

**Hazen City Commission
Regular Meeting
April 6, 2020
Hazen City Hall**

Present: President Obenauer, Commissioner Stern and Commissioner Wolf (appeared in person). Commissioner Haack and Commissioner Pillar (appeared via teleconference call).

Others Present: PW Director Brousseau, Attorney Donovan, Auditor Erhardt, Jerod Klabunde and Jon Schroeder (Moore Engineering), Editor Arens and Buster Langowski appeared in person or via teleconference call.

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

President Obenauer led the Pledge of Allegiance and Commissioner Pillar said the prayer.

Minutes: Commissioner Wolf moved to suspend the reading and approve the minutes of the March 16th meeting, as presented, second by Commissioner Stern. Motion unanimously approved.

Agenda: Commissioner Haack moved to approve the agenda, as presented, second by Commissioner Stern. Motion unanimously approved.

CONSULTATION WITH ATTORNEY & ENGINEER

Engineer's Report/Agenda: Jerod Klabunde, Moore Engineering, had several items to discuss: 1) The 2018-2019 Street project is being monitored for additional punch list items, prior to closeout by early summer. 2) Expedition estates is still blocked off and 11th Ave SW is becoming more damaged and Mr. Klabunde will try to contact a representative of Williams Builders prior to the next meeting. 3) The commission reviewed Task Order #8 regarding the water storage tank project. The commission is still working with an area landowner to get approval to do soil testing in a preferred location for the project. If possible, the soil testing will be completed by the end of the month and once the location is secured there will be additional studies, such as environmental, archaeological and wetland delineation process. The task order is on an hourly basis for different phases of the project and design, bidding and construction phases will not start until the site is secured. There was discussion of the "Prairie Dog" funds and the effect the downturn in oil prices is having on them. Mr. Klabunde agreed these funds will be delayed but, recommended the city still work to secure the site and, if necessary, the city wait to proceed on the other phases until finances are in a better position. Commissioner Stern questioned expending funds for testing on a site that is not, at least conditionally, approved. Mr. Klabunde indicated this location is the closest, high elevation which will provide for cheaper construction costs and the site will require approximately ¼ acre of land plus a road easement to perfect access. Commissioner Pillar indicated initial discussion with the property owner were favorable but have become less favorable now because of concerns of site accessibility. Commissioner Pillar suggested more time to work with the landowner and Mr. Klabunde agreed that borings can wait for the time being. Commissioner Pillar also said aesthetics of the building are not as important as the structure will not be within public view at the proposed location. 4) Mr. Klabunde reviewed

information from previous meetings about diverting run-off water south from Main Street prior to entering the city proper. The city can proceed with requesting funding for a study of this proposal and this will help the city determine the cost/benefit ratio. The commission agreed to submit the form requesting cost share for the study since it is not binding on the city to proceed without public support or input. 5) With the WRT building remodel/addition, there were questions regarding connecting the building drainage to a storm sewer and if this could be done south of the building in the alley. In 2019 Mayo Construction provided a quote to repair the alley, with concrete, at a cost of \$70,000. Because of the limited slope of the alley, it is not possible to drain water onto the alley and it would require adding storm sewer. The commission would like the WRT contractor to provide a cost estimate to further the discussion on proper repairs to the alley and to discuss any form of cost share.

Emergency Declaration: The commission reviewed a proposed Emergency Declaration relating to the pandemic conditions in the state. Commissioner Haack moved to approve the emergency declaration, as presented, second by Commissioner Wolf. Upon discussion, there was a question of the need to adopt the declaration and how it would allow the city to access the funds in the emergency level, which is about \$10,000. Attorney Donovan said the declaration, according to ND DES information, is only good for seven (7) days, unless approved by the full board. On roll call vote: Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried.

APPROVAL OF APPLICATIONS & BUILDING PERMITS

Building Permit w/Variance Request – M. Boutilier: The commission reviewed an application for building permit, with variance, as submitted by Michelle Boutilier to construct a garage at 104 11th Street NE. The variance is to construct the garage with 12' sidewalls, to closely match the residence, and to construct it only 3' from the sewer line that runs near the middle of the lot. There was question if the garage was going to be attached to the residence, as it appears in the drawing. Auditor Erhardt indicated there was no plan to connect the structures but, he would clarify prior to delivering the permit, if approved. Commissioner Stern asked if the lots could be combined since the residence appears to be very near the property line. This can be done by working with the county tax office. Commissioner Stern moved to approve the building permit and variances, as requested, second by Commissioner Wolf. On roll call vote: Stern, "Aye", Wolf, "Aye", Haack, "Nay", Pillar, "Aye", Obenauer, "Aye", motion carried.

Fireworks Sales Permit – Memory Fireworks: Commissioner Wolf moved to approve the fireworks sales permit, as requested by Memory Fireworks, at the all-seasons arena, pending fire department approval, second by Commissioner Stern. On roll call vote: Wolf "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

REPORTS

Water/Sewer/Garbage: Commissioner Pillar informed the board that there was a recent water leak on Elbowoods Drive and a contractor was brought in to repair the break within a very short time. Commissioner Pillar informed the board that there are issues with the garbage truck that are expected to cost approximately \$2,000 to repair. PW Director Brousseau explained that the DEF system filter is

plugged and needs to be cleaned or replaced. Cleaning is estimated to cost approximately \$2,000 and replacement would be \$3,000 to \$5,000, depending on labor costs. Commissioner Pillar moved to approve up to \$2,500 for repairs of the garbage truck, second by Commissioner Stern. On roll call vote: Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried. Barring any delays, the new garbage truck is expected to be delivered by the end of April

Commissioner Pillar informed the board that there is an issue with sediment from the car wash that is causing back-up issues in a residential sewer line. The business is aware of the issue and is working with contractors to remove the sediment from the pit more frequently and determining if a larger pit is required. President Obenauer said the business is aware of a cover that was not properly placed and has now been corrected and has helped the situation. Commissioner Pillar would like the newspaper to print information relating to the issues that "flushable" items can have on the sanitary lift stations because they are not dissolving.

Street/Cemetery: Commissioner Haack informed the board that the street department is approximately three-fourths complete with crack sealing and the new tar cart is working very well. PW Director Brousseau said, weather permitting, the crack sealing should be completed by end of the week. President Obenauer would like the street department to clean up excess gravel and rocks from the areas where snow is dumped throughout the winter.

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

Police/Fire/Forestry: Commissioner Wolf informed the board that the fire department would like to purchase six (6) new air packs, with the city providing funding for three (3). Commissioner Wolf moved to approve the purchase of three (3) air packs at a cost of \$1,286 each, with city funds, second by Commissioner Stern. On roll call vote: Wolf, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

Commissioner Wolf informed the board the police department is continuing to provide services while being protective of their staff and the public. When asking about masks, the department has not expressed a concern or need, at this time.

Commissioner Wolf informed the board that the city forester is back in the office, part-time, and is applying for different grants to continue work on the arboretum and a community orchard. The commission would like to see a plan for development of the east half of the arboretum property, preserving an area for snow storage. Commissioner Wolf explained that further development of the arboretum is a long-term, seven to ten-year plan. In response to a question of Commissioner Stern, Commissioner Wolf said the grants are used for planting and purchasing additional tree stock.

HCD: Buster Langowski informed the commission that Hazen Community Development is continuing to secure a business to fill the space of Hazen Family Eyecare at the commerce center and hopes the process will be completed soon. Regarding Pioneer Apartments, there are more applications submitted and there may be fifteen (15) residents sometime in May. Mr. Langowski, while out of state, has been participating in informational webinars for different business programs.

President: President Obenauer informed the board that he participated in the ND League of Cities, All-Cities Call, on April 8th and Governor Burgum is reluctant to make blanket declarations to allow local leaders to address pandemic concerns at the local level. Some talking points for discussion will be

provided to the commissioners. President Obenauer, and the commission, need to do what they can to keep residents safe and the next two (2) weeks are going to be crucial.

CORRESPONDENCE

NDIRF Annual Meeting/Conferment of Benefits: The commission was informed that the annual meeting of the ND Insurance Reserve Fund is scheduled for May 20th. The commission was also informed that NDIRF has again declared a conferment of benefits for 2019 and the city received a check in the amount of \$8,864.00 as its share. No further action taken.

NEW BUSINESS

Duplicate Warrant Request – Mid-State Organized Crime Information Center: Commissioner Wolf moved to approve a duplicate warrant, in the amount of \$100, as requested by Mid-States Organized Crime Information Center, for a payment that was not received, second by Commissioner Stern. On roll call vote: Wolf, “Aye”, Stern, “Aye”, Haack, “Aye”, Pillar, “Aye”, Obenauer, “Aye”, motion carried.

Equalization Meeting – 4/14/2020 6:00 PM: The commission was informed that the meeting the city board of equalization has been scheduled for Tuesday, April 14th at 6:00 PM CT. Residents may submit a written appeal, appear by telephone, or in person for the meeting.

Approval of Bills: Commissioner Stern moved to approve the bills, as presented, second by Commissioner Wolf. Pre-paid and bills approved for payment are as follows: US Postal Service, 275.20; Universal Premium Fleetcard, 1921.83; Stamps.com, 50.00; Further, 9.75; Payroll, 123686.41; Ameripride, 274.04; Cenex, 98.09; Christy Metz, 73.50; D&E Supply, 165.44; Dakota Fluid Power Inc, 970.28; Dakota Pump & Control Inc, 1050.00; Deere Credit Inc, 27277.37; Fastenal, 23.98; Fitterer Oil LLC, 1200.80; Hazen Hardware, 115.75; ITD, 10.30; Krause’s, 47.21; M&A Heating, 8230.50; Marco Technologies LLC, 393.54; Matthew Bender & Co, 64.83; Mercer Co Recorder, 125.00; Mercer Co Treasure, 4228.35; Millennium Express, 20.70; Monte Erhardt, 27.60; Moore Engineering Inc, 1400.00; NAPA, 48.28; ND One Call Inc, 2.40; Peggy Rahn, 52.50; Roughrider Electric Coop Inc, 55.00; Sletten Excavating, 2775.50; SW Water Authority, 34666.50; Starion Bond Service, 298233.75; Stein’s Inc, 275.06; Swanston Equipment, 90.63; The Hub, 483.40; Verizon Wireless, 324.22; West River Telecommunications, 1095.27. On roll call vote: Stern, “Aye”, Wolf, “Aye”, Haack, “Aye”, Pillar, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business, the meeting was adjourned at 6:54 PM CT. The next regular meeting of the commission is scheduled for Monday, April 20, 2020 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor