

**Hazen City Commission  
Regular Meeting  
May 16, 2016  
Hazen City Hall**

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

**Absent:** Commissioner Wolf

**Others Present:** Attorney Donovan, Planner Frovarp, Auditor Erhardt, Eric Schuler & Kelsey Timmer (KLJ), Editor Arens, Dan Pillar, Spencer Mattheis and Buster Langowski.

Meeting was called to order at 5:30 PM CT by President Obenauer.

**Minutes:** Commissioner Brunmeier moved to approve the minutes of the May 2<sup>nd</sup> meeting, as presented, second by Commissioner Haack. 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 Projects:** Eric Schuler (KLJ) met with the commission to inform them that Bechtold Paving is working with Fisher Sand and Gravel to mobilize a crusher for the project and that a pre-construction meeting has been scheduled at city hall on May 26<sup>th</sup> at 2:30 PM. The contractor hopes to begin construction of the project in early June. The commission would like to know where the crusher will be set up as the city has material to crush if they will be close. President Obenauer and another commissioner will attend the meeting. The commission was also advised that we have been awarded a loan in the amount of \$710,665 from the Bank of ND for a portion of the project relating to new street construction.

**Surge Project Payment:** Auditor Erhardt informed the commission that he had recalculated the amount requested as extras for the surge project and that he recommends payment of an amount based on straight time and overtime wages and with a reduction for a small portion of rock purchased as pipe bedding. Commissioner Brunmeier moved to approve payment of \$69,601.28 to Tand Construction as final payment for the surge projects, second by Commissioner Haack. Upon discussion Commissioner Stern inquired about the panel still in place by lift station #5 and there are also concerns with the vegetation, or lack thereof, at this same location. Auditor Erhardt will bring this to the attention of Ulteig Engineers. On roll call vote; Brunmeier, "Aye", Haack, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried.

## **REQUEST OF CITIZENS**

### **Free/Reduced Hall Rent – Amanda Brown**

**Free/Reduced Hall Rent – Hazen Hospital Auxiliary:** The commission reviewed two (2) applications for free or reduced hall rental. One for a medical benefit and the other for the Hospital Auxiliary fundraiser for medical equipment. Commissioner Haack moved to approve both requests for free use of the hall, subject to a fee of \$50 for the kitchen, if necessary, second by Commissioner Stern. Motion unanimously carried.

## **APPROVAL OF APPLICATIONS & BUILDING PERMITS**

**Site Authorization(s) – Hazen Winter Sports:** Ms. Neuberger was unable to attend the meeting for personal reasons but requested site authorization for HWS gaming at Box's Bar, Jimmy's Lounge and Long Shots Bar LLC. This is an annual request and is required for games of chance. Commissioner Brunmeier moved to approve the site authorizations, as requested, second by Commissioner Haack. Motion unanimously carried.

**Vacate Easement – Jensen:** Planner Frovarp informed the board that action needs to be taken on a request of Gaylen & Pam Jensen to vacate a utility easement on Lots 9, 10 & 11, Block 1, North Star 4<sup>th</sup> Addition. This request was initially received in February 2016 and there were questions as to the responsibility and estimated costs to complete this process. Attorney Donovan stated the initial work to vacate the easement has been completed and he estimates cost to be less than \$1000. Planner Frovarp said there is still access to utilities through other easements and President Obenauer suggested a cost-share approach to resolving this matter. Commissioner Haack asked if a firmer cost estimate could be brought to the board at the next meeting. Commissioner Stern asked if the easement is vacated, will the lots be available for sale. President Obenauer said the lots were listed for sale many years ago and have always been available for sale, with exception of the area for the tree nursery. Attorney Donovan said the city had set aside some lots for workers but all other lots the city owns are still available for sale.

**Renaissance Zone Expansion/Extension:** Buster Langowski informed the board that the Renaissance Zone committee has begun the process to expand or extend the city renaissance zone, in compliance with state law. A public hearing was held on May 15<sup>th</sup> and there were no comments received from the public. Mr. Langowski presented a letter of support, from the Hazen Public School District, for the expansion. The renaissance zone can be extended up to thirty-four (34) blocks and the request at this time is to include lots within Christmann 1<sup>st</sup> and 2<sup>nd</sup> Addition as lots 22 & 23 of the zone. These lots would include the area of the Lewis & Clark RV Park and the former Alco building. Mr. Langowski said the intent, for the future, is to include sections along 4<sup>th</sup> Ave NE and 7<sup>th</sup> Street NE in the renaissance zone. Commissioner Stern commented that this would allow TSC to apply for property tax exemption for a period of five years. Mr. Langowski said yes and no. TSC could apply for the exemption but it would still have to be approved by the Renaissance Zone committee and the City Commission adding, that it could be a total exemption or a sliding exemption over the five years similar to what was

approved for the proposed hotel project. President Obenauer said this exemption would not affect sales tax and Mr. Langowski agreed saying it could also receive a state income tax exemption. Mr. Langowski said the estimated property tax on the property is estimated to be \$13,500. Dan Pillar questioned if TSC coming to Hazen is contingent upon the renaissance zone expansion. Mr. Langowski was not able to answer this question specifically but stated the lease of the property is still pending even though there has been some exterior work on the property. Mr. Pillar also asked about the benefit of the expansion and Mr. Langowski stated that if even one additional family moves to town because of new or expanding businesses it has a positive effect on the community, school system and county as a whole. Commissioner Stern commented that he understood the renaissance zone to be for older parts of town or to remove or rehabilitate older structures and expressed concern about decreasing revenues of the city from state sources and the effect of providing property tax exemptions. Mr. Langowski stated there is an up-side to the exemption for a business as the sales tax collections may offset the lost property tax revenue. President Obenauer said he viewed the renaissance zone as a way to bring our community to the forefront of development and agreed that it was originally implemented to rehabilitate areas of the community but this has changed over time. Planner Frovarp again stated that they are looking at expanding the zone to other areas of the community to "fix up" other areas but they decided to start the process with just these two blocks to alleviate some of the paperwork necessary for the process. President Obenauer asked if the state can still deny the expansion and was informed that they could indeed deny the request to expand the zone. Commissioner Haack asked about a time limit for changes to the zone and Mr. Langowski stated there is a fifteen (15) year window for changes and that the city could request an extension of five (5) years to make additional changes to the zone. President Obenauer restated the request to increase the renaissance zone by two blocks and Planner Frovarp added this is only to approve the zone and any exemptions would be dealt with separately. Commissioner Haack moved to approve the addition of blocks 22 and 23 to the Renaissance Zone, as presented, second by Commissioner Brunmeier. Upon roll call vote; Haack, "Aye", Brunmeier, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried.

**Building Permit w/Variance Request – Puckett:** Planner Frovarp presented an application for building permit for construction of 12' x 24' shed at 319 8<sup>th</sup> Ave NW as completed by Eli Puckett. The building is to be constructed on a "pad" already located on the property but the additional size of the building will require a two and one-half foot (2 ½') variance on the side property line at the SE corner. Commissioner Haack moved to approve the building permit and variance request as presented, second by Commissioner Stern. Motion unanimously carried.

## REPORTS

**President:** President Obenauer informed the commission that city staff has been leveling dirt at Heritage Park and by the Commerce Center so that grass can be seeded. Director Neuberger advised the commission that he contacted a local vendor and hydro-seeding of grass can be completed for \$0.20/square foot. President Obenauer has been in contact with Coteau representatives and they

have large rocks available for the city to place at the commerce center site to form a barrier between the parking lot and green space, the city simply needs to provide the truck and staff to haul them. Commissioner Haack then commented that striping of the parking lot should also be considered and there was discussion as to straight or diagonal striping which will be determined by Commissioner Stern, Commissioner Haack and Director Neuberger. President Obenauer said the board needs to also look at repairs of the remaining parking lot and asked if this would be something that could be added to this year's project. Eric Schuler, KLJ, stated that he could request a bid for repairs with asphalt and concrete and bring the information back to the board. Commissioner Stern asked if this work could be special assessed and Planner Frovarp stated that some of the municipal parking lots have been assessed citywide in the past. President Obenauer stated it good to have an idea what it would cost and asked Mr. Schuler to measure the site and provide an estimate for the board's consideration. President Obenauer stated that a letter has been sent to Sakakawea Medical Center requesting consideration of donating the canopy over the entrance to the hospital for use in Heritage Park to provide additional shelter for public and private events. A copy of the letter will be forwarded to all of the commissioners.

**Water/Sewer:** Commissioner Brunmeier informed the commission that the concerns of repairs to property at 10<sup>th</sup> Street NE have been addressed and the property owner is satisfied with the result. Commissioner Brunmeier said she was also contacted about rural garbage service for Harmony Estates north of Hazen. Commissioner Brunmeier has discussed this with Director Neuberger and they can include this area as it develops.

**Street/Cemetery:** Commissioner Stern informed the commission that the crews have started painting curbs and striping of streets.

**Finance/Busing:** Commissioner Wolf absent. No report.

**Police/Fire/Forestry:** Commissioner Haack had nothing to report with regard to police and fire department matters. Commissioner Haack did inform the commission that Arbor Day activities went very well and that nearly all the trees were given away. Commissioner Haack said there are three (3) trees, in front of city hall, that will need to be replaced soon as they are no longer growing above the lower portion. Commissioner Haack has also received a concern about the shrubs near the intersection of 3<sup>rd</sup> Ave NW and 3<sup>rd</sup> Street NW and this will be discussed with the city forester to determine if they can be trimmed back further. Commissioner Brunmeier said that young adults are out on the streets on rollerblades are not moving out of the way for vehicle traffic.

**HCD:** Buster Langowski advised the commission that additional legal work is being completed for the Hazen Pioneer Apartments and that the plat needs to be completed

## **CORRESPONDENCE**

**MCPOA Fishing Derby Donation:** Commissioner Brunmeier moved to donate \$100 Hazen Bucks to the Mercer County Peace Officers Association for the Annual Cops and Kids Fishing Derby, second by Commissioner Haack. Motion unanimously carried.

**Hazen Chamber – Pocket Park Maintenance Donation:** Commissioner Haack moved to approve a donation of \$100 for maintenance and repairs of the Pocket Park, second by Commissioner Stern. Motion unanimously carried.

**County Tax Equalization Meeting:** The commission was advised that the Mercer County Tax Equalization meeting will be held in Stanton on June 1, 2016 at 11:00 AM.

### OLD BUSINESS

**Propane Bid Opening/Award:** The commission advertised and bids for propane were received from the following: Mel Roth Oil Co - \$0.89/gallon; Farmer’s Union Oil Co - \$0.72/gallon; and Ferrellgas - \$0.89/gallon. Commissioner Haack moved to accept the bid for propane of Farmer’s Union Oil Co in the amount of \$0.72/gallon, second by Commissioner Brunmeier. Motion unanimously carried.

**Approval of Bills and Financial Statements:** Commissioner Brunmeier moved to approve the bills, second by Commissioner Haack. Upon discussion the commission asked the auditor to wait with payment for the bus facility until the request has been reviewed by NDDOT. Pre-paid and bills approved for payment are as follows: AED Everywhere, 80.00; Ameripride Linen & Apparel, 424.62; Barry Morast, 100.00; Cardmember Service, 698.30; Cenex, 477.64; Central Landscape, 145.40; Chamber of Commerce, 100.00; D&E Supply Co, 169.49; Dakota Pump & Control Co, 474.00; Discovery Benefits, 20.00; Ecolab Pest Elimination, 115.19; Fastenal Co, 300.67; Hazen Bottle Shop, 444.81; Hazen Community Development, 17755.93; Hazen Motor Co, 351.64; Hiway Express, 322.46; Information Technology Department, 10.30; Joyce Lemer, 122.50; Krause’s Super Value, 146.36; Lange Donovan & Kaffar PLLP, 1056.25; Loren Wiest, 630.00; Mel Roth Oil, 471.70; Mercer County Highway Dept, 12100.00; Mercer County Treasurer, 4343.06; MDU, 4548.26; ND Dept of Health, 32.00; NAPA, 269.66; ND Firemen’s Assn, 433.64; ND One Call Inc, 26.20; Northland Financial, 302.00; Power Plan, 8.34; Preble Medical Services Inc, 50.00; Roughrider Electric Coop Inc, 3217.44; Sensus USA, 1665.98; Steve Frovarp, 27.54; Swanston Equipment Corp, 101.18; Tand Construction LLC, 69601.28; The Sherwin Williams Co, 4151.90; Union State Bank, 100.00; Verizon Wireless, 199.07; West River Telecommunications, 848.16. On roll call vote; Brunmeier, “Aye”, Haack, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business the meeting was adjourned at 6:50 PM CT. The next regular meeting of the commission will be Monday, June 6, 2016 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: \_\_\_\_\_  
Jerry Obenauer, President

Attest: \_\_\_\_\_  
Monte J. Erhardt, Auditor