

**Hazen City Commission
Regular Meeting
September 18, 2017
Hazen City Hall**

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

Others Present: Planner Senger, Auditor Erhardt, Editor Arens, Attorney Kaffar, Mark Sweeney (Moore Eng.), Kelly Schnaidt, Dave Brousseau, Greg McCarthy and Buster Langowski.

The meeting was called to order at 5:28 PM CT by President Obenauer.

Minutes: Commissioner Haack moved to suspend the reading and approve the minutes of the August 23rd and September 4th meetings, as presented, second by Commissioner Wolf. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

2016 Street Project – Special Assessments: Greg McCarthy, Chairman of the Special Assessment Committee, appeared, at the request of the commission, to explain the theory behind the benefits assessed as part of the 2016 street project. Mr. McCarthy said the list will need to be corrected for some small property discrepancies but it will have little effect on the list as published. The benefit was assessed 75% for frontage and 25% for square footage on lots, front and back, in the immediate area. Corner lots were assessed benefit slightly different with 25% assessed to the total property in the affected area, 50% on frontage, and 25% on square footage. A couple of areas were assessed citywide, including some of the costs of the commerce center parking lot and the senior center parking lot. The commission had no further questions and Mr. McCarthy reminded them the special assessment committee hearing is at 7:00 PM on October 2nd, 2017 in the small city hall. The commission also reviewed a resolution directing assessment for the 2016 project and the notice to the special assessment committee. Commissioner Wolf moved to approve the Resolution Directing Assessment of Hazen Street Improvement Project District #2016-01 in the amount of \$1,555,577, second by Commissioner Stern. On roll call vote; Wolf, "Aye", Stern, "Aye", Pillar, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried. (full text of the resolution is available for review in the city auditor's office.)

2018 Street Projects: The commission received the engineer's report and estimate of probable cost for the 2018 street project. Mark Sweeney, Moore Engineering, said the report is basically the same as

the report prepared earlier this year. There were no questions, from the commission, regarding the report. Commissioner Pillar moved to accept the Engineer's Report & Estimate of Probable Cost and Directing Preparation of Detailed Plans, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Mr. Sweeney said they had received five (5) proposals for Geo-Tech and that the lowest cost proposal was from Northern Technologies Inc (NTI). Mr. Sweeney said that his office was in contact with NTI to clarify the proposal total as it was roughly \$6,000 less than the next lowest proposal, and Moore Engineering recommends the contract with NTI be accepted. Commissioner Haack moved to enter into contract with NTI for geo-tech services relating to the 2018 street project, second by Commissioner Stern. Upon discussion, Commissioner Stern asked which areas will be researched by the geo-tech firm and Mr. Sweeney indicated the areas will be based on the lower rated street from the survey done earlier this year. On roll call vote; Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried. Mr. Sweeney added, based on the geo-tech research, he hopes to have preliminary plans for the commission to review by the first meeting in November and still hopes to bid the project in mid-December or January.

REQUEST OF CITIZENS

Free Hall Rent – St. Paul's Church: Commissioner Wolf moved to approve a request, from St. Paul's Lutheran Church, or free use of the city hall for their annual fundraiser on October 15th, second by Commissioner Pillar. Motion unanimously approved.

Local Permit – Bingo/Raffle – Hazen Public School: Commissioner Haack moved to approve local permit #2017-11, as requested by the Hazen Public School, to conduct bingo and raffles through June 2018, second by Commissioner Stern. Motion unanimously approved.

Sewer Repair Costs – K. Schnaidt: Commissioner Stern informed the board that approximately three or four years ago, when installing a fence, Mr. Schnaidt damaged the sewer main that was not properly located. The sewer line was repaired at that time but not all portions were addressed. This past June Mr. Schnaidt experience a sewer back-up in his garage and the site had to be excavated again to make repairs. Mr. Schnaidt was present and stated his cement, next to the main, his fence and his yard were damaged to complete this recent repair. Commissioner Stern said he would like to have received a more itemized quote from Pride Contracting, regarding the work to be completed. President Obenauer said that he thought this had been repaired before and Mr. Schnaidt said it was not completely repaired and that when it was excavated this year they discovered another puncture spot on the sewer line but, there appeared to be a piece of pipe cap obstructing the line. Commissioner Stern moved to approve expending \$1000 for the repairs as presented on the estimate of Pride Contracting, second by Commissioner Pillar. Upon discussion, Commissioner Stern asked if this estimate covers all repairs and damages and was informed it does. On roll call vote, "Stern, "Aye", Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried. Attorney Kaffar suggested the city obtain a release for future claims in this area.

APPROVAL OF APPLICATIONS AND BUILDING PERMITS

Building Permit w/Variance Request – R. Sargent: Planner Senger informed the commission that Mr. Sargent completed a building permit to construct a garage at 322 4th Ave NE which will require a one and one-half foot (1 ½') variance. The garage will be constructed in the same location as the previous garage but will extend further into Mr. Sargent's property. Commissioner Pillar moved to approve the building permit and variance request as presented, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

REPORTS

President: President Obenauer informed the board that the crushed pile is 22,456 tons and he is concerned that the city may want to try to secure the area, in some way, as the pile is valued around \$500,000 if sold at \$25/ton. Commissioner Pillar asked if the material will be accessible to residents and at what cost. The commission discussed setting the cost per ton for this material at \$25. Commissioner Pillar moved to set the rate of \$25/ton for the purchase of crushed material from the city location, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried. The city crew will be asked to load the sale material to track the amount for billing purposes.

Water/Sewer/Garbage: Commissioner Stern informed the board that he had looked at the storm sewer inlet, brought to his attention at the previous meeting, and PW Director Neuberger has asked Hazen Welding to repair the cover to fit the opening so it does not cause damage to the curb. Commissioner Stern also presented an estimate for repairs of a pump from lift station #1 to ensure that a back-up pump is available. Commissioner Stern moved to repair the LS #1 pump at a cost of \$3,260, second by Commissioner Haack. Upon discussion, President Obenauer said there are other pumps at the old shop that, if they can't be used, should be sold or scrapped out. On roll call vote; Stern, "Aye", Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

Street/Cemetery: Commissioner Haack informed the board that the loop at the cemetery is complete and the crushed material worked very well in this area. Several meetings ago the commission discussed purchasing a new sand spreader for ice control. Commissioner Haack reminded the board that the quote, of \$6000, for a replacement, stainless steel, spreader would be honored through the end of September. Commissioner Haack moved to approve purchase of the spreader, at a cost of \$6000, second by Commissioner Pillar. Upon discussion, Commissioner Stern asked if this was a steel body with plastic liner and Commissioner Haack stated it is a stainless-steel spreader, slightly smaller than the current spreader. President Obenauer asked about the old spreader and PW Director Neuberger stated the motor on the old spreader could be salvaged and advertised for sale. On roll call vote; Haack, "Aye", Pillar, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried. Commissioner Haack informed the board that the Sterling dump truck was inspected and recommended repairs could be completed by our staff. Commissioner Haack would like to see the city

make the recommended repairs, with the work to be completed by city staff. When asked, PW Director Neuberger did not feel the third axle was necessary on the truck. Commissioner Haack moved to approve the purchase of a new hoist cylinder and fittings and to remove the third axle, with work to be completed by city staff, second by Commissioner Wolf. On roll call vote; Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried. President Obenauer would like PW Director Neuberger to work with Pride Contracting to make repairs to the new apron poured on 3rd Street NW after a bicycle drove through the wet concrete. Commissioner Stern said the site was marked with small cones but didn't have any type of barrier tape. Mr. McCarthy asked if the city requires similar projects to be fenced and he was advised there is no such requirement.

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

Police/Fire/Forestry: Commissioner Pillar informed the board that the fire department responded to five (5) vehicle crashes, 1 structure fire false alarm, one aid fire in Beulah, 2 wildland fires (hay bales) and one rescue call. Commissioner Pillar said he will be accompanying Forester Doll to Fargo, on September 23rd, to receive an award recognizing Hazen's Tree City effort.

HCD: Buster Langowski will report HCD information later in the meeting.

CORRESPONDENCE

Property Lease/Purchase Proposal – S. Gowin: The commission received a lease/purchase proposal from Steve Gowin to purchase certain real property held by the City. President Obenauer stated he is not real interested in selling any property and there is a question as to the need to publicly advertise the sale of city property. In discussing a lease of property Attorney Kaffar said it may depend on the length of the lease term but should be advertised. Commissioner Stern said to lease the alley, to be improved at his expense, may be an option but should be discussed with adjacent property owners, especially since the city has provided one property owner an ingress/egress easement. Mr. Gowin will be invited to the next meeting and Auditor Erhardt will prepare an advertisement for sale/lease of the property for publication.

OLD BUSINESS

Proposed Hotel – Investor's Name Change: Buster Langowski informed the commission that, in the past, they had previously approved a renaissance zone application of Hazen Hotel Investors LLC and that the name needs to be corrected to properly reflect the Great Stay Hazen Hotel Investors LLC to keep the project moving forward. Mr. Langowski said the renaissance zone board recommends approving the name change under the same terms previously approved. Commissioner Stern asked about the reason for the name change and Mr. Langowski said this is a new developer and investor group that has completed all other necessary filings. The project is moving forward and is awaiting approval from USDA for funding and hopes to begin construction this fall. Commissioner Haack moved to approve renaissance zone application of Great Stay Hazen Hotel Investors LLC under the same terms

and conditions of the Hazen Hotel Investors LLC, second by Commissioner Wolf. On roll call vote; Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Mr. Langowski said siding is expected to be completed this week on the Hazen Pioneer Apartments and they have started work on grading and landscaping. All Interior work is nearly complete and they hope to turn the project over to the Hazen Housing Authority/Hazen Pioneer Apartments by mid-October. Retterath and HJL are doing qualifications of a list of potential residents and the HCD board will be touring the facility in early October. President Obenauer asked when they hope to start work on the alley adjacent to the apartments and Mr. Langowski stated he is not certain.

Police Department Staffing: Commissioner Pillar stated the intention of Chief of Police Dahl to retire at the end of the year was made public. Commissioner Pillar has offered the Chief position to Sargent Wolff and indicates they will not be filling the sergeant position now. Commissioner Pillar would like to advertise the opening for a patrol officer. Commissioner Pillar moved to accept the letter of resignation of Chief Dahl effective December 31, 2107, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

NEW BUSINESS

ND DOT Transit Section – FY 2018 Grant Contract: Auditor Erhardt informed the commission that the Hazen Busing program was awarded \$82,210 in federal funding for fiscal year 2018. Commissioner Wolf moved to approve contract with ND DOT for FY2018 funding, second by Commissioner Stern. On roll call vote; Wolf, "Aye", Stern, "Aye", Pillar, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

WRT Fiber Update/WAN: Auditor Erhardt informed the commission that West River Telecom is transitioning city hall and the bus facility to fiber and that as part of this process the city had agreed to set up a VLAN connection at a speed of 10/10 Mbps. It was recommended that the city consider a WAN connection at speed of 10/100 Mbps as it will work more efficiently with city surveillance systems. The difference in cost is \$20/month. Commissioner Pillar moved to enter a WAN service connection of 10/100 Mbps for city hall and the bus facility, second by Commissioner Haack. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

Approval of Bills: Commissioner Pillar moved to approve the bills, second by Commissioner Haack. Commissioner Pillar asked about the home inspection by Mr. Wiest and Planner Senger indicate this was requested by the city for a property that appears to be in an unsafe condition. Pre-paid and bills approved for payment are as follows: Southwest Water Authority, 35920.32; Verizon Wireless, 495.74; NDUCFA, 55.00; Ameripride, 1002.37; Black Mountain Software, 100.00; Cenex, 898.03; Dakota Pump & Control Inc, 855.00; Dakota Supply Group, 1315.68; David Brousseau, 100.00; Discovery Benefits, 20.00; Dude Solutions, 5662.92; Ecolab Pest Elimination, 75.00; Hazen Hardware, 616.71; Hazen Motor Co, 229.75; Hazen Motor Farm Equipment Co, 4.50; Hazen Welding, 295.00; ITD, 10.30; J&M Hardware, 48.98; Lange Donovan & Kaffar PLLP, 1347.50; Loren Wiest, 1100.00; M&A Heating & Air, 1516.90; M&T Fire and Safety Inc, 292.00; Mandate Machinery Inc, 1246.63; Matthew Bender & Co, 279.61;

Mercer Co Treasurer, 4787.64; MDU, 4609.93; ND Dept of Health, 32.00; ND Safety Council, 250.00; NAPA, 816.51; ND One Call Inc, 92.55; POST Board, 45.00; Pitney Bowes, 431.52; Power Plan, 105.58; Ron Muth, 160.00; Roughrider Electric Coop Inc, 2728.77; Starion Bond Services, 37309.75; The Hub, 391.37; Tractor Supply Credit Plan, 116.90; Uniform Center, 240.00; West River Telecommunications, 962.27. On roll call vote; Pillar, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:38 PM CT. The next regular meeting of the commission will be Monday, October 2, 2017 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor