, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

There being no further business, the meeting was adjourned at 7:17 PM CT. The next regular meeting of the commission is scheduled for Monday, December 2, 2019 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor