

Hazen City Commission
Regular Meeting
June 17, 2024
Hazen City Hall

Present: President Obenauer, Commissioner Haack, Commissioner Pillar, Commissioner Stern, and Commissioner Wiedrich (arrived at 5:46pm).

Others Present: PW Director Brousseau, Attorney Kaffar, Chief Wolff, Officer A. Melberg, Officer S. Melberg, Auditor Erhardt, John Nygard, Ken Link, Angela Meyer, and Buster Langowski.

The meeting was called to order at 5:30 PM by President Obenauer.

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

Minutes: Commissioner Haack moved to suspend the reading and approve the minutes of the June 3rd meeting, as presented, second by Commissioner Stern. Motion unanimously approved.

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

CONSULTATION WITH ATTORNEY AND ENGINEER

Engineer's Report: The commission reviewed the written engineer's report which contained no action items. President Obenauer spoke about being contacted by a resident concerned about the lack of dust control as work is completed in Expedition Estates. The commission then viewed a video of the conditions as taken by the resident. Attorney Kaffar requested a copy of the contractor's stormwater permit so he can address the conditions and remind the contractor of their responsibility. PW Director Brousseau advised the commission that he and the engineer reviewed the condition of Wild Rose Lane, and it is holding up well under the increased traffic with the condition noted so it can be addressed if it should start to show signs of damage. No further action taken.

REQUEST OF CITIZENS

Street Closure Request – Chalk Fest: Ken Link appeared, on behalf of the Chalk Fest committee, to request approval to close Main Street from 2nd Ave E to 4th Ave E on August 12 through the 18th for the annual Chalk Fest event. The plan is to have the theme "Wonderful World" on the street with spaces among the letter for the public to do chalk art along with areas for professional artists. Commissioner Pillar moved to approve the request, for the entire seven (7) days as submitted, second by Commissioner Haack. Upon discussion, the city will provide barricades to block the roadway as has been done in the past. Motion unanimously approved.

APPROVAL OF APPLICATIONS AND BUILDING PERMITS

Fireworks Permit – Memory Fireworks: The commission reviewed an application for sale of fireworks, at 401 Main St W, submitted by Memory Fireworks. The application is still under review by Fire Chief Beery, and this is the same location as the previous year after a plan of correction was approved by the State Fire Marshall. The commission was advised that some products have been placed at the location for review by Chief Beery. Commissioner Haack moved to approve the permit, contingent on approval of Fire Chief Beery, second by Commissioner Stern. On roll call vote: Haack, "Aye", Stern, "Aye", Pillar, "Aye",

Obenauer, "Aye", motion carried.

REPORTS

Water/Sewer/Garbage: Commissioner Pillar had nothing to report at this time, however he did want to thank the water/sewer/garbage staff for their hard work and making his work as the commissioner with those departments enjoyable and for their work on the projects of the last several years.

Street/Cemetery: Commissioner Haack informed the board that PW Director Brousseau was contacted about crushing the asphalt and concrete near the grass dump site. The estimate is to complete the work without mobilization costs and crushing to be \$6/ton. Commissioner Haack moved to proceed with crushing of all the stockpiled material for the price as quoted, second by Commissioner Pillar. Upon discussion, it is estimated that there is an estimated 1,000 to 1,500 tons of material to be crushed and that the city staff/equipment may be utilized to assist in getting the material near the crushing equipment. PW Director Brousseau will work with the crusher to provide better details on the amount of material prior to the work starting. On roll call vote: Haack, "Aye", Pillar, "Aye", Stern, "Aye", Wiedrich, "Aye", Obenauer, "Aye", motion carried. PW Director Brousseau reported that the staff is working to stay on top of mowing.

