

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

Present: Commissioner Folkerts, Commissioner Haack, Commissioner Stern and Commissioner Wiedrich.

Others Present: PW Director Brousseau, Attorney Kaffar, Ed Kinvig (Titan), Scott Owens, (RDO), Myra Savelkoul, Officer S. Melberg, Officer Blekestad, Dan Pillar, Jerod Klabunde & Aiden Kelly (Moore), and Auditor Erhardt.

Vice-President Haack called the meeting to order at 7:15 PM.

Vice-President Haack led the pledge of allegiance and said prayer.

Minutes: Commissioner Wiedrich moved to suspend the reading and approve the minutes of the August 18th meeting, as presented, second by Commissioner Folkert. Motion unanimously approved.

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

CONSULTATION WITH ATTORNEY AND ENGINEER

Engineer's Report: The engineers report was covered later in the meeting when Moore Engineering representatives arrived.

Board Vacancy: The commission was informed that no petition for special election to fill the vacant seat of President Obenauer had been received within the fifteen (15) days of the declared vacancy. Attorney Kaffar reviewed options including calling for a special election, appointment by the commission, or no action. Commissioner Wiedrich asked about waiting until the next election and not appointing to which Attorney Kaffar indicated that he respected the idea to honor Mr. Obenauer but that the public could feel they have less of a voice in city matters without a full commission and the possibility of deadlock with a four (4) member board. Commissioner Haack spoke about appointing someone from the current commission thereby creating a vacancy on the commission that would then be up for special election or appointment. Commissioner Stern would like to make an appointment, waiting for at least one meeting to see if there is interest in the position and that anyone on the current board could express interest in the position. Commissioner Wiedrich moved to advertise for the position of commission president with notices of intent to be received until 5:00 PM on September 29th with the commission reviewing the notices and acting at their regular meeting on October 6th, second by Commissioner Folkerts. Upon discussion, Dan Pillar asked if this is an appointment for the unexpired term and was advised that it is. On roll call vote: Wiedrich, "Aye", Folkerts, "Aye", Stern, "Aye", Haack, "Aye", motion carried.

REQUEST OF CITIZENS

Local Permit-Raffle – Hazen Area Dollars for Scholars: Commissioner Wiedrich moved to approve local permit #2025-14 as requested by Hazen Area Dollars for Scholars to conduct raffle drawings each week from September 8 to December 29, to fund scholarships, second by Commissioner Stern. Motion unanimously approved.

Local Permit-Raffle – Hazen Public School NHS: Commissioner Wiedrich moved to approve local permit #2025-15 as requested by Hazen Public School – National Honor Society to conduct 50/50 raffles on

September 19 and October 3rd to fund educational activities and events, second by Commissioner Folkerts. Motion unanimously approved.

Local Permit-Bingo – Hazen FCCLA: Commissioner Wiedrich moved to approve local permit #2025-16 as requested by the Hazen FCCLA to conduct bingo games on September 6 to fund activities and events, second by Commissioner Folkerts. Motion unanimously approved.

Amended Parade Route: The commission was advised that the Harvest Fest parade route had been relocated for staging on 9th Ave NW with the route then travelling Main Street to 3rd Ave NW then north to 7th Street (at NAPA) where it will end. There was discussion about other alternatives such as 7th Street NE near the theatre or staging along 3rd Street between 5th Ave and 9th Ave NW. No further action taken.

INTRODUCTION, READING, AND APPROVAL OF ORDINANCES

Off-Highway Vehicle (Golf Cart) Ordinance Discussion: The commission addressed the proposed golf cart ordinance and was advised that Attorney Donovan suggested they may wish to wait until a full board is in place. Commissioner Haack does not wish to see golf carts travelling along the shoulder of Highway 200 and Commissioner Folkerts spoke about the lack of enforcement ability without any type of ordinance in place. Officer S. Melberg indicated the police department is seeking a solution to a past issue and of the need to set expectations regarding golf cart operation and enforcement. Commissioner Stern spoke about the trail that used to be in the ditch south of Highway 200 where golf carts used to travel from town to the course. Commissioner Stern moved to approve the second reading, and adopt the golf cart ordinance, as presented, second by Commissioner Wiedrich. On roll call vote: Stern, "Aye", Wiedrich, "Aye", Folkerts, "Aye", Haack, "Aye", motion carried. Commissioner Folkerts would like to see some detailed information shared with the public via the newspaper, city website and social media. Attorney Kaffar suggested that, in addition to the normal publication required, that a reminder of the ordinance be published in the spring when golf activities begin.

REPORTS

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

Street/Cemetery: Commissioner Haack had nothing to report at this time. PW Director Brousseau reported that he toured the city with the state forester in preparation of seeking grants for Emerald Ash Borer control.

Finance/Busing/Library: Commissioner Folkerts informed the board that the public hearing regarding changing fees for demand response, school riders and weekly Bismarck trips was held, and no one appeared to comment on the proposed changes. Commissioner Folkerts moved to change the fees of school riders and demand response riders to \$1.50/ride and to change the fee for transportation to/from Bismarck to \$15/ride, effective October 1, 2025, second by Commissioner Wiedrich. On roll call vote: Folkerts, "Aye", Wiedrich, "Aye", Stern, "Aye", Haack, "Aye", motion carried. The city is still seeking a proposal for a commercial appraisal regarding the transit facility and purchase of the federal share. Commissioner Wiedrich inquired if the busing director has acquired a permit/license for transit vehicle operation and Commissioner Folkerts had not asked.

Police/Fire/Forestry: Commissioner Wiedrich reported fire department calls for service which included a lift assist on 8/4 and a motor vehicle accident on 8/11. Officer S. Melberg introduced Officer Blekestad and reported that he is completing field training after successfully completing the law enforcement training academy. Commissioner Wiedrich inquired about needed equipment for the 2016 police vehicle and Officer S. Melberg will bring this to Chief Wolff's attention.

HCD: Myra Savelkoul informed the commission that the HCD Board is completing the 2026 budget and will

present it in the future however, there is no requested change in the levy. Ms. Savelkoul reported that a meeting of the Pioneer Apartment Board has been scheduled as they have maintenance matters to review.

President: No report.

OLD BUSINESS

Award Wheel Loader Bid: The commission addressed the bids received on August 18th for the purchase of a new wheel loader. Commissioner Wiedrich asked and PW Director Brousseau indicated that all the bids were similar and met the minimum specifications. Commissioner Wiedrich moved to purchase the Komatsu loader at a cost of \$244,400. Ed Kinvig (Titan Machinery) asked if Komatsu was the lowest bidder that was 100% to specification. Commissioner Wiedrich indicated that, his discussion with PW Director Brousseau, indicated all bids were similar in meeting specifications and then spoke of litigation regarding John Deere's right-to-repair practices and that he is aware of issues with Case equipment. Scott Ownes, RDO Equipment, asked if the issue is with John Deere or RDO and Commissioner Wiedrich said it is because of the litigation with John Deere and that the city is not going to trade equipment opting to sell current city equipment outright. Mr. Kinvig then asked about the bid spec and personal preference. Mr. Owens then asked if there is concern about operation of the John Deere equipment the city has had for twenty years, and Commissioner Wiedrich again spoke of the ongoing litigation of John Deere's right-to-repair policy now in the courts. There was discussion on the trade-in and the city's option to trade-in current equipment or not. Mr. Kinvig indicated that the Case loader is the only equipment manufactured in North Dakota. PW Director Brousseau said he reviewed the information and brochures with the staff, and their preference was the CAT loader. Vice-President Haack called for a second of the motion, three times, and receiving none declared the motion dead for lack of a second. Commissioner Stern then commented that the city has not always been awarded to the low bidder on equipment specs. Commissioner Folkerts moved to purchase the CAT loader at a cost of \$265,300 w/out trade-in, second by Commissioner Stern. Upon discussion, Commissioner Stern asked about maintenance and PW Director Brousseau indicated that city staff performs routine maintenance on city equipment. On roll call vote: Folkerts, "Aye", Stern, "Aye", Wiedrich, "Nay", Haack, "Aye", motion carried. Vice-President Haack stated that he is not familiar with all the loaders, so he trusts the operators to make recommendations.

NEW BUSINESS

Request for Duplicate Warrant – T-M Tree Service: The commission reviewed a request for a duplicate check as requested by T-M Tree Service. The service did tree removal for the city and payment was mailed on August 5th. This check has not yet been received by T-M. Commissioner Wiedrich moved to approve the request for duplicate check, in the amount of \$3025.00, as requested by T-M Tree service, second by Commissioner Stern. Motion unanimously approved.

PUBLIC COMMENTS

No public comments were received.

Approval of Bills: Commissioner Wiedrich moved to approve the bills, as presented, second by Commissioner Folkerts. Pre-paid and bills approved for payment are as follows: US Postal Service, 434.53; Dana Safety Supply, 32605.00; Catalis PWE, 4488.00; Christy Metz, 19.00; Hazen Flex Acct, 100.00; CVB, 4816.93; Cory Beery, 300.00; D&E Supply, 309.08; Dakota Supply Group, 1955.30; Danielle Keith, 180.00; Donovan & Kaffar PLLP, 1650.00; Ecolab, 139.95; Hazen Mercantile Inc, 239.56; Hazen Parks & Rec, 17500.00; Hazen Star, 663.85; J&M Hardware, 1369.98; Jim Block, 95.00;

Krause's, 29.94; MaintainX, 156.89; Marco Technologies LLC, 413.15; Matthew Bender & Co, 110.86; Millennium Express, 39.00; Moore Engineering Inc, 20786.20; OK Tire Store, 640.65; Pam Borlaug, 78.40; Ronnie Blekestad Jr, 103.60; Stein's Inc, 120.00; Tractor Supply Credit, 242.96; Union State Bank, 37452.81; USA Blue Book, 106.67; Verizon, 423.37; Vestis, 429.09; West Dakota Lumber, 14.99. On roll call vote: Wiedrich, "Aye", Folkerts, "Aye", Stern, "Aye", Haack, "Aye", motion carried.

As the commission waited for the engineering team to arrive, they advised Mr. Pillar that the golf cart ordinance was not part of review but because of citizen concerns. Mr. Pillar also asked about e-bikes and there was general discussion about e-bikes and other statutory items with no action taken.

CONSULTATION WITH ATTORNEY AND ENGINEER

Engineer's Report: Prior to the arrival of the engineering team, the commission was advised that the main topic of the engineer's report was the DOT Flex Fund grant and the possible work on County Road 27, north of the bridge, to address the poor condition. Commissioner Stern commented that he remembered comments from a previous meeting about a poor foundation when the box culverts were installed.

At 8:34 PM the engineering team arrived at the meeting. Jerod Klabunde, Moore Engineering, discussed the condition of County Road 27 stating that the bridge is maintained by the county but the roadway north of it would be maintained by the city and stated, to properly address the issue would require soil borings. Commissioner Wiedrich asked if the box culvert and roadway were designed for 105,500 pounds on them as now approved by the county. Mr. Klabunde was not certain of the design capacity and indicated that the city could apply for additional funding from the Flex Fund to address these concerns. Mr. Klabunde then spoke about the criteria used in evaluating projects for funding. In response to a question, Mr. Klabunde said a "band aid" repair could last five to ten years as the city seeks additional funding to properly address the issue. The engineer has nearly completed an application to address the roadway on 7th Street NE and 4th Ave NE (near Cenex) and there was concern that these projects could then be competing against each other. Mr. Klabunde said he could get a budgetary quote to level and overlay this area, along with repairs to the sidewalk, and would also look at "mud-jacking" options and costs for the sidewalk repair. Vice-President Haack would like the engineer to gather more information and bring it before the commission with Commissioner Stern suggesting that the city not spend money for repairs if the base under the box culvert is bad. PW Director Brousseau also recommended review of the areas near the bridge that were filled with flowable products a few years ago in case they also need to be addressed. No further action taken.

There being no further business, the meeting was adjourned at 8:54 PM CT. The next regular meeting of the commission is scheduled for Monday, September 15, 2025, at 7:15 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jason Haack, Vice-President

Attest: _____
Monte J. Erhardt, Auditor