

**Hazen City Commission
Regular Meeting
June 2, 2025
Hazen City Hall**

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

Absent: Commissioner Folkerts and Commissioner Wiedrich

Others Present: Editor Arens, PW Director Brousseau, Attorney Donovan, Austin Clarys, Chief Wolff, and Auditor Erhardt.

President Obenauer called the meeting to order at 5:30 PM.

President Obenauer led the pledge of allegiance and said the prayer.

Minutes: Commissioner Haack moved to suspend the reading and approve the minutes of the May 19th regular meeting, as presented, second by Commissioner Stern. Motion unanimously approved.

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

CONSULTATION WITH ATTORNEY AND ENGINEER

Engineer's Report: The commission reviewed the written engineer's report. Auditor Erhardt had been contacted about completion of the alley project and was advised that work is to be started soon and the final completion date for the project is July 18th. No further action taken.

INTRODUCTION, READING, AND APPROVAL OF ORDINANCES

Chapter 9 – Fireworks Ordinance Discussion: Commissioner Stern moved to approve the second reading of the proposed fireworks ordinance with the changes discussed at the May 5th meeting incorporated, second by Commissioner Haack. Upon discussion, Attorney Donovan questioned the possibility of imprisonment contained in the penalty section of the ordinance as this was part of the model ordinance when initially adopted. On roll call vote: Stern, "Nay", Haack, "Nay", Obenauer, "Nay", motion defeated. Commissioner Stern moved to remove the possibility of imprisonment from the penalty portion of the proposed ordinance, second by Commissioner Haack. On roll call vote: Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried. The second reading of the revised ordinance will be conducted at the June 16th meeting.

Personnel Policy Revisions – Travel/Holiday Policy: As part of a federal transit audit, it was determined and recommended that the city adopt a formal travel policy to clarify per diem/mileage amounts and to revise the holiday policy to properly address holiday compensation of part-time employees. The travel policy will follow and adopt GSA mileage and per diem rates and to clarify that holiday compensation for the transit department will rotate among the employees with one receiving eight (8) hours holiday time and others receiving three (3) hours per holiday rotated among them. Commissioner Stern moved to approve the policy revisions, as presented, second by Commissioner Haack. On roll call vote: Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

APPROVAL OF APPLICATIONS AND BUILDING PERMITS

Variance Request – Puckett Accessory Use Building: Austin Clarys, Western Steel Builders, appeared before the commission regarding the previously discussed request for variance for the Puckett accessory use building. There was conflicting information regarding the easement along the water main

that is located on the property line of Mr. Puckett's two (2) lots. Mr. Puckett had provided to Mr. Clarys a document stating that there is a ten-foot (10') easement on the west property line for the water line relocated by the city and the city has a recorded easement of a twenty-foot (20') easement, ten feet (10') on each side of the property line. Based on the recorded easement, the property owner is requesting a five-foot (5') variance on the south side of the property line separating lots 9 and 10, block 3, West Hazen addition. The commission was informed that the concrete slab for the building was poured over the weekend and Mr. Clarys indicated he was not aware it was going to be poured and assumed the contractor had an opening and proceeded with the work. Attorney Donovan asked if the document Mr. Puckett had was part of a contract and was advised that it appeared to be part of the listing document. Commissioner Haack had no objection to the requested variance but was concerned that the contractor proceeded with work prior to approval. Commissioner Stern moved to approve a five-foot (5') variance on the easement of lot 9, blk 3, W Hazen Addition, as requested by Eli Puckett, second by Commissioner Haack. On roll call vote: Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

REPORTS

Water/Sewer/Garbage: Commissioner Stern had nothing to report at this time. PW Director Brousseau advised the commission that the spare garbage truck was back in service with repair costs approximately \$2000, included with the bills for approval. PW Director Brousseau stated he has nothing new to report on the transmission repairs of the International garbage truck.

Street/Cemetery: Commissioner Haack had nothing to report at this time.

Finance/Busing/Library: Commissioner Folkerts absent. No report.

Police/Fire/Forestry: Commissioner Wiedrich absent. No report but the calls for service report is available if the commissioners wished to review it. President Obenauer asked about the new police department member and Chief Wolff advised that he is doing well and has started the online portion of his training and will begin onsite training in a week. When asked about the new patrol vehicle, Chief Wolff informed the commission that some of the upfit parts had arrived damaged and were reordered but the hope is the vehicle will be delivered prior to the touch a truck event in July.

HCD: Myra Savelkoul absent. No report.

President: President Obenauer wished to congratulate the Chalk Fest Committee on the funding opportunity.

CORRESPONDENCE

Mercer County Fair Advertising: Commissioner Stern moved to approve a ¼ page advertisement in the Mercer County Fair tab at a cost of \$125 or \$165 for color ad, second by Commissioner Haack. On roll call vote: Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

Behavioral Health Summit Registration: As part of the city's sponsorship of the Behavioral Health Summit, one complimentary attendance registration is included. The commission was asked to inform the auditor if they would like to attend or another staff member will be asked to attend the summit.

OLD BUSINESS

Propane Bid Opening: On May 1, 2025, an Invitation to Bid Propane Fuel was published in the Hazen Star advertising the opening of bids at the regular meeting of the commission on June 2, 2025. Propane bids were received from: Ferrellgas - \$1.289/gallon; Farmers Union Oil - \$1.32/gallon; and Fitterer Oil - \$1.29/gallon. It was discussed that the city has not used Ferrellgas in many years and

that they do have a presence in Mercer County. There was discussion about the quantity of fuel purchased in the previous year and the dividend distributed by the coop. Commissioner Stern moved to accept the bid of Farmers Union Oil in the amount of \$1.32/gallon for the period of June 1, 2025, to May 31, 2026, second by Commissioner Haack. On roll call vote: Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

NEW BUSINESS

FY2026 Transit Grant Certification & Assurances: The commissioners were provided with a copy of the Federal Transit Administration certifications and assurances as required for the 2026 transit grant. These are an annual requirement to receive federal funds to support the public transit section. Commissioner Stern moved to approve the certifications and assurances, as presented, second by Commissioner Haack. On roll call vote: Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

PUBLIC COMMENTS

No public comments were received.

Approval of Bills and Financial Statements: Commissioner Haack moved to approve the bills as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: US Postal Service, 385.50; Arnston Stewart Wegner PC, 6533.28; Bloom'n House, 52.00; Chip Wizard, 40.00; Cory Beery, 300.00; D&E Supply, 182.67; Dakota Pump & Control, 11217.90; Ecolab, 139.95; Elan Financial Service, 1920.75; Elmer Gabel, 100.00; Hazen Mercantile, 739.28; Hazen Rural Fire Dept, 1743.34; Hazen Star, 2283.28; Jen Wallender, 1470.00; Krause's, 26.70; Lucky's Towing, 350.00; Mandate Truck Center, 2026.03; Marco Technologies LLC, 413.15; Modern Marketing, 503.95; Moore Engineering Inc, 9392.00; ND Dept of Environmental Quality, 125.00; ND Housing Finance Agency, 39.02; NAPA, 597.81; Pam Borlaug, 81.20; Roughrider Electric Coop, 55.00; SW Water Authority, 40679.10; Stamps.com, 92.01; Tractor Supply Credit Plan, 277.96; USA Blue Book, 573.57; Verizon Wireless, 423.37; Vestis, 429.09. On roll call vote: Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

There being no further business, the meeting was adjourned at 6:06 PM CT. The next regular meeting of the commission is scheduled for Monday, June 16, 2025, at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor