

**Hazen City Commission
Regular Meeting
January 15, 2024
Hazen City Hall**

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

Others Present: Jerod Klabunde (Moore Engineering), Police Chief Wolff, Attorney Donovan, Editor Arens, Auditor Erhardt, and Officer S Melberg.

The meeting was called to order at 5:39 PM by President Obenauer.

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

Minutes: Commissioner Wiedrich moved to suspend the reading and approve the minutes of the January 2nd meeting, as presented, second by Commissioner Stern. Motion unanimously approved.

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

CONSULTATION WITH ATTORNEY AND ENGINEER

Engineer's Report: Jerod Klabunde, Moore Engineering, met with the commission to discuss plans and specifications for various projects scheduled for the city, which he recommends bidding as separate contracts. First, Mr. Klabunde advised the commission that there is no current activity on repairs in Expedition Estates and he has set a reminder to get a schedule for the work as spring nears. Regarding the alley north of Main Street from Central Ave to 1st Ave NW, Mr. Klabunde is hoping to receive approval of the plans/specifications and to authorize the advertisement for bids. Originally, there was reason to believe that a storm sewer was near the alley but, this is not the case. The plans have been modified to complete a concrete alley construction with a .4% or .5% slope like the alley by the post office.

Regarding the sewer spot repairs, as discovered from the televising of the system, Mr. Klabunde said there are fifteen (15) spots that need repairs with thirteen (13) of them requiring excavation. Following repairs, the city will need to consider lining many areas of clay pipe to prevent future collapse or damage.

Regarding replacement of city water meters, Mr. Klabunde has prepared specifications for the project, to be complete with meters, reading systems, and installation, which will be advertised and sent to at least five (5) vendors soliciting bids. There was discussion about soliciting bids or simply making a request for proposals (RFP) as Attorney Donovan indicated the RFP can be more favorable for the city as it allows the city to negotiate costs. President Obenauer asked if the state requires any specific method to determine project costs and was advised that they state is most concerned with documentation to provide best value to the residents. In response to a question of Commissioner Stern, Mr. Klabunde stated the specifications are good but, one vendor may be able to provide materials sooner than another so he would like a committee to review, and score, the bids to allow the city some flexibility in looking at all factors affecting the project to determine the responsible

bidder. Commissioner Haack agreed that the ability to consider all factors was important. Attorney Donovan stated that bidding is not necessary as this project is not an open market project because limited vendors would be able to meet the specifications. Mr. Klabunde said the request for different information such as availability, subscription and annual fees are important to look at the overall life-cycle costs of the project. There was discussion about installation affecting the bid cost and Mr. Klabunde stated that two (2) budget estimates had been received and they were close in cost. To open bids prior to the February 8th State Water Commission meeting the notice for bids needs to be published in the official newspaper this week, bids can then be opened on February 6th, before the state meeting. Mr. Klabunde said the alley bids and sewer spot repairs could be opened the week after for action at the February 19th meeting. Commissioner Wiedrich moved to accept the plans, and specifications, for the alley project, meter replacement project and the sewer spot repair project and to authorize advertising for bids, second by Commissioner Haack. Upon discussion, Commissioner Stern had a question about the cost of the sewer spot repairs and was advised that it will be approximately \$200,000 and Commissioner Stern then asked about funding for the spot repairs. These repairs would be funded through reserve funds and state/federal legislative funds. President Obenauer then asked if there was a priority list of the spot repairs and the commission then reviewed reports presented by the engineer previously. Mr. Klabunde stated the city's sewer system is in good condition with the locations discussed needing attention soon. Commissioner Stern would like to have the cost of the sewer repairs assessed to the affected blocks and the commission discussed the process for water break repairs and how costs, depending on which side of the curb stop the repair is on, falling to the property owner or the city. Mr. Klabunde agreed that the cost of lining sanitary sewer lines would need to be assessed appropriately upon benefited properties when this work is done. There was further discussion about the scope of the sewer repairs and a cost exceeding \$1 million. Commissioner Wiedrich moved to amend the motion to approve plans and specifications for the alley and meter project, excluding the sewer repairs, second by Commissioner Stern. On roll call vote: Wiedrich, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", the amendment was approved. The roll call vote on the motion, as amended: Wiedrich, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion, as amended, carried. Mr. Klabunde will redo the map of the sewer spot repairs and break down the costs by area.

Commissioner Pillar asked about the plans/specifications to upgrade the lift station communications and was advised that these specifications are still being prepared and quotes will be requested from vendors capable of completing the work. Commissioner Pillar said there was recently an incident where there was an issue at a lift station one afternoon and staff was not aware of it until late at night.

REQUEST OF CITIZENS

Local Permit-Raffle – Hazen Figure Skating Club:

Local Permit-Raffle – Hazen Wrestling Club: Commissioner Pillar moved to approve Local Permit #2024-03 as requested by the Hazen Figure Skating Club for a raffle to be held on March 24, 2024, and to approve Local Permit #2024-04 as requested by the Hazen Wrestling Club to conduct a 50/50 Raffle on February 11, 2024, second by Commissioner Haack. Motion unanimously approved.

INTRODUCTION, READING, AND APPROVAL OF ORDINANCES

Ordinance Amendment – 19.0111 – Dedication of Tax Proceeds: Based on discussions from the previous meeting about the dedication of sales tax funds for infrastructure projects, the commission reviewed proposed language to update the ordinance. Anyone with suggestions was to provide them to the city auditor and the commission will have the first reading of the proposed change at the February 5th meeting.

REPORTS

Water/Sewer/Garbage: Commissioner Pillar informed the board that he has had discussions with the water/sewer staff and there are small issues with a few of the current meters and staff is determining what inventory needs to be on hand to address any meter issues that need repairs.

Street/Cemetery: Commissioner Haack informed the board that public works staff had moved snow on some streets where it had accumulated and that the second snow gate is nearing completion.

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

Police/Fire/Forestry: Commissioner Wiedrich informed the board that the police department has received some quotes to replace the shotguns that are quite old and hard to find parts for repairs. Officer Beyer recommends purchasing Sauer Defender shotguns. Commissioner Wiedrich indicated this is weapon utilizes German technology, assembled in Italy and that there are few vendors in North Dakota. Chief Wolff provided pricing for Mossberg shotguns and the commission would like further information on purchasing the weapons locally. Chief Wolff also spoke about the need for a .22 Rifle but had no recommendation at this time. No further action taken.

Commissioner Wiedrich informed the board that he had received a quote for the purchase of a 2024 Chevrolet Silverado Police Pursuit Vehicle from Caldwell Country Chevrolet at a cost of \$63,603.00, delivered. Commissioner Wiedrich moved to approve the purchase of the Chevrolet Silverado PPV and to include equipment and upfitting, second by Commissioner Haack. Upon discussion, the most recent costs to purchase/install equipment in the 2021 Tahoe was between \$8,000 and \$10,000. It was estimated this vehicle will cost around \$20,000 to upfit and equip. Chief Wolff was unsure about the current lightbar fitting the new vehicle and Commissioner Wiedrich said this vehicle would be “turn-key” including graphics. Commissioner Wiedrich said the motion is only for the purchase of the vehicle as the city is still waiting for a quote on the costs to upfit and equip it. Commissioner Stern suggested waiting to move forward until a complete quote, vehicle, equipment, and upfitting costs were known. Commissioner Wiedrich was concerned that this vehicle, which is in stock, may not be available for long and didn’t want to have to consider another type of vehicle which has been discussed and is not preferred by staff. Commissioner Pillar commented that any vehicle, other than another Tahoe, is likely to incur costs for equipment and upfitting. On roll call vote: Wiedrich, “Aye”, Haack, “Aye”, Pillar, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

HCD: Buster Langowski was absent. No report.

President: President Obenauer informed the board

CORRESPONDENCE

Aramark Service Agreement: The commission reviewed a proposed service agreement with Aramark for janitorial supplies and equipment. Commissioner Pillar asked if there were any other companies

that could provide a similar service and asked the auditor to get more information for the February 5th meeting. No further action was taken.

Audit Retainer Letter – Rath & Mehrer P.C.: Commissioner Pillar moved to retain Rath & Mehrer, P.C. to conduct the audit of city financial information for the year ending December 31, 2023, at a proposed cost of \$11,000, second by Commissioner Wiedrich. On roll call vote: Pillar, “Aye”, Wiedrich, “Aye”, Haack, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

OLD BUSINESS

Resolution Confirming Assessments – Hazen Improvement Project District #2022-01: Commissioner Wiedrich moved to approve the Resolution Confirming Assessments and Directing Certification and Levy for Hazen Improvement Project District #2022-01, second by Commissioner Haack. The resolution and assessments were corrected after the commission approved increased sales tax funding to reduce the project costs. On roll call vote: Wiedrich, “Aye”, Haack, “Aye”, Pillar, “Aye”, Stern, “Nay”, Obenauer, “Aye”, motion carried.

NEW BUSINESS

2023-2024 Budget Amendments: Commissioner Stern moved to approve the following budget amendments to the 2023 City Budget, second by Commissioner Pillar. General Fund Revenue, increase of \$88,209.14; Highway Distribution Fund Revenue, increase of \$3,372.67; Transportation Fund Revenue, increase of \$25,420.86; Prairie Dog Funds Revenue, increase of \$55,327.15; Promotions/Capital Construction Fund Revenue, increase of \$13,598.62 and Expenditures, increase of \$13,598.62; Hazen City Sales Tax Fund Revenue, increase of \$83,356.36 and Expenditures, increase of \$259,752.17; Flood Protection Fund Expenditures, increase of \$83.75; Sanitary Sewer Fund Revenue, increase of \$141.03; Elbowoods Water/Sewer Fund Revenue, increase of \$194.32 and Expenditures, increase of \$0.81; 2014 Street Project Funds Revenue, increase of \$1,774.49; 2016 Street Project Fund Revenue, increase of \$292,492.42 and Expenditures, increase of \$103.44; 2018 Street Project Fund Revenue, increase of \$93,850.38 and Expenditures, increase of \$15,249.18; Water Utility Fund Revenue, increase of 415,871.06 and Expenditures of \$109,374.72; Sewer Utility Fund Expenditures, increase of \$67,063.53; Sanitation Utility Fund Revenue, increase of \$6,507.12; Library Fund Revenue, increase of \$14,969.17 and Expenditures, increase of \$3,564.17. On roll call vote: Stern, “Aye”, Pillar, “Aye”, Haack, “Aye”, Wiedrich, “Aye”, Obenauer, “Aye”, motion carried.

The commission reviewed proposed budget amendments of the 2024 Fire Department budget based on discussions Commissioner Wiedrich had with Chief Beery and Asst. Chief LeMasters. The proposed amendments do not change the amount of the final budget and only adjust expenditures estimates of certain budgeted items. Commissioner Haack moved to approve amendments to the 2024 Fire Department Budget as follows, second by Commissioner Stern. Reduce the part-time employee budget to \$2,000; reduce the firefighter insurance budget to \$1,500; reduce the radio/tower budget to \$500; reduce the operation and maintenance budget to \$1,000; reduce the small equipment budget to \$3,000; reduce the truck repairs budget to \$2000; increase the safety equipment/gear budget to \$6,500; reduce the chemical budget to \$1,200; increase the new equipment reserves budget to \$15,700. On roll call vote: Haack, “Aye”, Stern, “Aye”, Pillar, “Aye”, Wiedrich, “Aye”, Obenauer, “Aye”, motion carried.

Lot Purchase Request – Sletten Excavating: The commission reviewed a request of Sletten Excavating inquiring about the availability and cost to purchase the city lot south of the city shop. Mr. Sletten is contracting more work in the area and is looking for a location to have equipment and water availability. Commissioner Pillar suggested leasing the property and President Obenauer questioned if he would want to have some type of structure on the property. The commission looked at other commercial property values of the area in trying to determine the best way to address the request.

Attorney Donovan recommended the city publish the lots for sale and, if they wish, to put a minimum price on them when published. The lot in question is east of the commercial lot owned by Williams Builders and the city ash pit is at the location. The auditor was directed to inquire more about the use of the lots and structures that may be on the property in the future. No further action was taken.

PUBLIC COMMENTS

No public comments were received at this time.

Approval of Bills: Commissioner Wiedrich moved to approve the bills, as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Universal Premium Fleetcard, 730.63; AED Everywhere, 114.90; Aramark, 376.07; Cenex, 2027.02; Dakota Fire Extinguishers, 698.57; Dakota Transit Assoc, 240.00; Donovan & Kaffar PLLP, 1200.00; Dustin Wiedrich, 93.00; Ecolab Pest Elimination, 130.79; Elan Financial, 168.44; Fastenal, 49.74; Fitterer Oil Hazen, 402.79; Fitterer Oil LLC, 1299.00; Further, 6.50; Hazen Motor Co, 168.42; Hazen Parks & Rec, 14047.10; Hazen Star, 986.03; Hazen Welding, 557.50; ITD, 28.30; M&A Heating, 962.64; M&T Fire & Safety, 830.00; Mercer Co Sheriff’s Dept, 14000.00; Mercer Co Treasurer, 67817.19; MDU, 4844.13; Moore Engineering Inc, 7640.28; ND Dept of Health, 50.00; NAPA, 435.43; ND One Call Inc, 1.30; Northern Safety Co, 118.26; OK Tire Store, 470.94; Roughrider Electric Coop Inc, 4480.76; SMC Foundation, 25000.00; Stamps.com, 215.27; The Hub, 630.96; Union State Bank, 37583.79; West River Telecommunications, 1073.04. On roll call vote: Wiedrich, “Aye”, Stern, “Aye”, Haack, “Aye”, Pillar, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business, the meeting was adjourned at 6:57 PM CT. The next regular meeting of the commission is scheduled for Monday, February 5, 2024, at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor