

**Hazen City Commission  
Regular Meeting  
September 21, 2015  
Hazen City Hall**

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

**Others Present:** Attorney Donovan, Planner Frovarp, Auditor Erhardt, Editor Arens, Mark Johnson & Mary Schindler (Ulteig), Kelsey Timmer & Mark Sweeney (KLJ), Joe Armstrong, Buster Langowski, Heather Cline, Darren Mund, Greg McCarthy, Delmar Schramm, Carla Borlaug, Bonnie Johnson, and Loren Wiest.

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

**Minutes:** Commissioner Brunmeier moved to suspend the reading of the September 8<sup>th</sup> minutes and approve them as presented, second by Commissioner Wolf. Motion unanimously carried.

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

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Surge Project Update – Ulteig:** Mary Schindler (Ulteig) informed the commission that all underground work to the proposed hotel site has been completed. Lift station #5 and lift station #3 are nearly finished being installed except for the pumps. President Obenauer asked about the mud from the water line break and Ms. Schindler stated the work to remove the mud and to video the sewer lines is scheduled for September 30<sup>th</sup>. Mark Johnson (Ulteig) informed the commission that the project is not substantially complete, according to the contract, and he has not received a request for an extension of time for the wet soil conditions. Ms. Schindler said the dewatering processes are complete and the contractor is running the sewer line to the old lift station. Commissioner Haack asked about the sluice gates and Mr. Johnson said they may take time to be manufactured but the system can be operational without them.

**Drought Management – Water Conservation Plan:** The commission reviewed the proposed Drought Management and Water Conservation plan documents and President Obenauer stated that based on information from Attorney Donovan he did not feel it was necessary to have a representative come out to the meeting. Planner Frovarp had received an email from Mr. Stroh with regard to the documents stating they can be used as a tool in the future to help the city create ordinances to deal with such water emergencies. President Obenauer then suggested accepting the proposed plan. Attorney Donovan questioned the need to formally adopt the policy and where other such information is

maintained by the city. President Obenauer asked Planner Frovarp to contact Mr. Stroh to come to a future meeting to review this matter further.

**Commerce Center Parking Lot:** The commission addressed the repair of the commerce center parking lot and President Obenauer said the city had requested proposals to complete some of the work but none of the proposals matched the specifications. President Obenauer continued by stating he didn't feel the city should accept any proposal at this time, re-draft specifications and ask for new proposals with work to be completed on/or before November 15, 2015. Commissioner Haack asked about other discrepancies in the bids and stated he would like to see the area in front of the commerce center completed yet this year, if possible. President Obenauer said he agrees that it would be beneficial to complete this area and Commissioner Haack added that he just doesn't want something done half-way. Darren Mund inquired as to plan b if the project can't be completed this year and President Obenauer stated he would then like to see it completed next spring, as soon as possible.

## **REQUEST OF CITIZENS**

**Safety Concern – Hwy 200 Pedestrian Crossing – H. Cline:** Heather Cline appeared before the commission to express concern relating to the pedestrian crossing of Hwy 200 at 4<sup>th</sup> Ave NE, near Cenex. Ms. Cline stated she is especially concerned for her young children and other young school children that cross at this location. Ms. Cline said that she understands that any action would require input and approval from the ND Department of Transportation and encouraged the city to contact them to address this concern. Mr. Johnson suggested asking ND DOT to complete a warrant study to determine the proper additional traffic control.

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

**Update – Pioneer Apartment Project – J. Armstrong:** Joe Armstrong appeared before the commission to update them on the progress of the Pioneer Apartment Project. Mr. Armstrong said he and Mr. Langowski personally presented a progress report to ND Housing Finance on September 11<sup>th</sup> and were encouraged by the reports reception. Mr. Armstrong wished to thank West River Telecom, Union State Bank and the Union Bank for their support of the project which was essential in determining continued feasibility for the project. Mr. Armstrong said they are working to firm up design and financial information which is difficult as North Dakota does not have a mechanism to provide funding for pre-development so Hazen Community Development has been funding much of this work. Mr. Armstrong also thanked Williams Builders for agreeing to accept a lower initial commitment to proceed with preconstruction planning and design. Mr. Armstrong said he will continue to serve as the development consultant working with the City of Hazen, Hazen Community Development and the Hazen Housing Authority. Mr. Armstrong has been working with the housing authority and Attorney Donovan to complete documents for a 501 (C) (3) single purpose entity for the project. Mr. Armstrong said when complete Metro Plains Management will oversee daily operation of the facility and they were chosen because they oversee similar projects in the area and are an approved firm with ND Housing Finance.

President Obenauer asked about the timelines after the design and construction teams have met. Buster Langowski said they are working with the previous property owner to finish removing personal property and they will then work on the asbestos abatement process, hoping that in sixty (60) to ninety (90) days they can begin some interior construction work. Mr. Langowski also said they had received a letter allowing an additional sixty (60) days for the next report. President Obenauer said he understands the project has over \$800,000 in tax credits and asked what else is needed. Mr. Langowski stated they need an additional \$300,000 in tax credits, unless the ND Housing Incentive Fund limit of \$30,000,000 is reached. Mr. Langowski said they were able to obtain some housing funds to cover some of the cost of the asbestos abatement process.

**Oktoberfest Concert – Street Closure/Event Permit:** The commission was made aware of the location for the Oktoberfest activities as represented on a drawing provided by the Fire Department. The commission was also informed that Hazen Bottle Shop applied and was approved a special event permit for the activities as well.

**Local Permit – Hazen Public School:** Commissioner Wolf moved to approve local permit #2015-13 to the Hazen Public School to conduct bingo and raffle games through June 2016, second by Commissioner Brunmeier. On roll call vote; Wolf, “Aye”, Brunmeier, “Aye”, Stern, “Aye”, Haack, “Aye”, Obenauer, “Aye”, motion carried.

**Charity Local Permit – Hazen Fire & Rescue:** Commissioner Wolf moved to approve charity local permit #2015-14 to Hazen Fire & Rescue to conduct a poker tournament at Jimmy’s Lounge on October 10<sup>th</sup>, second by Commissioner Stern. The commission was advised that Hazen Fire and Rescue is required to file a report of their proceeds and prizes within thirty (30) days of the event. On roll call vote; Wolf, “Aye”, Stern, “Aye”, Brunmeier, “Aye”, Haack, “Aye”, Obenauer, “Aye”, motion carried.

## REPORTS

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

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

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

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

**Police/Fire/Forestry:** Commissioner Haack informed the commission that he had talked to Forester Melberg and was advised that there were a couple of trees with Dutch Elm Disease that were just removed so this process is complete for this year. Commissioner Haack was also asked about removing two (2) of the trees near the entrance to City Hall due to the fact that they did not mature as hoped. President Obenauer does not want them removed without some plan to replace them with suitable trees or perhaps flower containers. With regard to a new sprayer, Commissioner Haack there are still questions about a boom attachment so this will be revisited at a future meeting.

## CORRESPONDENCE

**Application for Unspent State Aid – Transit Funding:** Auditor Erhardt informed the commission of the opportunity to apply for unspent state aid funding for transportation. Commissioner Brunmeier moved to authorize the auditor to complete the request for additional state aid funding for transit programs, second by Commissioner Haack. On roll call vote; Brunmeier, “Aye”, Haack, “Aye”, Wolf, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

**Building Inspector Update – L. Wiest:** President Obenauer thanked Loren Wiest for attending the meeting to provide an update on the inspection process. Mr. Wiest thanked the commission for allowing him to attend a sixteen (16) hour inspection seminar which was very informative. As to the city process, Mr. Wiest said when a permit is issued Planner Frovarp emails him information and he works with the property owner or contractor to perform the inspections and he then emails information, (reports, photos) back to Planner Frovarp with a request for payment. Mr. Wiest said it would be helpful if an information sheet were developed to inform residents when to contact the inspector with regard to necessary inspections. Mr. Wiest said there are also issues with the permit forms being legible and asked if the city would consider developing some type of fillable (computerized) form for the applicant to complete. Mr. Wiest stated that, generally, the contractors in our area exceed the requirements of construction. In an unrelated matter Mr. Wiest asked the commission to consider a crosswalk, or two, between the patio homes and the senior center.

## **OLD BUSINESS**

**2016 Preliminary Budget – Notice Publication:** Auditor Erhardt informed the commission that the budget information was updated based on the discussions of the board and the notice is ready for publication. Auditor Erhardt also stated the required notices have been mailed pursuant to ND Century Code. Commissioner Wolf moved to approve the preliminary budget publication as presented, second by Commissioner Haack. On roll call vote; Wolf, “Aye”, Haack, “Aye”, Stern, “Nay”, Brunmeier, “Aye”, Obenauer, “Aye”, motion carried.

## **NEW BUSINESS**

**2016 CVB Budget Presentation:** Carla Borlaug presented the 2016 Convention & Visitor’s Bureau budget to the commission stating that the overall budget is very similar to the previous year. Ms. Borlaug stated there were a couple of additional expenditures from the reserve fund to the Mercer County Historical Society, a Boy Scout Eagle Project (new welcome sign) and to update the Friends of Paul Weiser Pocket Park Donor Board. Commissioner Wolf moved to approve the budget presented, second by Commissioner Brunmeier. On roll call vote; Wolf, “Aye”, Brunmeier, “Aye”, Stern, “Aye”, Haack, “Aye”, Obenauer, “Aye”, motion carried.

**Approval of Bills:** Commissioner Haack moved to approve the bills, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Dakota Transit Assn, 550.00; Antelope Creek Trucking, 1192.50; Casey Stern, 54.00; D&E Supply Co, 185.04; Dakota Supply Group, 638.50; Discovery

Benefits Inc, 25.00; Hazen Parks & Rec, 10000.00; Interstate Power Systems, 79.01; Liquid Engineering Corp, 2870.00; Marti Magnuson, 92.49; Monte Erhardt, 34.50; ND One Call Inc, 51.70; Northland Financial 302.00; Pitney Bowes, 420.00; Power Plan, 771.16; Pro Forms, 901.16; Randy Tangen, 90.00; Ron Muth, 130.00; Sakakawea Hazen Clinic, 226.00; Sakakawea Medical Center, 13.06; SBM Inc, 49.48; Spruce It Up Lawn & Tree, 545.00; Starion Bond Services, 33392.25; The Attic, 48.00; Trucks of Bismarck Inc, 3.26; US Postal Service, 288.35. On roll call vote; Wolf, "Aye", Stern, "Aye", Haack, "Aye", Obenauer, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:43 PM CT. The next regular meeting of the commission will be Monday, October 5, 2015 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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