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

Police/Fire/Forestry: Commissioner Wiedrich informed the board that the fire department responded to two (2) motor vehicle accidents in the month of May. Commissioner Wiedrich addressed quotes received for several trees throughout the city. There was discussion on the need to have the contractor remove the stumps or just to get the tree down and city staff can address the stump removal later. Commissioner Wiedrich moved to accept the proposal of 7 Arrows tree service for work at 4th St NE, West Main St, and Center Drive, not to include the stump removal, second by Commissioner Haack. On roll call vote: Wiedrich, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried. Commissioner Wiedrich asked about a large tree on West Main near the dike and was informed that this is not in the boulevard and will be the responsibility of the property owner. President Obenauer commented that at the service honoring Mr. Stroup, many people commented on the reported calls for service and were pleased with the city's appearance.

HCD: Buster Langowski had nothing to report at this time.

President: President Obenauer thanked Commissioner Pillar for his service on the commission and to the community and congratulated Commissioner Stern on being re-elected to the commission.

NEW BUSINESS

Auditor's Bond: The commission reviewed a resolution establishing the 2024 City Auditor's Bond in the amount of \$250,000. Commissioner Pillar moved to approve Resolution No. 2024-AB establishing the auditor's bond in the amount of \$250,000, second by Commissioner Stern. On roll call vote: Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wiedrich, "Aye", Obenauer, "Aye", motion carried.

PUBLIC COMMENTS

President Obenauer said that he was told a large group of residents would be attending the meeting to discuss concerns about the enforcement of the city's "leash law." Chief Wolff indicated that there is no record of a report of a dog being attacked by another dog, not on a leash, and that no call was made to

dispatch. Chief Wolff also said that any complaints of vicious dogs have been addressed and forwarded to the municipal court for disposition and that many time the reporting party does not wish to press charges. Officer Tony Melberg reported that more citations for dogs at large have been issued in the past year and that, personally, if a dog has gotten away from an owner and they are actively searching for the animal he is less likely to issue a citation. Officer Melberg stated that residents are learning lessons and that most of the community is very responsible in managing their pets. President Obenauer asked about bills if an animal does damage and was advised that the court can direct payment of such bills upon final disposition of the case. Chief Wolff spoke of a recent incident where he received comments that he didn't even attempt to contact anyone about a dog complaint, and he indicated he had body cam evidence of contacting parties to the incident.

John Nygard appeared before the commission concerned of damage to his fence, north of city hall, when snow was piled up against it. Mr. Nygard also referred to damage to some of the bricks on his garage. The city auditor will follow up on Mr. Nygard's concerns.

Angela Meyer appeared and indicated she only came to see what the meetings are like and that she wants to become more involved in community matters.

Approval of Bills: Commissioner Haack moved to approve the bills, as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: B&B Mobile Home Transportation LLC, 8250.00; Cenex, 2531.04; Credit Bureau of Bismarck, 105.00; D&E Supply Co, 158.40; Donovan & Kaffar PLLP, 1200.00; Ecolab Pest Elimination, 130.79; Fitterer Oil Hazen LLC, 458.74; Fitterer Oil LLC, 148.83; Further, 6.50; Hazen Rural Fire Dept, 2199.92; Hazen Welding, 33.00; Hirshfield's, 1169.99; ITD, 28.30; J&M Hardware, 38.76; J-S Sanitation, 208.00; Leilani Haack, 81.00; Matthew Bender & Co Inc, 81.60; Mercer Co Treasurer, 10516.10; MDU, 4402.78; ND Dept of Health, 50.00; NAPA, 66.66; ND One Call Inc, 32.35; Power Plan, 60.76; Roberts Floral, 70.50; Roughrider Electric Coop Inc, 3428.08; Share Corp, 641.97; Stamps.com, 84.48; The Hub, 2314.25; USA Blue Book, 733.10; Vestis, 408.71; West River Telecommunications, 902.12; Western Steel Builders, 6562.00. On roll call vote: Wiedrich, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

There being no further business, the meeting was adjourned at 6:08 PM CT. The next regular meeting of the commission is scheduled for Monday, July 1, 2024, at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor