

**Hazen City Commission
Regular Meeting
December 1, 2014
Hazen City Hall**

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

Others Present: Attorney Donovan, Editor Coleman, Auditor Erhardt, Kelsey Timmer (KLJ), Donn & Marla Oakland, Terri Philion and Buster Langowski.

Meeting called to order at 5:30 PM CT by President Obenauer.

Minutes: Commissioner Brunmeier moved to dispense with the reading of the November 17th minutes and approve them as presented, second by Commissioner Haack. Motion unanimously carried.

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

REQUEST OF CITIZENS

Free/Reduced Hall Rent – Coal Country Community Health Centers: Commissioner Wolf moved to approve free use of the hall, subject to the kitchen fee, as requested by Coal Country Community Health Centers for December 3, 2014, second by Commissioner Stern. Motion unanimously carried.

INTRODUCTION, READING & APPROVAL OF ORDINANCES

First Reading – Ordinance Amendment Chapter IX – Fireworks – January 1st: Auditor Erhardt advised the commission that he had been contacted by an individual inquiring about the sale and discharge of fireworks for New Year's Eve. Attorney Donovan had prepared an amendment, to the current ordinance, incorporating the language from ND Century Code. Commissioner Brunmeier moved to approve the first reading of the Amendment to Chapter IX, Article 5, subsection (1) relating to the sale and discharge of fireworks, second by Commissioner Stern. Upon discussion Commissioner Stern asked about the dates for sale and discharge and Attorney Donovan said this information was taken directly from the Century Code but the commission can adopt other dates if they wish. On roll call vote; Brunmeier, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried. The second reading of the proposed amendment will be at the December 15th meeting.

REPORTS

President: President Obenauer informed the commission that he had attended the last MCED meeting and had responses to the questions this board had. The first answer was that the city of Golden Valley

had been included in the request for funding and was mistakenly omitted from the information the board had received. President Obenauer then referred to a letter from Tetra-Tech that had been sent to the commissioners and said with regard to MCED dues they decided to quit assessing dues annually in the early 1990's due to the adequate amount of funds held by MCED. President Obenauer said MCED also receives some income from land they own near the Transload facility. Buster Langowski said if the funds requested for the study are all received and there is an excess balance MCED will consider refunding a portion of each entities contribution or use the funds for marketing of ideas to attract developers. President Obenauer advised that MCED has approved the project to begin and Attorney Donovan asked if the daycare and quality of life options had been included; with President Obenauer indicating they had. President Obenauer then informed the commission that he would like to proceed with a community survey and would like input on the best process to get the survey to the residents. Commissioner Brunmeier suggested an insert in the Hazen Star and Attorney Donovan said the agreement with Midcontinent Communications would allow us to include an insert with the cable billing. Commissioner Brunmeier also suggested utilizing the access channel to direct people to different ways to complete the survey.

Water/Sewer: Commissioner Brunmeier said she met with Donn Oakland and Tim Schwarz with regard to a sewer line that wasn't installed to the lot where Mr. Oakland constructed a garage. The plan is to complete the work on this sewer line in the spring and Mr. Schwarz estimated a cost of \$1500 to connect to the sewer main, without street repair costs. Commissioner Stern questioned which street this was on and was advised on Bluegrass Lane. Commissioner Stern then expressed concern about putting this line in after the fact and what that would mean for other property owners around town and on Elbowoods Drive. Commissioner Stern said he is aware of at least one individual in west Hazen that would like sewer service to his non-residential building and how the city would address this. President Obenauer said these situations would have to be handled on a case-by-case basis. Auditor Erhardt suggested that the original construction plans may also be helpful as the Elbowoods project was constructed without putting in services to every lot, with the understanding that each property owner would be responsible for the connections to the main. Commissioner Brunmeier moved to have the city correct this situation by installing the sewer line from the city main to the lot, at city expense, second by Commissioner Wolf. Upon discussion Commissioner Stern again expressed concern as to how the commission would handle other requests for the city to install services. President Obenauer again suggested this would be done on a case-by-case basis. Commissioner Stern expressed concern of the appearance of playing favorites. Attorney Donovan stated the commission is to not act capriciously or arbitrarily in such matters so the case-by-case basis would be a proper process. Commissioner Stern said he knows someone will come to the board making a similar request. On roll call vote; Brunmeier, "Aye", Wolf, "Aye", Haack, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried.

Street/Cemetery: Commissioner Stern informed the commission that the street crews have been busy sanding and they are going to try a mixture with slightly more salt content to see if it will work better

to control ice at intersections. President Obenauer asked about using ash on the streets and it was discussed this was discontinued because of complaints of damage to homes and businesses.

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

Police/Fire: Commissioner Haack informed the commission that he had met with Attorney Donovan to move forward with updating the Nuisance and Junk Vehicle ordinances. Commissioner Brunmeier asked if this would affect a property owner that has inoperable vehicles parked on their lot, even if not on the boulevard or street. Commissioner Haack thought it may include that type of situation and explained that he understands that many of the city residents enjoy camping and other summer activities so there is going to be campers and boats parked on the streets. Commissioner Haack, in talking with the police department, would like to keep this from becoming a hard process and suggested it could be handled in a polite manner when dealing with the public. Attorney Donovan said the commission will be provided a draft of the amended ordinance prior to taking any action, including the first reading of the proposed amendments.

Approval of Bills: Commissioner Wolf moved to approve the bills, second by Commissioner Brunmeier. Pre-paid and bills approved for payment are as follows: US Postal Service, 273.41; November Payroll, 113193.71; A to Z Repair, 15.00; BHG Inc, 989.64; Border States Electric, 43.68; Cardmember Service, 612.38; Cenex, 55.53; Chamber of Commerce, 450.00; Convention & Visitor's Bureau, 5649.03; D&E Supply Co, 191.00; Dan Wettstein, 320.00; Display Sales, 861.00; Harlow's Bus Sales, 629.72; J&M Hardware, 1680.02; Joyce Lemer, 151.94; Kadrmas Lee & Jackson, 20461.85; Kelly Soland, 125.00; Kurt Milbradt, 100.00; Lignite Tire, 5931.50; Loren Novak, 350.00; MARC Corp, 737.21; Mel Roth Oil, 57.95; ND League of Cities, 420.00; ND Rural Water Systems Assn, 225.00; ND Water Users Assn, 300.00; National Rural Water Assn, 25.00; Pam Borlaug, 72.32; Peggy Rahn, 127.88; Roughrider Electric Coop Inc, 169.32; Southwest Water Authority, 24352.70; The Hunting Shack Inc, 536.00; US Postal Service, 220.00; Verizon Wireless, 120.02; West Dakota Lumber, 14.97; Kadrmas Lee & Jackson, 299.27.
Motion unanimously approved.

There being no further business the meeting was adjourned at 6:03 PM CT. The next regular meeting of the commission will be Monday, December 15, 2014 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor