

**Hazen City Commission
Regular Meeting
December 18, 2017
Hazen City Hall**

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

Others Present: Auditor Erhardt, Attorney Donovan, Mark Sweeney (Moore Eng.), Dave Brousseau, Doug Edwards, and Buster Langowski.

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

Minutes: Commissioner Pillar moved to suspend the reading and approve the minutes of the December 1st & December 4th meetings, second by Commissioner Haack. Motion unanimously carried.

Agenda: Auditor Erhardt informed the commission that Mr. Hoffer is not able to attend tonight's meeting so, he can be removed from the agenda. Commissioner Haack moved to approve the agenda, with the change, second by Commissioner Wolf. Motion unanimously carried.

CONSULTATION WITH ATTORNEY & ENGINEER

2018 Street Projects – Plans/Specifications: Mark Sweeney, Moore Engineering, informed the commission that, with the discussions, alternates and changes, there has been a slight delay in preparing the plans for the project but, he will provide ninety-percent (90%) plans at the next city commission meeting. Mr. Sweeney said the project will still be ready for advertisement of bids by January 18th with opening to be held in February. Mr. Sweeney said they do not want to rush through and present plans that are incomplete.

Mr. Sweeney said his firm would like the commission to consider installing a "speed table" between the elementary and high school to control traffic speeds and address some of the ADA concerns. Many commissioners indicated this was not a concern and Commissioner Stern asked if the speed table would be the height of the curb and Mr. Sweeney agreed. President Obenauer then asked about drainage if the speed table is installed and Mr. Sweeney indicated additional storm sewer would be installed. The discussion concluded with a consensus not to install a speed table.

Mr. Sweeney addressed discussion raised at the previous meeting relating to repair of the shared use path in west Hazen and north of Highway 200. Updated estimates for the shared use path, and other alternates, were presented to the commission. The estimates for the shared use paths were for construction with three-inches (3") of asphalt or five-inches (5") of concrete with concrete estimated to cost three times as much as asphalt. Much of the discussion centered on the need for concrete, or asphalt, more than four-inches (4") in depth as the path is not intended for vehicles, other than the bobcat sweeper occasionally. Mr. Sweeney will prepare revised estimates based on four-inch (4")

asphalt or concrete construction. President Obenauer stated that he had attended the recent meeting of the school board and they are interested in sharing cost to pave the parking lot at the football complex. President Obenauer then asked if too many alternates will be an issue for bidders and Mr. Sweeney indicated the main issue will be in how the project is awarded, (base bid, base bid plus alternatives).

President Obenauer informed the commission of a meeting with property owners adjacent to Elbowoods Drive (north of Divide St.) and the possibility of paving the street. Commissioner Wolf also attended the meeting and the discussion centered on the cost and the need to see firm numbers before the residents would commit to requesting to include Elbowoods Drive in the project. Relating to this meeting, Mr. Sweeney recommended geo-technical review of this street to determine condition of the road base. Mr. Sweeney has been in contact with Northern Technologies and they estimate the cost to be \$2000 for additional bores and they can be completed before the Christmas holiday. Discussion then went to the fact that many property owners own more than one lot so there is a question as to where to install water and sewer utility services. Doug Edwards was present for the meeting and indicated he did not see a need for service to each lot as most owners are likely to develop or sell them as multiple lots. Attorney Donovan suggested that multiple lots could be re-platted as a single lot to clean up the concerns. Commissioner Wolf moved to approve two (2) additional borings, by Northern Technologies, on Elbowoods Drive, second by Commissioner Stern. On roll call vote; Wolf, "Aye", Stern, "Aye", Pillar, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

2018 Street Projects – Financing Documents/Resolutions: The commission reviewed documents relating to the infrastructure loan from Bank of ND. The bank loan is an amount not too exceed, \$9,924,650 with a fixed 2% interest rate for up to thirty-years (30). Commissioner Pillar moved to approve the financing documents and a Resolution Authorizing Issuance of Improvement Warrants, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

2018 Street Projects - Resolutions: Since the plans and specifications are not complete the commission took no action to approve or advertise for bids for the 2018 street projects.

REPORTS

President: President Obenauer informed the commission that he recently attended a "Mayor's Summit" in Bismarck and many cities are facing the same questions relating to special assessments and improvements to municipal infrastructure. Some cities are seeking other funding methods such as; monthly fees or increased sales tax amounts. President Obenauer said that there are not many cities that buy-down projects like the city of Hazen does, using sales tax dollars to pay for 10% of project costs. President Obenauer said another topic of discussion related to legalized marijuana and that the city should look at implementing ordinances to address the new law. Mr. Langowski said the county currently has a moratorium on medical marijuana but also suggested the city get guidelines in place.

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

Street/Cemetery: Commissioner Haack informed the commission that the broom for the bobcat is scheduled to be delivered on December 19th. Commissioner Haack then asked incoming public works director, Dave Brousseau, to discuss another matter. Mr. Brousseau said he has contacted a metal recycler to get a dumpster placed at the city shop to clean up materials the city has and then, possibly, utilize the dumpster for residents to dispose of metal items, on specific dates/times. A dumpster will likely be delivered shortly after the start of the new year.

Finance/Busing: Commissioner Wolf informed the commission that the bus advisory board had met on December 15th and the subject of graphics for the busing vehicles was addressed. Graphics design and installation quotes have been provided by SignPro in Mandan. Commissioner Wolf moved to approve the installation of graphics on the transit vehicles at an estimated cost of \$2,496, second by Commissioner Haack. On roll call vote; Wolf, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Police/Fire/Forestry: Commissioner Pillar informed the commission that interviews for the police department patrol position have been completed and the position will be discussed at the next meeting. Commissioner Pillar has been contacted by Chief Burling to purchase new jaws/spreader for the rescue vehicle at an approximate cost of \$9000. Funding for the purchase will be from budgeted funds of the city and the general department fund. Commissioner Pillar moved to approve the purchase of new jaws/spreader, not to exceed \$9000, second by Commissioner Wolf. Upon discussion it was determined that a portion of the funds to be used are funds originally received from the county for rescue efforts. On roll call vote; Pillar, "Aye", Wolf, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

HCD: Buster Langowski informed the board that the Hazen Pioneer Apartments still has one (1) tenant and Retterath Management is working on new marketing materials. They are also working to "stage" furniture in an apartment and conduct another open house to give the public a better understanding of the apartment.

CORRESPONDENCE

Dakota Pump & Control – Inspection Agreement: The commission reviewed an annual agreement with Dakota Pump and Control for inspection of the lift stations. The cost for 2018 remains unchanged at \$560.00 for the main lift station and \$200 for additional lift stations. Commissioner Wolf moved to enter into the agreement with Dakota Pump and Control, second by Commissioner Haack. Upon discussion Commissioner Pillar asked if this agreement is necessary because of the time required or expertise to conduct the inspections. Commissioner Stern said the inspection process is rather intense and city staff is on-site to gather as much information and knowledge of the process, as possible. On roll call vote; Wolf, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

2018 Election Agreement -Mercer County: The commission was provided and updated Joint Powers Agreement, approved by the County Commission, to conduct the 2018 elections. Attorney Donovan informed the commission that, under state law, the city establishes the precincts within the corporate city boundary and the city also decides the polling locations. Attorney Donovan recommends the city

reserve the right to establish the precincts and polling locations for the city of Hazen. Mr. Langowski said he attended the recent county commission meeting and there was discussion about how combining the election was done to alleviate workload for limited city staff. The commission understood that eliminating polling locations may save money but will also inconvenience many voters that wish to vote-in-person. There was also discussion as to what would happen if the city did not accept the agreement; how would the election be conducted; would the city provide the election staff and cover all the associated costs. Commissioner Pillar suggested as an alternative that the city may want to provide transportation to voters that do want to vote-in-person. Commissioner Wolf asked if we had information as to how many people voted in person at the last election and Auditor Erhardt did not have this information. Commissioner Pillar moved to enter into the 2018 election agreement, with Mercer County, reserving the city's right to establish a polling place in the City of Hazen, second by Commissioner Haack. Upon discussion Commissioner Stern said this country was founded on the right of people to vote and the amount of money needed to run an election should not be the driving force. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Nay", Stern, "Nay", Obenauer, "Aye", motion carried.

OLD BUSINESS

Policy Revision – 2nd Reading: Commissioner Pillar moved to approve the second reading, and adopt the city pay advances policy, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

NEW BUSINESS

2018 Liquor License Applications: Commissioner Haack moved to approve the 2018 liquor licenses, as follows, second by Commissioner Stern. Bison Bar & Grill LLC, Box's Bar-Susan Retterath, D'Andreas-Donna Schwab & Andrea Scharbach, Hazen Bottle Shop-Dalles Krause Jr, Jimmy's Lounge-Kari Mohl, Longshots Bar LLC. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

January Meeting Dates: The commission rescheduled the first meeting in January to 5:30 PM on January 2, 2018.

Approval of Bills: Commissioner Wolf moved to approve the bills, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Verizon Wireless, 335.18; Ameripride, 556.62; Cenex, 1062.62; Fastenal, 37.04; Fitterer Oil LLC, 841.96; Harlow's Bus Sales Inc, 89940.00; Hazen Fire Dept, 100.11; Hazen Public Library, 1670.44; Hazen Welding, 4427.55; IAAO, 125.00; ITD, 10.30; J&M Hardware, 117.00; Joyce Lemer, 59.50; Krause's Super Valu, 1540.00; Lange Donovan & Kaffar PLLP, 1593.75; Mandate Machinery Inc, 804.91; Mercer Co Auditor, 2174.60; Michael Todd & Co Inc, 711.86; MDU, 5882.71; Monte Erhardt, 100.00; Moore Engineering Inc, 73987.25; MFOA, 30.00; ND Dept of Health, 32.00; NAPA, 579.98; NDUCEA, 120.00; ND One Call Inc, 12.10; Pace, 12693.79; Paul & Lillian Reinhardt, 200.00; Peggy Rahn, 31.50; Power Plan, 13.81; RDO Truck Centers, 173.88; Rough Rider

Industries, 707.53; Roughrider Electric Coop Inc, 3866.92; SMC, 47329.83; SBM Inc, 168.09; Select Account, 18.00; The Hub, 48.33; Union State Bank, 2125.00; West Dakota Lumber, 32.00; West River Telecommunications, 1482.92. On roll call vote; Wolf, "Aye", Stern, "Aye", Pillar, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 7:09 PM CT. The next regular meeting of the commission will be Tuesday, January 2, 2018 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor