

**Hazen City Commission
Regular Meeting
March 17, 2014
Hazen City Hall**

Present: President Nygard, Commissioner Obenauer, Commissioner Brunmeier, Commissioner Stern and Commissioner Wolf

Others Present: Attorney Lange, Editor Coleman, Planner Frovarp, Auditor Erhardt, Gary Emter and Buster Langowski.

Meeting Called to order at 5:30 PM CT.

Minutes: Commissioner Wolf moved to dispense with the reading of the March 3rd and March 10th minutes and approve them as presented, second by Commissioner Obenauer. Motion unanimously carried.

Agenda: Commissioner Wolf moved to approve the agenda, second by Commissioner Brunmeier. Item 11D – Stop Sign on Main Street and item 7E-Hazen Chamber Raffle Permit were added to the agenda. Motion unanimously carried.

CONSULTATION WITH ATTORNEY & ENGINEER

Main Street Project Engineering Agreement: Attorney Donovan has shared comments and concerns with the commission relating to the agreement presented. President Nygard indicated it is not unusual for engineering fees to be based on the estimate and that if anyone is not pleased with the agreement now is the time to change it. President Nygard said there were also concerns with document ownership language and said, as he understands it, the documents are property of the city but any modifications to the plans must be certified by the engineer making the changes. Commissioner Stern asked if the project is not completed this year does that mean we cannot use them for another contractor in the future. It was determined the plans would still be acceptable and that the construction contract is a separate matter. Commissioner Stern also asked about project management in the agreement and it was determined that the engineer will be on-site or available during construction to identify any issues or concerns so the city may address them directly with the contractor. Commissioner Brunmeier moved to approve the engineering agreement for the main street project as presented, second by Commissioner Wolf. Attorney Lange entered the meeting and again addressed the concerns of Attorney Donovan as to the document ownership and that it is quite common for the language to limit the exposure to contract costs. On roll call vote; Brunmeier, "Aye", Wolf, "Aye", Obenauer, "Aye", Stern, "Aye", Nygard, "Aye", motion carried.

APPROVAL OF APPLICATIONS AND BUILDING PERMITS

Local Permit – St. Martin’s Youth Group: Commissioner Obenauer moved to approve a local permit (2014-04) as requested by St. Martin’s Youth Group to conduct a raffle on April 30, 2014, second by Commissioner Wolf. On roll call vote; Obenauer, “Aye”, Wolf, “Aye”, Brunmeier, “Aye”, Stern, “Aye”, Nygard, “Aye”, motion carried.

Free/Reduced Hall Rent – Hazen Lions Club Benefit: Commissioner Obenauer moved to allow the Hazen Lions Club free use of the hall (subject to the \$50 kitchen fee) for a benefit on April 6, 2014, second by Commissioner Brunmeier. On roll call vote; Obenauer, “Aye”, Brunmeier, “Aye”, Stern, “Aye”, Wolf, “Aye”, Nygard, “Aye”, motion carried.

Building Permit Application – Enerbase Cooperative Resources: The commission reviewed an application for building permit to construct 8’X12’ office building. Planner Frovarp said there were no variances as part of the application and he was not certain how long this building would be in use, as there are plans to construct other buildings in the future. Commissioner Brunmeier moved to approve the building permit as requested by Enerbase Cooperative Resources, second by Commissioner Wolf. On roll call vote; Brunmeier, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, Stern, “Aye”, Nygard, “Aye”, motion carried.

Temporary Use Permit – Hazen Christian Fellowship: The commission reviewed a request for temporary use permit from Hazen Christian Fellowship to locate a portable building to be used as classrooms. Planner Frovarp said the building to be moved in is an older double-wide trailer with steel roof and ribbed siding. President Nygard asked if there were any photos provided and Planner Frovarp said none had been provided yet. Commissioner Obenauer asked if they intended to skirt the structure and this was not discussed with Rev. Pittman. President Nygard requested additional information and photos of the structure prior to the board taking action on the request.

Local Permit – Hazen Chamber of Commerce: Commissioner Brunmeier moved to approve a local permit (2014-05) as requested by the Hazen Chamber of Commerce to conduct a Chinese auction on March 24th, 2014, second by Commissioner Obenauer. On roll call vote; Brunmeier, “Aye”, Obenauer, “Aye”, Wolf, “Aye”, Stern, “Aye”, Nygard, “Aye”, motion carried.

REPORTS

President: President Nygard had nothing to report but reminded the commission of the reception for Director Quast and Asst. Director Krumwiede on Friday from 3-5 PM.

Water/Sewer: Commissioner Brunmeier had nothing to report.

Street/Cemetery: Commissioner Stern informed the board that one (1) in-house application for the superintendent position had been received and the applicant had been interviewed. Commissioner Stern moved to offer the superintendent position to Ron Neuberger, effective March 31 at a rate of \$23.00/hour, second by Commissioner Brunmeier. President Nygard was informed that the interview went well and Commissioner Brunmeier said there would be a probationary period for this new position. On roll call vote; Stern, “Aye”, Brunmeier, “Aye”, Obenauer, “Aye”, Wolf, “Aye”, Nygard,

“Aye”, motion carried. Commissioner Stern informed the board that one (1) in-house application for the Public Works Specialist I (full-time position) had been received and the applicant had been interviewed. Commissioner Stern moved to offer the full-time public works position to Elias Ternes, effective March 31 at a rate of \$17.00/hour, second by Commissioner Brunmeier. In response to a question, the board was informed that Mr. Ternes had begun part-time employment with the city in early October 2013. On roll call vote; Stern, “Aye”, Brunmeier, “Aye”, Obenauer, “Aye”, Wolf, “Aye”, Nygard, “Aye”, motion carried. Commissioner Stern informed the board that the heat exchangers in the shop heaters are beginning to fail so Director Quast contacted M&A Heating for an estimate to repair and replace the heaters. The estimate to repair the heat exchangers is just over \$4,500 while the estimate install new heaters is just over \$4,700. Commissioner Stern moved to approve purchase of new heaters to replace the current system at the city shop, second by Commissioner Wolf. Commissioner Obenauer asked if the new heaters are dual fuel source, propane/electric due to the volatility of fuel prices. The heaters quoted are solely propane fueled. It was suggested that an estimate for dual fuel source heaters be looked in to. Commissioner Brunmeier moved to postpone action on the heater purchase until such time as a new estimate is obtained, second by Commissioner Stern. On roll call vote; Brunmeier, “Aye”, Stern, “Aye”, Obenauer, “Aye”, Wolf, “Aye”, Nygard, “Aye”, motion to postpone carried. Commissioner Stern also advised the board that the Freightliner truck has been repaired, as approved, and all four (4) injectors were replaced.

Finance/Busing: Commissioner Wolf had nothing to report.

Police/Fire: Commissioner Obenauer informed the board that D. Froelich will begin working for the street department on March 24th and as of this date the city has received three (3) applications for the police department position. Commissioner Obenauer also wanted to thank Director Quast and Assistant Director Krumwiede for their service stating they were “invaluable” over the years.

CORRESPONDENCE

Hazen High School Post Prom Donation Request: The city has received a request from the 2014 Post Prom Committee and the board was informed that the city has previously approved a donation of \$125 for this activity. Commissioner Obenauer moved to approve a donation of \$125 to the Hazen High School Post Prom Committee, second by Commissioner Brunmeier. The board was advised that the funds are available in the budget. On roll call vote; Obenauer, “Aye”, Brunmeier, “Aye”, Stern, “Aye”, Wolf, “Aye”, Nygard, “Aye”, motion carried.

HCD Funds Transfer – Annual Payment: The board was informed that \$34,210.67 had been transferred from the sales tax fund to HCD to make budgeted annual payments. Mr. Langowski indicated the payments were made a little earlier to reduce the interest costs. The payments are direct loan and flex pace interest payments.

NEW BUSINESS

Pace Construction Agreement: Commissioner Brunmeier moved to approve the Municipal Maintenance Contract with Pace Construction Inc, second by Commissioner Obenauer. Upon discussion Commissioner Stern asked if there were a map or schedule of the proposed sites for the contract and Director Quast advised that he keeps a log of areas that have had issues and this is used to schedule maintenance. On roll call vote; Brunmeier, "Aye", Obenauer, "Aye", Wolf, "Aye" Stern, "Aye", Nygard, "Aye", motion carried.

BHG "Innovation" Advertisement: The commissioner reviewed information with regard to placing an advertisement in an upcoming special section of the April 17th BHG community newspapers. Editor Coleman advised that the special section will be distributed to more than 10,000 subscribers. Commissioner Obenauer moved to approve a full-color, ¼ page advertisement at a cost of \$273.00, second by Commissioner Wolf. On roll call vote; Obenauer, "Aye", Wolf, "Aye", Brunmeier, "Aye", Stern, "Aye", Nygard, "Aye", motion carried.

Bus Grant Approval/Signatures: Commissioner Brunmeier moved to approve resolutions authorizing the city auditor to complete and sign the 2014-2015 bus grant application and certifications, second by Commissioner Wolf. On roll call vote; Brunmeier, "Aye", Wolf, "Aye", Obenauer, "Aye", Stern, "Aye", Nygard, "Aye", motion carried.

Stop Sign – Main Street: Commissioner Obenauer advised the board that he has been contacted by residents requesting the intersection of Main Street and 1st Ave W be a four-way stop. Commissioner Obenauer said this may be something to be looked at after Main Street is repaired unless there is a good reason not to do it. President Nygard said this has been brought up in the past and he would like to see what can be done to increase visibility at the intersection before putting in a stop sign. Gary Emter asked if it may be better to eliminate some of the spots on the north side of Main Street to accommodate two (2) parallel mobility impaired spots. Commissioner Obenauer will research this matter some more and gather input from the police department.

Attorney Lange informed the commission that he was made aware of a presentation on Lidar technology and mapping that will be presented to the County Commission on Wednesday, March 19th. Attorney Lange further advised the board that most areas of North Dakota have been mapped with this technology except the southwestern area and he would like to know if the city may be interested in utilizing this service. The map and data from the process is accepted by FEMA for flood mapping information and the estimated cost is \$200/square mile. The Mercer County Water Board is interested in the service and is trying to get additional entities involved to reduce the cost. President Nygard will try to attend the county commission meeting and will also seek input from Ulteig Engineers about the value to the city.

Approval of Bills: Commissioner Brunmeier moved to approve payment of bills, second by Commissioner Wolf. The pre-paid and bills approved to be paid are as follows: Ameripride Linen and Apparel Services, 341.30; Beulah Motor Vehicle Department, 19.50; Bobcat of Mandan Inc, 55.77;

Butler Machinery Co, 77.04; Cenex, 2437.63; Convention & Visitors Bureau, 2722.74; Discovery Benefits Inc, 25.00; Ecolab Pest Elimination, 94.00; Fargo Water Equipment/DSG, 138.58; Hazen Community Development, 1500.00; Hazen Drug, 2.98; Hazen High School, 125.00; Hazen Motor Co, 71.35; Hazen Motor Farm Equipment Co, 140.00; Hazen Parks & Recreation, 10,000.00; Hiway Express, 2635.03; Hoffer Arborist Service, 400.00; Lange & Donovan PLLP, 1750.00; Marc Corp, 888.70; Mel Roth Oil, 3568.15; Mercer County Auditor, 349.59; Mercer County Treasurer, 3203.28; Montana Dakota Utility, 5106.23; Municipal Government Academy, 15.00; ND Department of Health, 32.00; NAPA Auto Parts, 562.53; ND One Call Inc, 4.40; Northland Financial, 302.00; Pitney Bowes, 420.00; Roughrider Electric Coop Inc, 3792.43; Sakakawea Medical Center, 12.68; Sleep Inn & Suites, 2925.00; Steve Frovarp, 56.50; Magic Tricks, 144.00; Thomson Reuters West, 198.00; Verizon Wireless, 49.41; West Dakota Lumber, 13.99; West River Telecommunications, 3131.16. Motion unanimously carried.

There being no further business the meeting was adjourned at 6:27 PM CT. The next regular meeting of the commission will be April 7, 2014 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Mark Nygard,

Attest: _____
Monte J. Erhardt, Auditor