

**Hazen City Commission  
Regular Meeting  
January 19, 2015  
Hazen City Hall**

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

**Others Present:** Attorney Donovan, Mark Johnson (Ulteig), Editor Coleman, Planner Frovarp, Auditor Erhardt, Blake Wiedrich, Leilani Meyhoff, Terri Phillion, and Buster Langowski.

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

**Minutes:** Commissioner Brunmeier moved to dispense with the reading of the January 5<sup>th</sup> minutes and approve them as presented, second by Commissioner Haack. Motion unanimously carried.

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

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Ulteig Engineers – RV Park:** Mark Johnson presented the commission a letter relating to the billing and payments for work done on the 10<sup>th</sup> Street extension and the RV Park design. Mr. Johnson referred to a contract, the city signed, at a cost of \$69,479 of which the city has been billed and paid \$49,541. Mr. Johnson then explained that based on work agreements and other items the city agreement would be reduced by approximately \$38,824 while the park district share of design would increase by \$1,317. The estimated cost for the city complete bidding and construction of the 10<sup>th</sup> Street extension is \$15,612. Commissioner Haack then asked if the revised city cost of \$38,655 includes the \$15,000 to finish design of 10<sup>th</sup> Street. Mr. Johnson advised that the \$38,655 is for the 10<sup>th</sup> Street design, construction and inspection without the \$7,100 unrecoverable costs that have accrued. Commissioner Stern then asked if the Park Board does not construct the RV Park is the city responsible for the \$54,000 still to be paid. Mr. Johnson said this would just disappear if the park district does not proceed with the project. Commissioner Stern also asked if the city does not proceed with the street project is there still a financial obligation. Mr. Johnson indicated there would be no additional obligation. Mr. Johnson then went on to address the issue of the lift station necessary for the RV Park project and the fact that the city had approved a motion to deed the property and to pay the cost to install a lift station, which was estimated at \$125,000. Mr. Johnson suggested the city consider simply making recommended repairs to Lift Station #3 and for the Park Board to install a fiberglass lift station at a substantially reduced cost. Mr. Johnson also advised the commission that he has not had an opportunity to share this new information with the Park Board yet. President Obenauer said it would

make more sense to stick the money into something that will be used should the city develop in this area. Commissioner Stern asked if the cost discussed included the pumps and Mr. Johnson stated it is for the whole thing, for the RV Park. Commissioner Brunmeier asked if the fiberglass lift station is acceptable to the health department and Commissioner Stern said that he believed the cost, as reported in the sewer capacity study, would be in excess of \$500,000. Mr. Johnson said he would review the study and clarify the estimates at the next meeting.

## **REQUEST OF CITIZENS**

**Free/Reduced Hall Rent – Hazen Sportsman’s Club:** Commissioner Wolf moved to approve a request for free hall rent, subject to the kitchen fee of \$50, as requested by the Hazen Sportsman’s Club for the annual landowner appreciation supper, second by Commissioner Brunmeier. On roll call vote; Wolf, “Aye”, Brunmeier, “Aye”, Stern, “Aye”, Haack, “Aye”, Obenauer, “Aye”, motion carried.

**Funding Request – Mercer County Historical Society:** Blake Wiedrich and Leilani Meyhoff, Mercer County Historical Society met with the commission with regard to a request for funding to cover building cost over-runs and display cabinet costs. Mr. Wiedrich said it is the goal of the historical society to keep the history of Mercer County alive and that they recently added on to the building and due to issues with different electricians costs rose from \$10,000 to \$40,000 so they are visiting with each city in Mercer County to request funds to cover these costs. Mr. Wiedrich said they are also seeking sponsors for display cabinets to display the miniature farm toy collect of Mr. Zuern at a cost of \$1520 per display case. Mr. Wiedrich encouraged the commission members to come to the museum and take a look at all the history on display and President Obenauer stated he had been several years since he was last at the museum. Ms. Meyhoff said that a professional curator had commented that the museum is one of the most impressive small town museums they had been in and Mr. Wiedrich said this is quite a compliment considering all the work at the museum is done by volunteers. Commissioner Wolf asked if there are grant funds available for such expenses and Mr. Wiedrich said they have applied and received grants in the past and Ms. Meyhoff said the last grant round they applied there were \$600,000 in requested funds for a total grant award of \$200,000. Commissioner Stern asked about the mill levy and county support of the museum. Mr. Wiedrich said the historical society had recently put the question of an increased mill levy on the ballot and it was defeated and the county commission has approved \$5000/year for a three year period to assist the historical society. President Obenauer thanked Mr. Wiedrich and Ms. Meyhoff for coming to the meeting with this information and Commissioner Stern said it is hard since the commission is receiving requests for funds all the time. Commissioner Wolf said she would like to see the city make some commitment but felt the \$10,000 would be out of the city’s reach. Mr. Wiedrich again encouraged the commission members to come to the museum which is open to the public every Wednesday or by appointment.

