

**Hazen City Commission
Regular Meeting
June 5, 2017
Hazen City Hall**

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

Absent: President Obenauer.

Others Present: Auditor Erhardt, Editor Arens, Planner Frovarp, Shannan Senger, Ken Link, Ken Peterson, and Buster Langowski.

The meeting was called to order at 5:30 PM CT by Commissioner Wolf.

Minutes: Commissioner Haack moved to suspend the reading and approve the minutes of the May 15th meeting, as presented, second by Commissioner Pillar. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER:

WRT Easement: Planner Frovarp explained that West River Telecommunications is requesting a utility easement to install fiber in the area near and west of Peace Lutheran Church. The easement is in the same location as an easement obtained by MDU several years ago. Planner Frovarp also explained that, the area in question, used to be a single subdivision but has been subdivided several times since. Commissioner Pillar moved to approve the utility easement of West River Telecommunications, as presented, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

MDU Easement: Planner Frovarp explained that Montana Dakota Utilities is requesting a utility easement to relocate power facilities as part of the upgrade of the Heritage Park. The easement will be along the south property line, outside of the railroad right-of-way. There is an existing ten-foot (10') easement in this location and this request will provide a twenty-foot (20') easement. This is being requested due to a proposed berm along the south property line and the desire to not install utilities directly under this berm. Commissioner Haack moved to approve the utility easement of Montana Dakota Utilities, as presented, second by Commissioner Stern. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", motion carried.

REQUEST OF CITIZENS

Local Permit – Raffle – Common Thread Quilters Guild: Commissioner Pillar moved to approve local permit #2017-06 to conduct a raffle at Hazen City Hall on November 11, 2017, second by Commissioner Haack. Motion unanimously approved.

Fireworks Sales Permit – Memory Fireworks: Commissioner Pillar moved to approve the fireworks application and permit of Memory Fireworks to conduct sales at the All Seasons Arena from June 27 through July 5, second by Commissioner Stern. The commission was informed that Fire Chief Burling had no objection to the issuance of the permit and he would be in the office to sign the original application. Motion unanimously approved.

Observations/Comments – K. Peterson: Ken Peterson, a former resident, appeared before the commission to comment on some observations he made about the condition of various things within the city. Mr. Peterson informed the commission that he spent seven (7) years running things at the RV Park and he commended the current staff on the condition of the comfort station. Mr. Peterson was concerned that the road, east of the RV Park, needs maintenance (needs to be bladed). Mr. Peterson said he always commented that the City of Hazen was the nicest, cleanest city but he does not feel he can say that anymore. Mr. Peterson suggested someone needs to go around and police the city for junk and garbage on residential properties. Commissioner Wolf stated that she has been walking around the city and she is not sure how to fix a problem when someone sees stuff as junk but the owner sees it as something important. Mr. Peterson thanked the commission for their time. Planner Frovarp said the city may want to revise the ordinance to shorten the timeframe that a resident must comply with a nuisance complaint. Currently the ordinance requires action within twenty (20) days or the party can request a hearing before the commission, which must be held within thirty (30) days of the request. This pushes the problem out almost two months before the city can act to abate the nuisance. Commissioner Wolf asked if people know where to go with junk items. Planner Frovarp said that most understand that the items go to the Mercer County Landfill but it must be sorted. Commissioner Wolf said it is a process that the city must keep working through education of the public and review of the ordinance.

Access Improvement – K. Link: Ken Link appeared before the commission requesting improvement of the access route south of property along 4th Street NE. The area has a portion that has good material but there is a section approximately two-hundred feet (200') long that has no material and is very dusty. Mr. Link would like the commission to consider applying recycle material to this section and has calculated a need of 18.5 cubic yards for an area ten-feet (10') wide, three-inches (3") thick. Mr. Link said there is no practical way to restrict traffic. When asked, Mr. Link said he has not contacted the railroad but did speak to a blade operator at one time but he was only there to maintain the area for rail repairs. Commissioner Wolf expressed concern with making an improvement on property not under the city's control and the precedent such action may set. Mr. Link said the city has already set a precedent for such action based on the material placed on the access road south and east of the library. Commissioner Pillar asked if Mr. Link and his neighbors would consider funding a portion of the cost and Mr. Link indicated that the residents have paid for the material once, when the street was

overlaid. Mr. Link said he wished he had brought this to the commission's attention when the street was being milled and the material was readily available. Commissioner Haack said he would like to see some material placed in this area but questioned if it would be more than two-hundred feet (200'). Mr. Link said it could likely be more than two-hundred feet (200'). Commissioner Haack moved to utilize recycled material in this two-hundred (200') by ten-foot (10') area but a depth of approximately one-inch (1"). Commissioner Wolf asked for a second to the motion, two times. No second was received and the motion was declared dead for lack of second.

REPORTS

President: President Obenauer absent. No Report.

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

Street/Cemetery: Commissioner Haack informed the board that there are concerns of damage to newer pavement when some type of block is not used under the jacks of heavy vehicles or recreational equipment. There was discussion of placing an advertisement in the local newspaper and Commissioner Pillar asked if there are any requirements in our ordinance. There are no specific requirements and Commissioner Haack hopes the discussion and report in the minutes and the newspaper will bring this situation to the public's attention. Commissioner Stern said it is a matter of following and enforcing the ordinance we have that limits on the amount of time something can be parked on the streets.

Commissioner Haack also informed the board that he has pricing for a new sander but a similar sander was located at an auction dealer in Bowman so he has asked PW Director Neuberger to check on the cost of this used sander prior to presenting a quote for a new one.

Commissioner Haack also brought up a concern that was brought to his attention by the street department. As they were painting the stripes on Main Street, near 4th Ave East, they observed several, near miss, vehicle accidents. Commissioner Haack would like the commission to consider a traffic control device, yield or signs, to address these concerns.

Planner Frovarp informed the board that he and Shannan Senger had flagged the road in the cemetery so improvements can be made, when the street crew has time and materials.

Finance/Busing: Commissioner Wolf informed the board that the bus facility open house, on May 25th, was well attended. Commissioner Wolf said the city has received one offer to purchase the 1997 Ford Cutaway bus and will be accepting the offer of \$157.77 for this vehicle.

Police/Fire/Forestry: Commissioner Pillar informed the board that the fire department had conducted grass fire and tanker training. The fire department is waiting for asbestos abated before conducting training at the old hospital.

HCD: Buster Langowski informed the commission that the Pioneer Apartment construction process is moving along and that MDU will be moving the light pole and installing a transformer soon. The floor in the old structure will be receiving a leveling course of gypcrete and there is a new representative, for Williams Builders, who will be on-site soon.

Mr. Langowski also informed the commission that the hotel project is likely going to happen as the local loan committee has approved financing which now goes to USDA for approval.

OLD BUSINESS

Property Deed to HCD: The commission reviewed a deed transferring the proposed hotel property to Hazen Community Development for use as equity in the financing process. The deed prepared needs to be corrected to the proper legal description of Lot 2, Block 1, Lewis & Clark Second Addition to the City of Hazen. Commissioner Haack moved to approve deeding the property to HCD, pending correction of the legal descriptions, second by Commissioner Pillar. On roll call vote; Haack, "Aye", Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

Propane Bid(s): Pursuant to advertisement for bids, the city received bids from Farmer's Union Oil Company, Hazen and Fitterer Oil Company, Hazen LLC for the delivery of propane to various city locations. The bids were opened and read aloud as follows: Farmer's Union Oil Co - \$.83/gallon delivered – Fitterer Oil Co, Hazen LLC - \$.0899/gallon delivered. Commissioner Pillar moved to accept the bid of Farmer's Union Oil Co at a cost of \$.83/gallon, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

NEW BUSINESS

Mower – 6-blade – Repair/Purchase: The commission reviewed an estimate for parts to repair the city six-blade mower and a proposal to purchase a new six-blade mower. The estimated repair parts, with work to be completed by city staff, are \$2,767.61, and the cost to purchase a new mower is \$10,300. Auditor Erhardt informed the commission that there may be additional small parts but the total cost for repairs is estimated to not exceed \$3,000. Commissioner Haack moved to approve the repair of the existing mower, with in house staff, at a cost not to exceed \$3,000, second by Commissioner Pillar. Upon discussion, Commissioner Pillar was informed that the machine is in otherwise good condition. On roll call vote; Haack, "Aye", Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

Approval of Bills: Commissioner Stern moved to approve the bills, second by Commissioner Haack. Pre-paid and bills approved for payment are as follows: US Postal Service, 267.12; Universal Premium Fleetcard, 4582.84; Verizon Wireless, 117.28; Union State Bank, 100.00; Payroll, 146359.74; Antelope Creek Trucking, 4500.00; Barbara Isaak, 98.55; BHG Inc, 3265.50; Bob Gobar, 17.50; Cardmember Service, 775.01; Christopher Bothun, 103.65; Comfort Inn, 81.90; CVB, 1752.65; D&E Supply, 319.16; Dakota Pump & Control, 1260.21; Dakota Supply Group, 357.23; Elizabeth Lynn, 101.51; HCD, 3409.67; Hazen Hardware, 555.32; Hazen Motor Co, 530.28; Hirschfield's, 3547.50; HR Collaborative, 50.00; J&L Automotive LLC, 69.44; Joyce Lemer, 49.00; Krause's Super Valu, 77.90; Lignite Tire, 660.00; Loren Wiest, 700.00; M&T Fire & Safety, 1643.00; Marc Corp, 110.12; Marco Technologies, 326.39; Matthew Bender & Co, 176.24; Mercer Co Treasurer, 8008.30; Moore Engineering Inc, 1917.65; ND Dept of Health, 16.00; ND Dept of Health, 223.63; NAPA, 336.86; Northern Safety, 82.65; Pam Borlaug, 72.76;

Preble Medical, 30.00; Productivity Plus Acct, 230.23; Ron Muth, 130.00; Sanitation Products, 92.40; Scott Duma, 100.00; Service Plus, 972.55; Shannan Senger, 92.89; Sletten Excavating, 3776.37; Southwest Water Authority, 33004.36; Spruce It Up Lawn & Tree, 670.00; Stein's Inc, 183.84; Truck N Tow, 303.39; Verizon Wireless, 197.72; West Dakota Lumber, 551.21. On roll call vote; Stern, "Aye", Haack, "Aye", Pillar, "Aye", Wolf, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:36 PM CT. The next regular meeting of the commission will be Monday, June 19, 2017 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor