

**Hazen City Commission
Regular Meeting
November 5, 2018
Hazen City Hall**

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

Others Present: PW Director Brousseau, Attorney Donovan, Editor Arens, Auditor Erhardt, Josh Reiner (Moore Engineering), & Buster Langowski.

The meeting was called to order at 5:29 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 15th meeting, second by Commissioner Pillar. Motion unanimously carried.

Agenda: President Obenauer asked to include item 11A – Alley Drainage between 9th & 10th Ave NW. Commissioner Stern moved to approve the agenda, with the addition, second by Commissioner Pillar. Motion unanimously carried.

CONSULTATION WITH ATTORNEY & ENGINEER

2018 Street Project: Josh Reiner, Moore Engineering, reviewed Change Order #3 with the commission. The change order involves installation of concrete pads around 2 manholes, at a cost of \$2640.00. The work was previously approved by the commission but, no formal order had been prepared. As part of the change order the contractor, Mayo Construction, is requesting an additional fifteen (15) days to cover additional work added to the project. The request includes two (2) days for the concrete manhole pads, two (2) days for the concrete valley gutter on 2nd Avenue, and ten (10) days for the concrete quantity over the contract due to weather issues. Mr. Reiner said the amount of concrete over original amount is 12% over the base and alternates approved. Moore Engineering recommends approving two (2) additional days, as the city has already granted extension of twenty-one (21) days. Commissioner Stern asked if only two (2) days are approved will there be penalties assessed and Mr. Reiner said liquidated damages of \$2500/day could be assessed by the city. Commissioner Pillar said he is comfortable with the recommendation as the concrete subcontractor was gone for a period. Commissioner Pillar moved to accept the engineer's recommendation of a two-day (2) extension for milestone completion, second by Commissioner Haack. Upon discussion Commissioner Haack commented that there was more than one instance when the concrete contractor left the area. On roll call vote; Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

Sewer Televising/Lift Station Cleaning – Kemper/Mayo: Mr. Reiner informed the commission that engineering staff have reviewed the televising done by Kemper for the purpose of identifying asphalt material in sanitary sewer lines. Mr. Reiner stated there were no major areas of asphalt deposits. The commission reviewed cost information for televising and cleaning done by PACE at an average cost of \$1550. Commissioner Haack moved to reimburse Mayo Construction \$1550 for the city share of the

lift station cleaning, second by Commissioner Stern. Upon discussion President Obenauer stated he is not opposed to the city paying a portion of the cost and suggested the amount may be higher than the motion. Mr. Reiner said there is a contract price for such services, but he could not remember the amount now. Mr. Reiner said the city should also consider any benefit receive by having the lines televised and cleaned. PW Director Brousseau said the main concern was debris getting into pumps and damaging them. Commissioner Wolf asked if this is something that is normal and if would be checked as a normal course of the project. Mr. Reiner said normally this is not a concern unless a manhole is hit. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Nay", Wolf, "Nay", Obenauer, "Nay", motion defeated. Mr. Reiner will work with the auditor to evaluate the benefit to the city and look at the contract price for this type of work. Commissioner Pillar said the city has sealed the cracks on Divide Street and PW Director Brousseau said it was recommended to address the larger cracks so, they sealed all the cracks on Divide and cracks in Expedition Estates.

President Obenauer addressed the milestone completion walk-through, which was more than two (2) hours. President Obenauer said that Mr. Billadeau, Mayo Construction, did acknowledge areas of lower quality workmanship. There was discussion about an area on 8th Ave NW where water is pooling and that this will have to be milled and overlaid next year. Commissioner Haack said it appears that, before the curb was repaired, the water used to flow over the curb. Mr. Reiner said that Jon Schroeder, Moore Engineering, is finalizing the punch-list.

OLD BUSINESS

Drainage Concern – Alley:

President Obenauer addressed the drainage issue, in the alley between 9th and 10th Ave NW, so Mr. Reiner could leave to attend another meeting. President Obenauer has been contacted by a property owner, who is frustrated by what he believes to be a lack of attention to the issue, and the fact that the city should merely blade some drainage cuts into the alley. Mr. Reiner said Moore Engineering has been trying to contact the property owner to get a clear understanding of his idea. The commission discussed that the issue has been created by the additional structures and how they divert water to this area.

CONSULTATION WITH ATTORNEY & ENGINEER

MDU – Street Light Contract Update: The commission reviewed an updated contract of service rates with MDU as they plan for an upgrade project to install LED overhead lights in the city. President Obenauer would like to address the wood poles, on Main Street, as part of this project and possibly replacing them during the project. Mr. Langowski said there may be grant funds available from the Department of Commerce as part of the Main Street Initiative. Commissioner Stern said the installation of different poles has been discussed in the past and all the commission would like more information as to cost changes and options for pole replacement. Attorney Donovan asked if the city can own the pole. The auditor will contact Mr. Veil, MDU, and see if he can appear at a future meeting.

