

**Hazen City Commission
Regular Meeting
October 16, 2023
Hazen City Hall**

Present: Commissioner Pillar, Commissioner Stern and Commissioner Wiedrich.

Absent: President Obenauer and Commissioner Haack

Others Present: Attorney Kaffar, PW Brousseau, Grant Dockter (Moore Eng), Editor Arens, Auditor Erhardt, Paul Krambeer, and Buster Langowski.

The meeting was called to order at 5:30 PM by Vice-President Pillar.

Vice-President Pillar led the Pledge of Allegiance and said the prayer.

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

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

CONSULTATION WITH ATTORNEY & ENGINEER

Engineer's Report: Grant Dockter, Moore Engineering, appeared before the commission and reviewed a map of assessment for the proposed alley project north of Main Street, from Central Ave to 1st Ave NW. Mr. Dockter provided the engineer's report detailing costs estimated for work on the alley (\$142,043.75), parking lot (\$233,125.00) and areas of private businesses that could be addressed under the project (\$123,643.75). The private areas would be at the expense of each business. Action this evening would be to accept the engineer's report to proceed with the project and request detailed plans and specifications to proceed with the project and to provide an opportunity for affected properties to protest. Commissioner Wiedrich moved to approve the engineer's report and proceed with the project, second by Commissioner Stern. Upon discussion, Commissioner Stern asked about bidding on the project and was advised information will be done to provide for a winter bid opening. On roll call vote: Wiedrich, "Aye", Stern, "Aye", Pillar, "Aye", motion carried.

Regarding the water storage tank project, Mr. Dockter provided pay estimate #4 to B & G Electric to close out their contract and pay the balance of retainage of \$4976.20. Mr. Dockter advised the commission that Tand Construction has completed punch list items and nearly all the patching work has been completed with the hope of closing their contract soon. Commissioner Stern moved to approve PE #4 to B&G Electric in the amount of \$4976.20, second by Commissioner Wiedrich. On roll call vote: Stern, "Aye", Wiedrich, "Aye", Pillar, "Aye", motion carried. Also, part of the project was an amendment to the agreement with the State Water Commission for an additional \$96,966 in funds. This amendment will be signed by the Commission President and returned to the state.

Regarding Expedition Estates, Moore Engineering is working with Williams Builders to find a company to lay asphalt this year but, this is becoming less and less likely. If no asphalt can be laid, they will require suitable material to ensure the road can be cleaned of snow and will stand up to spring thaw. Also, information about the lighting of the subdivision will be brought up later.

In other matters, the engineers will keep an eye on erosion conditions at the lagoon, assist with the

process to replace water meters, and submit the CWSRF questionnaire to the state. Commissioner Pillar said he had spoken to Mr. Klabunde about the water meter supplier meetings and of the hope to pursue this project in early 2024.

Settlement Agreement – Auen World Medical Staffing Inc: The commission was advised that no city funds were expended on the purchase of preferred stock from AWM Staffing and the city was only part of the agreement to “pass-through” CDBG funds. Attorney Kaffar said they could pursue getting reimbursed for upfront legal fees, but this process could cost more than any funds to be received. Commissioner Wiedrich moved to approve the Settlement and Release Agreement provided by Tim Auen, AWM Staffing, as presented, second by Commissioner Stern. Upon discussion, Commissioner Stern was advised that the funds were part of a Community Development Block Grant from the state and would be returned to the state. On roll call vote: Wiedrich, “Aye”, Stern, “Aye”, Pillar, “Aye”, motion carried.

REQUEST OF CITIZENS

Local Permit-Raffle – District 33 GOP: Commissioner Stern moved to approve local permit #2023-15, as requested by ND District 33 GOP to conduct a raffle on October 28, 2023, second by Commissioner Wiedrich. Motion unanimously approved.

Free/Reduced Hall Rent – Willow Butte Sunshine Club: Commissioner Wiedrich moved to approve free hall rent, subject to the kitchen fee, as requested by Willow Butte Sunshine Club for medical benefit fundraising, second by Commissioner Stern. Motion unanimously approved.

REPORTS

Water/Sewer/Garbage: Commissioner Pillar informed the board that a hydraulic cylinder was taken to Dakota Fluid Power for repairs and estimated cost of \$1000. There was discussion about having Hazen Motor Farm Equipment do this work and PW Director Brousseau indicated he has contacted them in the past, but they have been too busy to make the repairs in a timely manner. Commissioner Pillar said there will be continued discussion on the water meter replacement needs and that computer chips are also making availability of the meters limited with delivery estimates anywhere from one (1) to one and a half (1 ½) years out. Commissioner Pillar discussed lead water service line inventory processes with Mr. Klabunde and Moore Engineering has been tasked with assisting municipalities on the process with funding available from the state.

Commissioner Pillar said that candidates were interviewed for the water/wastewater/public works position and the recommendation is to offer the position to Brian Alderin. Commissioner Pillar moved to accept the recommendation and offer the position to Brian Alderin, at the wage advertised, second by Commissioner Wiedrich. Upon discussion, Commissioner Wiedrich was advised that Mr. Alderin would be willing to start as soon as possible. Motion unanimously approved.

Street/Cemetery: Commissioner Haack absent. No report. PW Director Brousseau indicated that sweeping of leaves continues and that the new loader tires will be installed on Wednesday, 10/18.

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

Police/Fire/Forestry: Commissioner Wiedrich informed the board that the fire department handled several motor vehicle accident calls and a few fire calls. Nothing to report for the police or forestry

departments.

HCD: Buster Langowski informed the commission that MCED made a request for county funding to assist in operating, studies, and grant writing processes. Mr. Langowski expressed the value of the past housing study and other work of the organization. Mr. Langowski also spoke about the continued work to attract industry to the area and county, including the battery materials plant, natural gas, and the recent announcement about the state hydrogen hub. Mr. Langowski spoke about increased local interest in the HCD Housing Incentive program.

President: President Obenauer absent. No report.

OLD BUSINESS

Housing Authority/Pioneer Apartment Board Appointment: Commissioner Stern moved to appoint Hailey Wiedrich to the Housing Authority/Pioneer Apartment Board for the term ending 11/1/2028, second by Commissioner Wiedrich. Motion unanimously approved.

Phone System Proposal: The commission reviewed further information provided by WRT relating to the phone system upgrade proposal. Commissioner Wiedrich moved to accept the WRT Phone System proposal with an upfront cost of \$2,950 for installation and miscellaneous materials, second by Commissioner Stern. Upon discussion, Commissioner Wiedrich questioned the installation fee required for leased equipment. Attorney Kaffar said the attorney's office did a similar upgrade and the installation fee was also charged at that time. Commissioner Stern had a question about replacing equipment that fails and was advised that this should be replaced without cost. On roll call vote: Wiedrich, "Nay", Stern, "Aye", Pillar, "Aye", motion carried.

Police Vehicle: The commission was informed that pricing for two (2) options on the police department vehicle has been released but, orders for vehicles cannot be placed until the auto worker strike has ended. The commission agreed that when further information is available the matter will be reconsidered.

NEW BUSINESS

Cemetery Columbarium Discussion: Commissioner Haack had received information from Nelson Granite about placing a columbarium for cremains at the city cemetery. Since Commissioner Haack was unable to attend the meeting, this matter will be discussed at a future meeting.

PUBLIC COMMENTS

Paul Krambeer appeared before the commission to request consideration of a variance to place his recreational vehicle on his property on 5th Street NE. The home that was at this location had a fire and has been removed. There were questions about allowing something like this in the past and there has been a very limited number of times that a camper was allowed to be occupied while a residence was under construction. The commission was advised that water staff had concerns about keeping the water meter from freezing. Commissioner Stern moved to approve a variance to occupy the recreational vehicle on the property until May 1, 2024, second by Commissioner Wiedrich. Upon discussion, Attorney Kaffar suggested the variance be contingent upon properly hooking up, and protecting, the water service and that the property owner would be liable for any damages. Commissioner Pillar asked about concerns of the neighbors and Mr. Krambeer stated none have

expressed concerns. On roll call vote: Stern, "Aye", Wiedrich, "Aye", Pillar, "Aye", motion carried.

Approval of Bills: Commissioner Wiedrich moved to approve the bills presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Alynn Beyer, 92.00; Black Mountain Software, 14455.00; Bobcat of Mandan Inc, 177.01; Cenex, 2950.63; Core & Main LP, 690.80; D&E Supply, 50.50; Donovan & Kaffar PLLP, 1200.00; Environmental Equip & Services, 138.31; Fireside Office Solutions, 41.93; Fisher Sand & Gravel, 241.09; Global Safety Network, 75.05; Hazen Motor Co, 1041.59; Hazen Star, 883.72; Hazen Welding, 240.00; ITD, 28.30; J-S Sanitation, 208.00; Joshua Erhardt, 203.00; Mercer Co Treasurer, 6662.35; Millennium Express, 16.23; MDU, 4629.89; NAPA, 116.65; Nicole Wolff, 165.00; ND One Call Inc, 67.60; Roughrider Electric Coop Inc, 2881.95; Stamps.com, 117.70; The Hub, 1549.31; Uniform Center, 1050.01; USA Blue Book, 265.53; West River Telecommunications, 1079.32. On roll call vote: Wiedrich, "Aye", Stern, "Aye", Pillar, "Aye", motion carried.

There being no further business, the meeting was adjourned at 6:22 PM CT. The next regular meeting of the commission is scheduled for Monday, November 6, 2023, at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor