

**Hazen City Commission  
Regular Meeting  
September 3, 2024  
Hazen City Hall**

**Present:** President Obenauer, Commissioner Folkerts, Commissioner Stern, and Commissioner Wiedrich.

**Absent:** Commissioner Haack.

**Others Present:** PW Director Brousseau, Attorney Kaffar, Jerod Klabunde (Moore Engineering), Auditor Erhardt, Ella Mathisen, Antoinette Heier, and Chief Wolff.

The meeting was called to order at 5:29 PM by President Obenauer.

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

**Minutes:** Commissioner Wiedrich moved to suspend the reading and approve the minutes of the August 19<sup>th</sup> meeting, as presented, second by Commissioner Folkerts. Motion unanimously approved.

**Agenda:** Commissioner Wiedrich moved to approve the agenda, moving Ms. Mathisen to 6B on the agenda, second by Commissioner Stern. Motion unanimously approved.

**CONSULTATION WITH ATTORNEY AND ENGINEER**

**Engineer's Report:** Jerod Klabunde reviewed the engineer's report with the commission. Regarding Expedition Estates, Mr. Klabunde reported that he had driven through the subdivision and the road has been graded to subgrade with some testing to be completed before bringing it to grade. Paving of the loop is anticipated to be completed before the end of September. Regarding the alley improvement project, Mr. Klabunde reported that work continues, with work on the alley approximately 2/3 completed, with the parking lot being the final part of the project. Regarding the citywide water meter replacement project, work continues with approximately 80% of new meters installed and the project is on schedule to be completed this fall. Regarding the lift station control panel upgrades, work continues, and the radio systems are being programmed and work could be completed in a matter of days. Regarding the sanitary sewer project, the plans and specifications are complete and have been sent to the state for review. The project will include 10 – 15 spot repairs, requiring excavation prior to conducting trenchless relining of clay tile pipes. The project will be a single contract with bids scheduled to be opened on September 26<sup>th</sup>. A meeting to update residents on the project has been scheduled for September 23<sup>rd</sup> and additional meetings can be scheduled, if required. The project is to be completed by the fall of 2025 and, depending on the bids received, it may have to be re-bid in January. However, the hope was to award the contract this fall to allow some underground work to be completed, weather permitting. Attorney Kaffar asked about the need for temporary construction easements and was advised that none are anticipated. Commissioner Folkerts had a question about the spot repair process and Mr. Klabunde stated the sewer lines will be televised, excavated, and damaged pipe will be replaced. Commissioner Stern moved to approve a Resolution Approving the Engineer's Plans, Specifications and Estimates, and a Resolution Directing Advertisement for Bids for the project, second by Commissioner Folkerts. On roll call vote: Stern,

“Aye”, Folkerts, “Aye”, Wiedrich, “Aye”, Obenauer, “Aye”, motion carried. Regarding the asphalt patching of approximately 12 locations within the city, Mr. Klabunde said that Quality Asphalt has been contracted for this work which will be completed when they are in town completing work in Expedition Estates. Mr. Klabunde spoke of a watermain leak along Wildrose Lane on a vacant city lot. ND Rural Water assisted in narrowing down the location of the leak which is infiltrating a sewer line in the area. Commissioner Stern questioned it getting into the sewer line and was advised that sewer mains are not always watertight due to the connections underground that may have shifted. PW Director Brousseau said the city will do some more investigating to narrow down the possible leak location and President Obenauer suggested it would be better to address it now before it becomes a bigger problem.

## **REQUEST OF CITIZENS**

**Street Closure Request – Harvest Fest – Hazen Chamber:** President Obenauer asked Chamber/CVB Director Antoinette Heier to speak about the Main Street Summit where the chamber/city received an award. Ms. Heier explained that Hazen received the Rural Main Street Excellence award and thanked the city for support of the various projects to enhance and improve the city of Hazen. Ms. Heier also conducted a training session at the summit titled “Build it and they will come – Make it happen in your town.” Ms. Heier explained that this is a busy week as preparations for Harvest Fest continue and told the commission that the Fair Board Association would like approval to place a tent on Central Avenue, west of Hazen Motors. There were concerns about repairs of the street where stakes would have to be driven to support the tent. Commissioner Wiedrich moved to approve the placement of the tent on the street, contingent on repairs to be completed by the Fair Board Association and/or the Chamber of Commerce, second by Commissioner Folkerts. Upon discussion, President Obenauer said that if the city engineer notices any conditions are bad from the stake locations, they will be repaired at Fair Board Association expense. On roll call vote: Wiedrich, “Aye”, Folkerts, “Aye”, Stern, “Nay”, Obenauer, “Aye”, motion carried. Commissioner Folkerts moved to approve the street closure request of Main Street from the area of the pocket park to 1<sup>st</sup> Avenue SW and to include portions of Central Avenue and 1<sup>st</sup> Avenue SW, south of Main Street, second by Commissioner Stern. Motion unanimously approved.

**Public Comments – Ella Mathisen:** Ms. Mathisen appeared before the commission to express noise concerns relating to fireworks and loud music during public events. Ms. Mathisen lives north of Highway 200 and said that, at time, she can hear the music so clear that she can understand the words and she would like to see some type of process to permit events that include loud music and to limit the decibel level of such events. The noise is a distraction to veterans, nursing home residents, shift workers and emergency responders. Ms. Mathisen feels the fireworks have gotten “crazy” and would like to see the time that fireworks can be discharged to July 3<sup>rd</sup> thru the 5<sup>th</sup>. Ms. Mathisen also spoke about residents that feed songbirds, which may be federally protected, and the effect fireworks have on these birds. In response to a question of Commissioner Stern, there is no current process to permit events that include outdoor music or loud noise. Attorney Kaffar spoke about an outdoor event near his residence and stated that for one event a year it is not such a headache. Commissioner Wiedrich and Commissioner Folkerts discussed the current noise ordinance being effective at 11:00 PM and how these events could have a public hearing to make residents aware of the pending event prior to approval. President Obenauer spoke about the fireworks ordinance being amended several years ago to shorten the time they can be discharged and that he is not in support of shortening this period more. Commissioner Stern spoke of following state law with regards to discharging fireworks. The auditor was directed to contact other municipalities relating to permitting of such events.

## **INTRODUCTION, READING, AND APPROVAL OF ORDINANCES**

**Forestry Ordinance Revisions – 22.0112 & 22.0203 (2<sup>nd</sup> Reading):** The commission reviewed proposed changes to the city forestry ordinance. Commissioner Wiedrich had requested input from the State Forester on planting Wild Black Cherry trees within the corporate limits. There was discussion about the fruit of such trees and how they may not be appropriate for city boulevards but would be acceptable in other areas. Commissioner Wiedrich moved to approve the second reading of the proposed ordinance and to adopt, as presented, second by Commissioner Stern. On roll call vote: Wiedrich, “Aye”, Stern, “Aye”, Folkerts, “Aye”, Obenauer, “Aye”, motion carried, and ordinance is adopted.

## **REPORTS**

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

**Street/Cemetery:** Commissioner Haack absent. PW Director Brousseau said that painting work on city property had been completed, staff was busy grinding stumps from previous tree removals, and now staff will assist with Harvest Fest barricades. When asked by President Obenauer, PW Director Brousseau said they have addressed conditions of many alleys and will continue this process.

**Finance/Busing/Library:** Commissioner Folkerts had nothing to report but asked about the status of the impounded vehicles and was advised that notices had been sent and a public auction will be scheduled. Commissioner Wiedrich requested the auction notice also be posted to social media pages.

**Police/Fire/Forestry:** Commissioner Wiedrich reported the calls for service of the police department for the month of August which includes Officer Beyer responding to seventy (70) calls for service, Officer A. Melberg responding to twenty-five (25) calls for service, Officer S. Melberg responding to forty-two (42) calls for service, and Chief Wolff responding to twenty-three (23) calls for service, when not on approved leave. Commissioner Wiedrich spoke about the previous discussion on the issuance of tickets and that, for the month of August, four times more tickets were issued than the prior three months and thanked Chief Wolff for bringing this to the officer’s attention and asked that they try to keep it going. Commissioner Wiedrich reported that the fire department had a busy weekend responding to three (3) grass fires on Saturday. Commissioner Wiedrich added that, while there are no current burn bans in place, conditions are very dry. Chief Wolff advised the commission that the night shift vehicle had issues with the siren and was taken to Electronic Communications for repairs and, while being repaired, they damaged the AC condenser, and they have provided a written statement of responsibility for the cost of the repairs. Commissioner Wiedrich asked and was advised there are no updates on the new vehicle delivery.

**HCD:** President Obenauer indicated that the HCD board hired Myra Savelkoul as Mr. Langowski’s replacement until such time as another suitable applicant presents themselves.

**President:** President Obenauer had nothing to report at this time.

## **PUBLIC COMMENTS**

No further 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: Stamps.com, 90.78; USPS, 395.43; 7 Arrows Tree Service, 2500.00; Christy Metz, 26.00; Elan Financial Services, 893.34; Electronic Communications Inc, 372.50; Fastenal, 32.32; Fireside Office Solutions, 32.51; Hazen

Mercantile, 195.48; Hazen Star, 351.48; Hirshfield's, 537.99; Jim Block, 105.00; Kandi McConnell, 26.00; Krause's, 107.56; Lucky's Towing, 1050.00; Marco Technologies LLC, 366.53; Matthew Bender & Co Inc, 28.58; Monte Erhardt, 36.08; Moore Engineering Inc, 55411.25; Pam Borlaug, 81.74; SW Water Authority, 66066.85; Stamps.com, 22.49; Tractor Supply Credit Plan, 229.00; Union State Bank, 37452.81; Universal Premium Fleetcard, 835.93; Verizon Wireless, 366.62; Vestis, 408.71; West Dakota Lumber, 91.55. On roll call vote: Wiedrich, "Aye", Folkerts, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

There being no further business, the meeting was adjourned at 6:23 PM CT. The next regular meeting of the commission is scheduled for Monday, September 16, 2024, at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: \_\_\_\_\_

Jerry Obenauer, President

Attest: \_\_\_\_\_

Monte J. Erhardt, Auditor