**Fireworks Display Permit/Oktobefest Planning – Hazen Chamber:** Chamber Director Terri Philion met with the commission to discuss the upcoming all-class reunion. The reunion committee has requested the public fireworks display be held on July 11<sup>th</sup> as part of the reunion and not on July 4<sup>th</sup>.

Commissioner Wolf moved to approve the permit to display fireworks on July 11<sup>th</sup>, as requested by the Hazen Chamber of Commerce, second by Commissioner Hack. On roll call vote; Wolf, "Aye", Haack, "Aye", Stern, "Aye", Brunmeier, "Aye", Obenauer, "Aye", motion carried. Ms. Phillion also informed the commission that the Hazen Chamber has been awarded a grant to continue the Oktoberfest Celebration which is tentatively scheduled for September 25<sup>th</sup> and 26<sup>th</sup>. As part of the celebration the chamber would like to request that a portion of Main Street, from Central Avenue to 1<sup>st</sup> Ave W be closed for the purpose of outdoor entertainment. Ms. Phillion said they would like to close the street after normal business hours on Friday through early Sunday morning. Commissioner Brunmeier moved to approve closing of Main Street as requested by the Hazen Chamber of Commerce, second by Commissioner Wolf. On roll call vote; Brunmeier, "Aye", Wolf, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried. When asked about the entertainment Ms. Phillion stated a contract has been sent out but she is not at liberty to discuss the matter any further at this time. Commissioner Brunmeier recommended the chamber work with the police and public works department to ensure the event is a success.

## **REPORTS**

**President:** President Obenauer informed the commission that he has been involved in discussion with a developer, Williams Building Company Incorporated that is very interested in opportunities to develop in the city of Hazen. Representatives of the company will be coming to a future meeting of the commission to introduce themselves and discuss different development options and plans.

**Water/Sewer:** Commissioner Brunmeier informed the commission the city has received quotes for two (2) used vac/jet truck from Environmental Solutions Ltd. One is estimated at \$185,000 and one for \$145,000. The city will finish developing specifications for the vehicle and equipment and prepare to bid for the equipment. President Obenauer asked if Mr. Johnson had received any feedback on his idea for several cities to share in the cost and use of such a piece of equipment. Mr. Johnson said he had sent an email out on the matter but had not received any responses as of this meeting.

**Street/Cemetery:** Commissioner Stern had nothing to report at this time.

**Finance/Busing:** Commissioner Wolf informed the commission that Hazen Busing was awarded funding to build a new bus facility in a total federal dollar amount of \$244,668.

**Police/Fire:** Commissioner Haack informed the commission that the fire department benefit for Mr. LeMasters was attended by approximately 350 people. Commissioner Haack also advised the commission that Chief of Police Dahl is requesting price quotes on the state bid for purchase of a replacement vehicle that was budgeted in 2015. Commissioner Haack said he'd like to keep this purchase local but the city must also consider cost to the taxpayer when making these purchases. Commissioner Haack next asked Attorney Donovan to discuss the Nuisance/Vehicle Ordinance which has been in effect since 2003-2004. Attorney Donovan said he has reviewed the present ordinance and the limited complaints received as well as the suggestions from the police department with regard to updating the nuisance ordinance. Attorney Donovan said that, based on the complaints, our

ordinance does address public nuisances, junk vehicles and other parking complaints it is just a matter of much of this information being located in different sections of the ordinances. Attorney Donovan suggested that very few changes are needed in the ordinance based on the complaints received. President Obenauer agreed that much of the information is located throughout several different ordinances and asked if there is some way to educate the public. Attorney Donovan suggested publishing some type of "good neighbor" handbook similar to other municipalities. Commissioner Stern said there are some specific examples the city can look at in correspondence received. Commissioner Haack would like to see some type of good neighbor publication that can be used by law enforcement and the public to make them aware of the city's ordinances. President Obenauer said this publication would have to be specific and Commissioner Haack will meet again with the members of the police department to compile a list.

### **CORRESPONDENCE**

**Senate Bill 2036 Information – Coal Conversion Counties:** CCC Secretary/Treasurer Frovarp shared some information with regard to legislation affecting coal beneficiation taxes that has been introduced this session. The Coal Conversion Counties board met, via phone conference, and voted to oppose the bill as it may reduce the revenue to local government. Mr. Frovarp said that if the bill is approved in the Senate and moves to the house the CCC board will likely meet again to discuss further action. Commissioner Stern asked if the tax was based on coal weight or BTU's and Mr. Frovarp was not certain as to the basis.

### **OLD BUSINESS**

**Armory Building:** With Hazen Busing/City of Hazen receiving the grant to construct a new bus facility the board considered how to proceed with regard to the armory building. In the past there was discussion on using the building for other city purposes but the city has been contacted by prospective companies and individuals interested in purchasing the property/building. President Obenauer asked what the board would like to do and Commissioner Wolf stated she would like to see the building sold. Commissioner Stern asked if the building may be suitable for shop equipment and it was determined the city shop would have additional room equipment if the buses are removed from that building. Commissioner Wolf moved to advertise the sale of the armory building at a minimum bid of \$290,000 with the three (3) top unrelated bidders being allowed to increase their bid, second by Commissioner Brunmeier. On roll call vote; Wolf, "Aye", Brunmeier, "Aye", Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried. Auditor Erhardt will consult with Attorney Donovan to prepare the advertisement for publication.

### **NEW BUSINESS**

**2014 Budget Amendment(s):** Commissioner Wolf moved to approve 2014 budget amendments as presented, second by Commissioner Haack. On roll call vote; Wolf, "Aye", Haack, "Aye", Stern, "Aye",

Brunmeier, "Aye", Obenauer, "Aye", motion carried. The budget amendments approved are: Revenue budget \$1,473,574.01 and expenditure budget, \$428,949.97. The complete list of amendments is on file in the auditor's office.

**Approval of Bills and Financial Statements:** Commissioner Haack moved to approve the bills, second by Commissioner Wolf. Pre-paid and bills approved for payment are as follows: United States Postal Service, 266.66; 4J Outdoors, 76.00; Ameripride Linen & Apparel Services, 163.86; Cardmember Service, 1113.30; Cenex, 6473.09; Chamber of Commerce, 650.00; Coal Country CHC, 229.00; D&E Supply Co, 64.63; Dakota Fire Extinguishers, 1233.75; Dakota Supply Group, 280.77; Dan Wettstein, 320.00; Discovery Benefits, 25.00; Fastenal Co, 321.92; Hawkins Inc, 5.00; Hazen Public Library, 1185.50; Hazen Welding, 714.80; Hiway Express, 95.36; Information Technology Dept, 75.00; James C Skinner, 24.33; Kathy Repnow, 63.00; Kenny Klein, 350.00; Kurt Milbradt, 100.00; Lange & Donovan PLLP, 527.50; M&A Heating & Air Conditioning, 861.71; Menards, 30.17; Mercer County Treasurer, 4537.08; Mike Froelich, 25.00; Montana Dakota Utility, 5512.30; Municipal Government Academy, 15.00; ND Department of Health, 32.00; NAPA, 897.34; North Dakota One Call Inc, 3.30; Northland Financial, 302.00; Purchase Power, 1020.99; Roughrider Electric Coop, 3553.99; Sakakawea Hazen Clinic, 219.00; SBM Inc, 9.99; St. Alexis Medical Center, 250.00; Verizon Wireless, 151.90. Motion unanimously approved.

There being no further business the meeting was adjourned at 7:09 PM CT. The next regular meeting of the commission will be Monday, February 2, 2015 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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