

**Hazen City Commission
Regular Meeting
July 21, 2014
Hazen City Hall**

Present: Commissioner Brunmeier, Commissioner Haack, and Commissioner Wolf

Absent: President Obenauer, Commissioner Stern

Others Present: Attorney Donovan, Editor Coleman, Planner Frovarp, Auditor Erhardt, Buster Langowski, Clint Knutson (Ulteig), Mark Johnson (Ulteig), Paula Aardahl, Mike Quinn, Dan Frei, Darren Mund, Mary Hillerud, Daryl Metzger, Al Mautz, Greg Boyer, Tom Schiermeister, Tim Johnson.

Meeting called to order at 5:30 PM CT by Vice-President Wolf.

Minutes: Commissioner Brunmeier moved to dispense with the reading of the July 7th minutes and approve them as presented, second by Commissioner Haack. Motion unanimously carried.

Agenda: Commissioner Haack moved to approve the agenda, second by Commissioner Brunmeier. Demolition permit extension request of Stroup Insurance added as item 10B. Motion unanimously carried.

CONSULTATION WITH ATTORNEY & ENGINEER

Building Inspector Contract: Planner Frovarp advised the commission that he and President Obenauer had conducted interviews of the parties interested in the building inspector contract and that both are very qualified for the position. The recommendation is to offer the contract to Loren Wiest. Commissioner Brunmeier moved to accept the proposed building inspector contract and make contract offer to Mr. Wiest, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

Drainage – Shared Use Path – Northstar Baseball: Commissioner Haack and members of the Hazen Park Board were contacted by the Northstar Baseball Association with regard to drainage concerns near the newly renovated field in Northstar II Park. The proposal is to remove a portion of the shared use path to create a drainage way and then replace the surface with a grate that can be removed to clean to keep the drainage open. Commissioner Haack moved to cut drainage through the shared use path to perfect drainage along Northstar Field, second by Commissioner Brunmeier. Upon discussion Attorney Donovan questioned if this would require NDDOT approval and it was determined the property is owned by either the city or the park board. Commissioner Wolf was informed the labor would be volunteers. On roll call vote; Haack, "Aye", Brunmeier, "Aye", Wolf, "Aye", motion carried.

10th Street Extension: Clint Knutson (Ulteig Engineers) introduced Mark Johnson who will be the city's contact with regard to engineering services with Ulteig. Mr. Knutson advised the commission that the

road design is complete and based on previous estimates in excess of \$100,000 the project would likely need to be advertised and bid. Mr. Johnson said that, based on concerns of the health department relating to the sewer and lift station, he would like to review the plans for the RV Park design and review it with the commission at the next meeting. Commissioner Brunmeier asked if the road may be something that Bituminous Paving could address and Mr. Knutson again said if it will be under the statutory limits it would be possible but not real likely. Darren Mund stated the road as proposed will only have a gravel top, not pavement. Mr. Johnson asked about the level of urgency in getting this road constructed and he was advised that there is a major construction project coming to the area for the next couple of years so this project is needed. Mr. Mund informed Mr. Johnson that a local contractor is doing work on a rural subdivision close to this location so they may be able to bid this work and incur lower mobilization costs. Mr. Johnson said he could have the road documents ready for bidding within a short time-frame and Ulteig would honor the contract in place with regard to completing design at the earlier contracted fee. Commission Haack indicated that since the road is gravel he would like to proceed and he made a motion to proceed with the project to have the bid documents prepared by Ulteig, second by Commissioner Brunmeier. On roll call vote; Haack, "Aye", Brunmeier, "Aye", Wolf, "Aye", motion carried.

REQUEST OF CITIZENS

Traffic Control Devices – 3rd Street NW: Commissioner Brunmeier said she was in contact with DOT representatives from Bismarck and they directed her to contact Mr. Larry Gangl in Dickinson with regard to questions on traffic control along 3rd Street NW. Mr. Gangl had been contacted by Planner Frovarp on other issues and had indicated that DOT does not have access to the radar signs the city was looking for but the city may be able to get them from another location. Commissioner Brunmeier said we may be able to contact Beulah as they currently have one of these signs. Paula Aardahl said this was the 5th meeting to discuss this matter and she is concerned that Main Street construction will begin soon and traffic on 3rd Street will only increase. Commissioner Haack asked that if a sign is installed who will determine how long to leave it or estimate the effect it has had on traffic speeds. Ms. Aardahl stated she would like to see it installed and remain up during the construction and at least until after school has started this fall. Commissioner Wolf also asked who determines if the sign has helped and Ms. Aardahl suggested contacting the area residents for input. Commissioner Wolf stated she was not sure if a stop sign will slow the traffic down. Mr. Johnson said a stop sign may initially slow traffic slightly but eventually it will be ignored and also said studies indicate stop signs are not effective in controlling traffic speeds. Commissioner Wolf asked what the board wished to do; either take action or let it go. Commissioner Brunmeier would like to see the flashing speed sign and Ms. Aardahl again suggested installing stop signs and then directing law enforcement to step up enforcement. Ms. Aardahl said the increased law enforcement presence has had a positive effect on the traffic speeds. Attorney Donovan said the engineer and traffic studies do not support use of stop signs to control speeding. Mr. Johnson said there are many ways to deal with this situation such as speed humps, not

bumps. Commissioner Haack said he had discussed the issue with the Chief of Police after the last meeting and suggested temporary use of stop signs may help and Commissioner Haack thought it may be useful to try them, at least while Main Street is under construction. Commissioner Haack moved to put in a three-way stop at 4th Ave NW and 3rd Street NW until Main Street construction is completed, second by Commissioner Brunmeier. On roll call vote; Haack, "Aye", Brunmeier, "Aye", Wolf, "Nay", motion carried.

Parking Ordinances/Enforcement – M. Quinn: Mike Quinn met with the commission inquire about enforcement of ND Century Code which prohibits parking on sidewalks. Mr. Quinn says other cities have addressed this issue as well as the issue of junk vehicles on residential property stating they should have current license or the owner should have to purchase a city permit to keep an inoperable vehicle in town. Mr. Quinn expressed concerns junk vehicles have on property values and asked that law enforcement enforce the statutes. Mr. Quinn asked the commission if they would be pro-active in passing an ordinance requiring fees for junk vehicles. Darren Mund asked what is considered a junk vehicle and Mr. Quinn said anything that hasn't run recently. Attorney Donovan said the city does address junk vehicles under the public nuisance ordinances. Commissioner Wolf asked Commissioner Haack to visit with law enforcement about Mr. Quinn's concerns and asked that the public nuisance ordinance be shared with the board prior to the August 4th meeting.

INTRODUCTION, READING AND APPROVAL OF ORDINANCES

Tobacco Ordinance: Commissioner Brunmeier moved to approve the second reading of the ordinance relating to tobacco sales and possession, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", motion carried. The ordinance will become effective upon publication July 31, 2014.

APPROVAL OF APPLICATIONS AND BUILDING PERMITS

Local Permit – St. Martins Catholic Church: Commissioner Brunmeier moved to approve the local permit #2014-12 to conduct raffle as requested by St. Martin's Catholic Church, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

Building Permit/Variance Request – T. Schiermeister: Planner Frovarp presented an application for building permit and variance request as completed by Tom Schiermeister at 510 5th Ave NE. The variance request is 1/2' side yard variance and also variance as to roof pitch and covering. Ordinance requires garage roof pitch and covering to be the same as the residence. Mr. Schiermeister is proposing a different roof pitch to accommodate storage and he would like to install steel roofing material. Commissioner Haack moved to approve the building permit with the variances as requested, second by Commissioner Wolf. On roll call vote; Haack, "Aye", Wolf, "Aye", Brunmeier, "Aye", motion carried.

Building Permit/Variance Request – G. Boyer: Planner Frovarp presented an application for building permit and variance request as completed by Greg Boyer, on behalf of his sister, at 218 1st Ave NE. The

current garage is located 1' off the property line and Mr. Boyer is proposing to remodel the house roof which will require the wall to be removed and replaced to a higher height. Commissioner Brunmeier moved to approve the building permit and variance as requested, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

REPORTS

President: President Obenauer absent – no report.

Water/Sewer: Commissioner Brunmeier stated the generator has been repaired at a cost of \$186.02 and the new pole and electrical work has been completed at the Lift Station #2 site. The garbage truck is in Fargo for repairs and updates and will be returning soon.

Street/Cemetery: Commissioner Stern absent – no report.

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

Police/Fire: Commissioner Haack reported that he had met with the Police and Fire Chiefs and the fire department is pursuing a buyer for the rescue truck that will be replaced later this year. President Obenauer asked Commissioner Haack to visit with the Chief of Police some more with regard to the 3rd Street traffic control concerns.

OLD BUSINESS

Camera System(s) – Transit Vehicles: The commission reviewed information relating to costs to purchase new or replace camera systems for the busing department. The city transit has received \$4000 for capital purchases as part of the new bus grant. Commissioner Brunmeier moved to purchase camera systems from Safety Vision, to match the current system, at a cost of \$4095.41, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

Demolition Permit – Stroup Insurance: Commissioner Haack moved to approve an extension of the demolition permit granted to Stroup Insurance for an additional 120 days, second by Commissioner Brunmeier. The demolition permit is for property located at 217 Central Ave NW. The original permit was granted on April 11th. On roll call vote; Haack, "Aye", Brunmeier, "Aye", Wolf, "Aye", motion carried.

NEW BUSINESS

Hwy 200 Traffic Lights: Planner Frovarp informed the commission of his communication with Larry Gangl, NDDOT, with regard to the traffic light at 3rd Ave NW and Hwy 200 which was damaged several weeks ago. Mr. Gangl advised that it was determined that the traffic light is not required at this intersection or at the intersection of 4th Ave NE & Hwy 200. Planner Frovarp said Mr. Gangl had suggested other options including reflective markings or larger stop signs if the city is wished. Commissioner Wolf did not see the benefit to replacing the flashing light and Commissioner Haack said he thinks visibility is better without the poles at the intersection. Commissioner Brunmeier would like

to keep the light near Cenex but did not see the benefit of replacing the light near Tesoro. No further action taken.

Approval of Bills: Commissioner Haack moved to approve payment of bills, second by Commissioner Brunmeier. The pre-paid and bills approved to be paid are as follows: Roughrider Electric Coop Inc, 3355.88; Arntson Stewart Wegner PC, 6590.98; Bituminous Paving Inc, 32255.18; Bob Gobar, 235.39; Cenex, 3065.22; Chuck Dahl, 95.25; Convention & Visitors Bureau, 4467.50; D&E Supply Co, 169.49; Discovery Benefits Inc, 25.00; Fastenal Co, 32.14; Information Technology Department, 75.00; Interstate Power Systems Inc, 186.02; Job Service ND, 95.40; Lange & Donovan PLLP, 3320.00; M&A Heating & Air Conditioning, 126.00; Montana Dakota Utility, 4241.05; Monte Erhardt, 160.46; NAPA Auto Parts, 161.65; ND One Call Inc, 37.40; Northland Financial, 302.00; Power Plan, 987.75; Pro Forms, 898.64; RDO Equipment Co, 2000.00; SBM Inc, 149.19; Share Corp, 160.64; Starion Bond Services, 900.00; Unlimited Excavating, 3592.50; Verizon Wireless, 104.98. Motion unanimously carried.

OTHER

Daryl Metzger asked the commission to consider approving placement of FROLF nets on city and park property along and traversing Antelope Creek north of Highway 200. Planner Frovarp said there are concerns with the proposal as part of the plan is within ND DOT right-of-way and would require approval from them. Planner Frovarp also had concerns with the proposal crossing Antelope Creek and what effect it may have on the waterway. Planner Frovarp suggested Mr. Metzger contact Enerbase Cooperative as they have property along the Knife River, SE of Hazen that may be suitable for a FROLF course.

There being no further business the meeting was adjourned at 6:42 PM CT. The next regular meeting of the commission will be August 4, 2014 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor