

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

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

**Others Present:** Harold & Marie Mathisen, Attorney Donovan, Jerod Klabunde & Kyle Meyer (Moore Engineering), James Saylor, Buster Langowski, Kasey Lesmann, Editor Arens, Planner Senger, and Auditor Erhardt.

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

President Obenauer led the Pledge of Allegiance. Commissioner Pillar led the commission in prayer.

**Minutes:** Commissioner Wolf moved to suspend the reading and approve the minutes of the March 4<sup>th</sup> meeting, second by Commissioner Stern. Motion unanimously carried.

**Agenda:** Commissioner Pillar moved to approve the agenda, with the addition of miscellaneous expenditure requests for the fire department, second by Commissioner Haack. Motion unanimously carried.

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Moore Engineering Update:** Jerod Klabunde, Moore Engineering informed the commission that the legislature is considering a bill to appropriate additional funds to the Infrastructure Revolving Loan Fund, which the city has utilized on previous projects.

Mr. Klabunde said the “Prairie Dog” bill has passed both houses and will go to the governor for signature. Funds from the bill will likely begin to flow to the cities after June of 2020, dependent on the oil tax revenue.

Mr. Klabunde informed the commission that the State Water Commission budget is being reviewed and the city currently has one project on the list for funding. The project is for a change to water storage to address low pressure areas of the city. President Obenauer asked about decommissioning the water plant and Mr. Klabunde said if/when the project moves forward would be the best time to look at this matter.

Mr. Klabunde spoke about the street project and the fact that there are still punch list items and the remaining chip sealing of streets will be addressed when temperatures are adequate. President Obenauer encouraged the board, residents and city staff to be observant and bring items that may need to be addressed to the attention of Moore Engineering.

**REQUEST OF CITIZENS**

**Snow Removal Concerns – H. Mathisen:** Harold Mathisen addressed the commission concerned about the street cleaning and the time it took for snow to be removed. Mr. Mathisen said the street, by his

property, had recently been bladed and Mr. Mathisen expressed thanks for this work. President Obenauer apologized, on behalf of the board, and stated it was just different with small amounts of snow daily for almost a twenty-day period. President Obenauer explained the crew will not go out daily to remove small amounts of snow. The first routes addressed are the emergency routes and then the garbage route is the next consideration. Commissioner Haack said he discussed the conditions, with the Director Brousseau, and the crew has windrowed all streets and will pick them up where the rows are larger. Commissioner Haack added that water breaks have taken staff time to address. President Obenauer said the crew will continue to scrape ice and slush but many windrows will likely not be picked up as there are concerns accessing locations to dump snow. Marie Mathisen asked why the motor grader was not used as much this winter. President Obenauer explained part of the time the machine was down for repair and the city needs to address training for operators to ensure work is done in a safe, efficient manner. Mr. Mathisen thanked the commission for the opportunity to discuss their concern(s) and thanked the commission for their time.

## **APPROVAL OF APPLICATIONS & BUILDING PERMITS**

**Commercial Building Permit – AAB Engineering – Dollar General:** The commission reviewed an application for a building permit for Dollar General store to be located near the intersection of Birch Road and Highway Drive. President Obenauer asked when Planner Senger had been contacted about the permit and Planner Senger said she was contacted last month with questions about zoning, and other issues, but only received the building plans and application recently. Commissioner Pillar asked about any variance concerns and was advised there are no variances requested the only reason it is before the board is due to the commercial status. Commissioner Stern had questions about building design and Commissioner Pillar asked about run-off. Mr. Klabunde reviewed the plans and, since the city has not requirement to meter drainage, the plans appear to be in order, if they don't violate land use ordinances. Drainage will be accomplished using Birch Road and Highway Drive into the highway right-of-way. Commissioner Stern asked if Community Development had been contacted about the project and Mr. Langowski stated he had not been contacted. Mr. Langowski said there are plans to build many stores, around the country. Commissioner Wolf moved to approve the building permit as presented by AAB Engineering, second by Commissioner Stern. Upon discussion, Commissioner Pillar asked if there had been any discussion about tax deferral and the subject has not been brought up. On roll call vote; Wolf, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

**Property Inspection/Report – 1025 1<sup>st</sup> Ave NE:** The commission reviewed a report of inspection for a mobile home located at 1025 1<sup>st</sup> Ave NE. The city building inspector finds the structure in condition and that is unsafe and directs it to be condemned and removed. Upon service of the order, the property owner must comply with the order of the inspector or a hearing will be scheduled, before the commission, to hear testimony regarding the condition of the building and issue findings and an order. Attorney Donovan referred to the need to make written findings of fact, regarding the unsafe structure. A hearing can be held at a regular meeting of the commission and a tentative date of April 15<sup>th</sup> is set for hearing, prior to the regular meeting. Commissioner Stern asked, if the city removes the

structure, who gets the property and Commissioner Pillar asked about the need to market the property. Attorney Donovan said the land will remain with the deed holder and the costs, for removing the structure, will be assessed to the deed holder. Attorney Donovan said there is no requirement for the city to market the structure.

## REPORTS

**Water/Sewer/Garbage:** Commissioner Stern informed the board there have been several instances of water lines freezing up and residents have been thankful the city staff was able to get them back in service in a relatively short amount of time. Commissioner Stern added that this same type of thing is happening in many areas of the state. President Obenauer added that, city staff is becoming more efficient in dealing with these situations.

**Street/Cemetery:** Commissioner Haack informed the board that street crews will continue to address ice and water issues on the streets, as well as proper storm sewer operation. Attorney Donovan asked if the city needs to make a snow emergency declaration and the board felt it wasn't necessary, yet.

**Finance/Busing/Library:** Commissioner Wolf informed the board that there is an ambulance board meeting on March 25<sup>th</sup> and a busing advisory board meeting on April 10<sup>th</sup>.

**Police/Fire/Forestry:** Commissioner Pillar informed the board that several fire department members attended the annual fire training in Minot.

**HCD:** Buster Langowski informed the commission that he is applying for an AARP grant to refurbish the area of the city Christmas tree, at Main St. & Central Ave. Mr. Langowski is working with Director Brousseau and Western Steel Builders to get estimated costs to remove the tree, replace the concrete and install outdoor furniture and/or bike racks. The grant application is due April 17<sup>th</sup> and is generally awarded in August.

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

## CORRESPONDENCE

**NDIRF Health Insurance Association Study:** The commission reviewed information from the ND Insurance Reserve Fund to study offering health insurance to political subdivisions. There is no cost to the city to participate in the study and the city will also be able to consider options for future insurance plans if the health association is established. Commissioner Stern asked about the status of our plan and was informed that the city would lose its grandfathered status if they changed to this program. Commissioner Pillar said there is no obligation at this point. Commissioner Haack moved to approve participating in the study and to provide the requested information, second by Commissioner Pillar. Motion unanimously carried.

**Request for Duplicate Warrant – M. Edwards:** Commissioner Pillar moved to approve a request for duplicate warrant to Matthew Edwards for a utility deposit refund in the amount of \$91.69, second by Commissioner Stern. Motion unanimously carried.

## NEW BUSINESS

**Library Board Appointment/Annual Report:** The commission was informed that Joyce Lemer has resigned her positions with Hazen Busing and the Hazen Library Board, effective March 1<sup>st</sup>. There is one person who expressed interest in serving on the library board. Commissioner Wolf moved to approve appointment of Cyndi Martin to the library board for the unexpired 3-year term of Ms. Lemer, second by Commissioner Haack. Motion unanimously carried.

The commission received a copy of the library's 2018 annual report. No further action taken.

**Fire Department Building Repairs-Additional Expenditures:** Commissioner Pillar informed the board that there is a, walk-in, door at the fire hall that needs to be replaced and the department has received an estimate of \$2,090, from Western Steel Builders, to replace the door and weatherize two other doors. Commissioner Pillar also said the fire department is requesting approval to purchase another set of bunker gear (\$2,155) and to work with M&T Fire and Safety for air pack testing (\$2987.50). These are all budgeted items. Commissioner Haack moved to accept the estimate for the building repairs, to purchase the bunker gear and to have M&T Fire complete air pack testing, second by Commissioner Stern. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

**Equipment – Loader/Angle Blade – Motor Grader Tires:** The commission reviewed a quote to purchase loader arms, bucket and angle blade for the new John Deere tractor. The total estimated cost for these items is \$8,476.00. These items would equip the tractor for year-round use. Commissioner Haack said the tractor could be used, along with the skid-steer, to move snow from intersections or other areas. Commissioner Pillar was informed that the equipment would be stored in the shop. Commissioner Pillar moved to accept the quote for the purchase of the loader/angle blade to be combined into the contract for purchase of the tractor, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried. The commission reviewed pricing for three new tires for the motor grader. The cost for the tires, mounted, is \$1,257 and Farmers Union Oil has the tires in-stock. President Obenauer discussed the possibility of trading the current motor grader for a newer model and it was determined that the tires should wait until there is a decision on keeping or trading the motor grader.

**Equalization Board Meeting – 4/9/2019:** The meeting of the city equalization board will be held at 5:30 PM CT on April 9<sup>th</sup>, in the commission room. Commissioner Stern asked about home values and Assessor Senger said, overall, value have decreased somewhat.

**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: City of Hazen Flex Account, 500.00; Cardmember Service, 75.26; Cenex, 2448.95; D&E Supply, 246.50; Danial Pillar, 112.09; Donovan & Kaffar PLLP, 1612.50; Further, 40.50; HCD, 15.00; Hazen Fire Dept, 705.35; Hazen Motor Co, 327.88; Hazen Motor Farm Equipment, 79.95; ITD, 10.30; Innovative Office Solutions, 197.94; Josh T Smith, 2.24; Kenny Klein, 250.00; Lignite Tire, 38.00; Loren Wiest, 770.00; M&A Heating, 164.72; Matthew Bender & Co, 23.94; Mercer Co Treasurer, 3122.01; Millennium Express, 13.80; MDU, 6376.43; Monte Erhardt, 212.82; Municipal Government Academy, 30.00 ND Dept of Health, 32.00; NAPA, 264.08; ND One Call Inc, 1.20; Pitney Bowes, 431.52; Purchase Power, 108.99; Railroad

Management CO III LLC, 235.41; Roughrider Electric Coop Inc, 6119.40; Sleep Inn & Suites, 2176.20; Stein's Inc, 52.14; Stroup Ins, 42351.00; The Hub, 75.79; Thomson Reuters-West, 306.00; Tim Schwarz, 21.87. On roll call vote; Wolf, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:25 PM CT. The next regular meeting of the commission is scheduled for Monday, April 1, 2019 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: \_\_\_\_\_  
Jerry Obenauer, President

Attest: \_\_\_\_\_  
Monte J. Erhardt, Auditor