APPROVAL OF APPLICATIONS & APPROVAL OF ORDINANCES

Liquor License – Box’s Bar: The commission reviewed an application for liquor license presented by Jody and Susan Retterath, Box’s Bar. Mr. Retterath has not been on the application for a short period and is requesting that he be included on the 2019 license. The local license is required prior to receiving a state license. Commissioner Wolf moved to approve the 2019 liquor license application of Box’s Bar, Jody & Susan Retterath, second by Commissioner Haack. Upon discussion, Commissioner Stern had a question about the state license and fees. Auditor Erhardt said the state fees are a couple hundred dollars. Commissioner Stern also asked what effect, if any, this will have on the city’s normal year end process and was advised there would be no effect this process is only being completed early to allow state review which can take several weeks. On roll call vote; Wolf, “Aye”, Haack, “Aye”, Pillar, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

REPORTS

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

Water/Sewer/Garbage: Commissioner Stern had nothing to report at this time.

Street/Cemetery: Commissioner Haack informed the commission that the walk-through with the engineer and contractor went well. Commissioner Haack commended Jon Schroeder, Moore Engineering, for his excellent work during the project and his thoroughness. PW Director Brousseau said he hasn’t received much additional information on the rubber cutting edges and he is trying to find a municipality that is using them to determine how well they will work. Commissioner Haack said the staff jetted the manhole and lines near Moses Park and there may be an offset in one of the pipes. Commissioner Pillar said the Eagle Scout project has been completed and is very well done.

Finance/Busing: Commissioner Wolf informed the commission that the van will be providing free rides to the polling site in Beulah on election day.

Police/Fire/Forestry: Commissioner Pillar informed the commission that he attended the recent police department staff meeting and they are looking at equipment purchases in the 2019 budget. Commissioner Pillar said the fire department will be interviewing two (2) prospective fire fighters and that the approved bunker gear, six (6) sets, has been received by the department.

HCD: Buster Langowski reported that the extension of the driveway at Hazen Pioneer Apartments is complete and there are currently four (4) residents and at least one (1) more application being reviewed. Mr. Langowski informed the commission that the Pioneer Apartments Board has approved construction of garages at the site, pending ND Housing & Finance Agency approval.

CORRESPONDENCE

2019 Hazen Visitor’s Guide: The commission reviewed information for advertising in the 2019 Hazen Visitor’s Guide. The inside front cover is not available this year. Commissioner Wolf moved to advertise a full-page at a cost of \$200, second by Commissioner Pillar. On roll call vote; Wolf, “Aye”, Pillar, “Aye”, Haack, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

NEW BUSINESS

City Property for Sale: The commission reviewed a list of property that will be offered for sale, on sealed bids. The property includes some vehicles and other small equipment no longer used by the city. A request to dispose of the 2006 Ford Bus is currently being reviewed by ND DOT.

PW Director Brousseau asked about repairing the dog house/kennel for the police department and Commissioner Pillar recommended repairing areas of the structure that need it.

President Obenauer informed Commissioner Stern there were discussions, during the walk-through, about repair of the ADA ramp near his home and the possibility of removing it and reseeding grass.

Approval of Bills and Financial Statements: Commissioner Stern had a question about the bill of Meissner Contracting and was informed that he repaired the sidewalk on 3rd Street and the repairs of the path, north of the underpass by The Hub, required additional work to remove/replace saturated materials. Commissioner Stern asked about advertising costs to be reimbursed and was advised that the advertising was for the Heritage Park fundraiser and the project revenue/expenses are processed through the city general fund. 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 Wolf moved to approve the bills as presented, second by Commissioner Haack. Pre-paid and bills approved for payment are as follows: US Postal Service, 278.98; Universal Premium Fleetcard, 3732.85; Verizon Wireless, 117.42; Hello Further, 13.50; Payroll, 130501.18; American Waterworks Assoc, 75.00; Ameripride, 360.50; BHG Inc, 1728.48; Cardmember Service, 426.08; Christy Metz, 77.00; Coal Conversion Counties; 1850.00; CVB, 1610.49; Core & Main LP, 1317.01; Dakota Communications, 26.50; Dude Solutions, 5875.00; Fastenal Co, 166.25; HCD, 1007.35; Hazen Drug, 6.09; Hazen Fire Dept, 4245.00; Hazen Hardware Inc, 338.99; Holly Ledahl, 90.27; J&P ATM Site Experts, 83.98; J.P. Cooke, 51.10; Kandi McConnell, 10.50; Krause’s Super Valu, 63.61; L-Tron Corp, 25.50; Lange Donovan & Kaffar PLLP, 2597.50; Lauren Donovan, 600.00; Lea Clement, 25.00; Lignite Tire, 359.50; Marco Technologies LLC, 267.97; Meissner Contracting, 1850.00; Municipal Government Academy, 9.35; Myron Stern, 13.41; NAPA, 820.04; New Pig Corp, 67.04; OK Tire Store, 694.80; Pride Contracting Inc, 247.50; Rough Rider Industries, 49.36; Southwest Water Authority, 22305.50; Stein’s Inc, 127.72; Troy Johnson, 25.00; Universal Premium Fleetcard, 756.59; Verizon Wireless, 345.52. 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 6:37 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