

**Hazen City Commission
Regular Meeting
March 21, 2016
Hazen City Hall**

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

Others Present: Attorney Donovan, Planner Frovarp, Auditor Erhardt, PW Director Neuberger, Kelsey Timmer, Mark Sweeney (KLJ), Editor Arens, Charlene Boeshans, Kevin Boeshans, Marcy Blomquist, Carol Neas, Jane Pearson and Buster Langowski.

Meeting was called to order at 5:28 PM CT by President Obenauer.

President Obenauer immediately opened the public hearing with regard to the resolution of necessity and opportunity to protest the Hazen Street Improvement Project District 2016-01. The commission was informed that no written protests were received and President Obenauer opened the floor to comments from the public. Marcy Blomquist (Sunflower Lane) asked why the city does not wait until the proposed development in the area is started, and then pave Sunflower Lane? Ms. Blomquist added that residents don't want it done on their street and that this street was put in to serve her residence. Ms. Blomquist was also concerned that if the power plant goes down the development will not proceed. President Obenauer said that doing the street as part of a larger project makes it cheaper than just doing one street and that progress will catch up. Ms. Blomquist again stated that she did not want to see it paved unless the development goes. Commissioner Stern said he has been opposed to this street being included because of the cost and the fact that it is currently a dead end and added that perhaps it can be done later with development. Kevin Boeshans asked about the cost for the construction and was told that is roughly \$250,000 which would be assessed to the benefited property owners. President Obenauer agreed that it could be done when the development is constructed and Mr. Boeshans asked how the assessment is done. Assessor Frovarp said the special assessment committee takes the actual costs and determines the benefit to each property. The last project had areas that were assessed city-wide and this was based on "front foot" and "square foot" of the property. Mr. Boeshans said the damage to 11th Ave NW was caused by trucks and it is not fair that he has to pay for damage they created. President Obenauer stated it is more than damage from the trucks; and damage is also related to moisture and the water table in this area. Jane Pearson asked if anything would be done about the potholes and ditches on the street if it is not paved. President Obenauer suggested that the only thing that can be done is to blade it to try to fix these issues. Mr. Boeshans asked again about the assessment process and was advised that once final costs are determined the special assessment committee meets to determine each property's benefit; they conduct a public hearing where property owners have the opportunity to object to the determined

benefit and the committee then makes a recommendation to the city commission. The city commission then holds a public hearing where the property owner has another opportunity to provide input or objection to the determined benefit and once approved by the city commission it is certified to the county auditor for collection. Mr. Boeshans asked if the plans include raising or lowering Sunflower Lanes elevation and Mark Sweeney (KLJ) indicated the plans were developed to leave the street very near its current elevation. Hearing no other comments, President Obenauer closed the public hearing at 5:50 PM CT.

Minutes: Commissioner Wolf moved to suspend the reading of the March 7th minutes and approve them as presented, second by Commissioner Brunmeier. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

2016 Street Project: The commission reviewed several resolutions and Auditor Erhardt read the Resolution Determining Insufficiency of Protest aloud. Commissioner Haack moved to approve the resolution, as read, second by Commissioner Wolf. On roll call vote: Haack, "Aye", Wolf, "Aye", Stern, "Aye", Brunmeier, "Aye", Obenauer, "Aye", motion carried. Full text of the resolution is as follows: WHEREAS, the governing body of the City of Hazen, North Dakota (the "City") adopted a Resolution Declaring the Necessity of a special assessment district for Hazen Street Improvement Project District #2016-01 on February 15, 2016 (the "Resolution"); and WHEREAS, the Resolution was published in the Hazen Star, the City's Official newspaper on February 18, 2016 and February 25, 2016; and WHEREAS, more than thirty (30) days have passed since the February 18, 2016 publication.

BE IT RESOLVED by the governing body of the City of Hazen, North Dakota, as follows:

1. That there have not been filed with the City Auditor, within 30 days after the February 18, 2016 publication, written protests against the adoption of the Resolution signed by the owners of a majority of the area of the property included in the Hazen Street Improvement Project District #2016-01
2. That proceedings under the Resolution are not barred.

Auditor Erhardt read the Resolution Approving Engineer's Plans, Specifications and Estimates aloud. Commissioner Brunmeier moved to approve the resolution, as read, second by Commissioner Haack. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Wolf, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried. Full text of the resolution is as follows:

BE IT RESOLVED by the governing body of the City of Hazen, North Dakota, as follows:

This governing body having received and reviewed the engineer's detailed plans, specifications and estimates of the probable cost for the work and materials needed in the Hazen Street Improvement Project District #2016-01 (ST2016), does hereby approve such plans, specifications and estimates and

the same shall be filed forthwith in the office of the City Auditor and shall remain on file in the City Auditor's office subject to inspection by anyone interested therein.

Auditor Erhardt read the Resolution Directing Advertisement for Bids aloud. Commissioner Wolf moved to approve the resolution, as read, second by Commissioner Haack. Upon discussion President Obenauer reminded those in attendance that if the bids are ridiculously higher than the estimate portions of the project can be dropped. On roll call vote; Haack, "Aye", Wolf, "Aye", Brunmeier, "Aye" Stern, "Nay", Obenauer, "Aye", motion carried. Full text of the resolution is as follows:

WHEREAS, the governing body of the City of Hazen, North Dakota (the "City") has taken all preliminary steps necessary for the creation of Hazen Street Improvement Project #2016-01 (the "District") and has had plans and specifications and estimates prepared for the improvements in the District and the City having decided that such improvements are necessary.

BE IT RESOLVED by the governing body of the City of Hazen, North Dakota, as follows:

1. The City Auditor, in consultation with the project engineer, is directed to cause publication of Advertisement for Bids for the work and materials needed for the improvements in Hazen Street Improvement Project #2016-01 in the Hazen Star, the official newspaper of the City, calling for bids to be opened on the 14th day of April, 2016 at 2:00 o'clock P.M. CT in the Commission Room, Hazen City Hall in the City of Hazen, North Dakota.
2. The City Auditor is directed to cause the Advertisement for Bids to be published in the March 24, 2016, March 31, 2016 and April 7, 2016 Hazen Star. The date of the first publication must be at least twenty-one (21) days before the said date of bid opening.
3. The Advertisement for Bids shall be in substantially the form attached hereto. Each and all of the terms and conditions for the attached Advertisement for Bids are hereby adopted as the terms and conditions for the award of the contract for the making of the improvements.

Master Services Agreement – Ulteig Engineers: The commission reviewed a Master Professional Services Agreement with Ulteig Engineers. The previous agreement expired October 31, 2015. Auditor Erhardt said this agreement will cover miscellaneous engineering services, for which we do not have a separate agreement, through the end of June 2016. Commissioner Haack moved to approve the agreement through June 30, 2016, second by Commissioner Brunmeier. On roll call vote; Haack, "Aye", Brunmeier, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

REQUEST OF CITIZENS

Local Raffle Permit – Hazen Arts & Craft Association: Commissioner Wolf moved to approve the raffle permit for Hazen Arts & Craft Association, as presented, second by Commissioner Brunmeier. Motion unanimously carried.

REPORTS

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

Water/Sewer: Commissioner Brunmeier informed the commission that two (2) interviews have been scheduled for the water-waste water position to address staffing needs. Commissioner Haack said he would also like to see cross training of public works staff to assist in covering weekend call. President Obenauer suggested considering hiring more than one individual to address short staffing in the water and street department. Commissioner Stern asked if the budget would support several months of “on-hand” training. President Obenauer said that the city may face more staffing needs in the near future and there is no easy answer to resolve these issues.

Street/Cemetery: Commissioner Stern informed the commission that a letter has been sent to a property owner for creating a dirt dam on 3rd Street near the dike.

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

Police/Fire/Forestry: Commissioner Haack informed the commission that one officer will be assigned to the county special services/tactical team. With regard to forestry matters, Commissioner Haack informed the commission that the Arbor Day activities are tentatively scheduled for May 13th and that Forester Melberg is working with NDSU and the school to conduct the tree planting and having students volunteer in the activity. Commissioner Brunmeier said she has been contacted by a resident about vehicles parked around a residence and he is concerned that nothing is being done. President Obenauer asked that if Commissioner Brunmeier is contacted again that she refer the resident to Commissioner Haack for more details on his concern.

Hazen Community Development Director Buster Langowski updated the commission on matters relating to the Pioneer Apartment Project and the hotel development. There is a need for additional funds to reduce rental costs to keep the project affordable. As to the hotel, Mr. Langowski informed the commission that the developer continues to work on financing issues.

Mr. Langowski assured the commission that they do not want to give up on the Pioneer Apartment Project especially with the funding that is available and that the project has been reduced from twenty-two units to eighteen to reduce the costs, thereby reducing the rental rates. Commissioner Stern thought the project was for senior housing only and Mr. Langowski said it is designed for residents fifty-five and older, frail elderly and there are also four ADA compliant units.

CORRESPONDENCE

NDIRF Annual Meeting: President Obenauer plans to attend the annual meeting on May 11th and if he is not able the city can still provide proxy to vote for the board members.

Proposal – Siding – City Hall East Exterior: The commission reviewed a proposal from Mad Skillz Contracting LLC to replace the wood material on the east side of city hall with steel siding in the amount of \$1300. Commissioner Brunmeier moved to accept the proposal for the work, as presented, second by Commissioner Stern. On roll call vote; Brunmeier, “Aye”, Stern, “Aye”, Haack, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried.

NEW BUSINESS

Equalization Meeting: Assessor Frovarp advised the commission that the City Equalization Board meeting will be held on April 12th, pursuant to ND Century Code and that notices of increase were sent to forty-eight property owners. The majority of the increases were due to additional construction or exemption expiration.

Bus Facility – Change Order #1: The commission reviewed a change order for additional doors, canopy, drinking fountain and stone veneer for the new bus facility, as prepared by Western Steel Builders. Commissioner Wolf moved to approve the change order for these items in the amount of \$17,238.46, second by Commissioner Stern. On roll call vote; Wolf, “Aye”, Stern, “Aye”, Brunmeier, “Aye”, Haack, “Aye”, Obenauer, “Aye”, motion carried.

Approval of Bills and Financial Statements: Commissioner Brunmeier moved to approve the bills, second by Commissioner Haack. Pre-paid and bills approved for payment are as follows: Ameripride Linen & Apparel Services, 410.46; BHG Inc, 375.00; Convention & Visitors Bureau, 2783.98; D&E Supply Co, 170.88; Dakota Fire Extinguishers, 154.44; Dakota Pump & Control, 7290.00; Discovery Benefits, 20.00; Ecolab Pest Elimination, 115.19; Fastenal Co, 146.44; Grafix Shoppe, 352.71; Hazen Welding, 370.00; J&R Vacuum & Sewing, 60.56; Joyce Lemer, 172.00; Judy Brunmeier, 109.00; KLJ, 48450.16; Loren Wiest, 420.00; Mel Roth Oil, 239.24; Mercer County Auditor, 388.00; MDU, 5094.59; Monte Erhardt, 151.20; ND Dept of Health, 32.00; ND League of Cities, 260.00; ND State Auditor’s Office, 165.00; ND One Call Inc, 7.10; Northland Financial, 302.00; Pitney Bowes, 420.00; Preble Medical Services Inc, 25.00; Ramada Worldwide, 80.10; RDO Truck Centers, 595.92; Roughrider Electric Coop Inc, 3741.54; SBM Inc, 32.27; Setina Mfg., 1384.17; Starion Bond Services, 258647.25; Stein’s Inc, 128.09; Steve Frovarp, 23.22; Thomson Reuters – West, 234.50; Verizon Wireless, 117.38; West River Telecommunications, 855.77. On roll call vote; Brunmeier, “Aye”, Haack, “Aye”, Wolf, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business the meeting was adjourned at 6:38 PM CT. The next regular meeting of the commission will be Monday, April 4, 2016 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor