

**Hazen City Commission  
Regular Meeting  
October 2, 2017  
Hazen City Hall**

**Present:** Commissioner Pillar, Commissioner Stern, and Commissioner Wolf.

**Absent:** President Obenauer and Commissioner Haack

**Others Present:** Planner Senger, Auditor Erhardt, Editor Arens, Attorney Donovan, Mark Sweeney (Moore Eng.), Dewey & Shannon Aaseth, Steve Fetsch, Bryan Holen, Leon Grosz, Paula Straub, Buster Langowski and other residents that did not sign-in.

The meeting was called to order at 5:30 PM by Commissioner Wolf.

**Minutes:** Commissioner Pillar moved to suspend the reading and approve the minutes of the September 18th meeting, as presented, second by Commissioner Stern. Motion unanimously carried.

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

**CONSULTATION WITH ATTORNEY & ENGINEER**

**2018 Street Projects:** The commission reviewed proposals for televising of services in relation to proposed street work. Three (3) proposals were received and reviewed by Moore Engineering with a recommendation to accept the proposal of PACE to clean and video 9300 linear feet of lines at a cost of \$26,925. Other proposals received, for the same linear feet, were at a cost of \$34,738 and 39,045. Commissioner Pillar moved to accept the proposal of PACE for cleaning and televising sanitary sewer lines at a cost of \$26,925, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

**REQUEST OF CITIZENS**

**Local Permit – Raffle – Peace Lutheran Church Women:** Commissioner Stern moved to approve local permit #2017-12, as requested by Peace Lutheran Church Women, to conduct a raffle on November 11, 2017, second by Commissioner Pillar. Motion unanimously approved.

**CVB 2018 Budget:** Carla Borlaug presented the 2018 Convention & Visitor's Bureau budget which includes total income of \$26,250 and total expenditures of \$26250. Ms. Borlaug indicated that the Chamber and CVB have created a new website which has a link on the city website. Commissioner Pillar had a question about the flower budget and Ms. Borlaug indicated that those expenditures had exceeded the 2017 budget and it was increased in the 2018 budget. Ms. Borlaug also said the flower cost used to be shared with the chamber and they are looking at sharing those costs again in the

future. Commissioner Pillar moved to accept the 2018 CVB Budget, as presented, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

**Free/Reduced Hall Rent – SMC:** Commissioner Stern moved to approve free use of city hall, subject to the kitchen fee, for events to be hosted by Sakakawea Medical Center on October 26, 2017 and November 8, 2017, second by Commissioner Pillar. Motion unanimously approved.

## REPORTS

**President:** President Obenauer absent. No report.

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

**Street/Cemetery:** Commissioner Haack absent. No report.

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

**Police/Fire/Forestry:** Commissioner Pillar informed the board that a position for a patrol officer has been advertised. Commissioner Pillar also informed the board that he has received examples of other municipal nuisance ordinances and he will be working with the police department to update our ordinances and bring the matter back to the board later.

**HCD:** Buster Langowski reported the parking slabs have been poured at the Pioneer Apartments and they will be working to finish sidewalks and driveway aprons with the entire project expected to be completed by the end of October. A grand opening has been scheduled for October 27<sup>th</sup> and Retterath Rentals is working with HJL Management to complete review of applications for the apartments.

## OLD BUSINESS

**Property Lease/Purchase:** The commission was informed that Mr. Gowin would not be appearing at the meeting, as he is no longer pursuing purchase or lease of the property, previously discussed. The matter was left on the agenda as there were several neighboring residents that were interested in what Mr. Gowin's plan is. Commissioner Stern inquired about the benefit to the city, in selling the land, and the only possible benefit would be if it were developed and structures built that would increase the taxable value of the property. Commissioner Wolf said the city would have to determine first if they were even interested in selling the property and it would then have to be advertised. Dewey Aaseth also asked about the benefit to the city and Commissioner Pillar stated to get it on the tax rolls. Mr. Aaseth also questioned if the deed, conveying the property to the city, prohibited sale of the property and Attorney Donovan indicated he was not aware of any conditions. Paula Straub asked if there would no longer be a cul de sac on 5<sup>th</sup> Avenue if the entire dike area was opened and road constructed would property taxes go down and Commissioner Stern did not feel that would affect taxes for the cul de sac area. Shannon Aaseth asked if the city does decide to sell the property what would happen to the easement received and Mr. Aaseth asked if the city would consider giving adjacent property owners the first option to purchase property adjoining theirs? Attorney Donovan stated the sale of the property would be subject to the easement. Mr. Aaseth was also concerned about having a road right behind his house with increased traffic and possibly dust. Commissioner Stern said that he had contacted most of the area property owners suggesting that it could have been

made into an alley for public use. Commissioner Wolf asked if the city could pick and choose who the property is sold to. Attorney Donovan stated, under city ordinance, the method to dispose of property is to offer it for bid to the public. The city needs to determine, if they are going to sell the property, do they wish to sell as parcels or as a single parcel or if there is a benefit to the city retaining the property. Mr. Aaseth said there would be high cost to survey the property to sell it as parcels and Attorney Donovan said the city could sell the property at a minimum price. Mr. Aaseth was unsure why the city was even considering this and Commissioner Pillar said this was brought to the city's attention so it was placed on the agenda for discussion. Commissioner Wolf recommended leaving the matter as it is, for now, and Commissioner Pillar said the city needs to take a better look at the benefit of disposing the property. Commissioner Stern said that if the property were sold to adjacent owners Mr. Gowin would still have part of the land for a road. Commissioner Stern moved to not offer either property for sale, or lease, now, second by Commissioner Pillar. Motion unanimously approved.

**Fence – Crushed Material Location:** The commission was informed the proposal, from Dakota Fence, to install a fence around the material pile was more than \$16,000. President Obenauer contacted West Dakota Lumber and was given an estimate, for materials only, of \$3900 depending upon the desired spacing of the posts. Commissioner Stern asked what happens to the fence later when the material is removed and there was discussion of using the area for storage or impoundment of nuisance vehicles. Commissioner Pillar moved to have city staff construct a fence around the crushed material pile at a cost, not to exceed, \$5,000, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

**2018 Budget:** Commissioner Wolf asked if there were any comments on the 2018 budget, as proposed. There were no public comments. Commissioner Stern stated he would like to see the HCD tax moved back down rather than the proposed \$38,000 or maximum 4 mills. Mr. Langowski asked what Commissioner Stern was proposing and Commissioner Stern would like to see it around \$18,000 to \$20,000 like several years ago. Mr. Langowski said there was a trade-off some time ago where the city no longer provided general funds to HCD in exchange for the 4 mills. Commissioner Stern proposed a levy of 2.5 to 3 mills. Attorney Donovan stated the budget is based on dollars, not mills. Commissioner Wolf asked if the budget had to be acted upon this evening and Auditor Erhardt said yes, unless they wished to hold a special meeting prior to the October 10<sup>th</sup> deadline to provide the budget to the county auditor. Commissioner Pillar moved to accept the 2018 budget, as presented, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Nay", Wolf, "Aye", motion carried.

## **NEW BUSINESS**

**ND DOT Transit Section – FY 2018 State Aid Contract:** Auditor Erhardt informed the commission that the Hazen Busing program was awarded \$26,118 in State Aid funding for fiscal year 2018.

Commissioner Pillar moved to approve contract with ND DOT for FY2018 state aid funding, second by Commissioner Stern. Upon discussion Commissioner Stern was informed the city received \$33,000 in state aid for FY2017. On roll call vote; Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

**Special Meeting – Confirm/Certify 2016 Special Assessments:** The commission was advised there will need to be a special meeting to hear appeals, if any, and certify the 2016 special assessment after the Special Assessment Committee meets, later this evening. The special meeting will be held on October 30, 2017 at 5:30 PM, in the commission room, to comply with publication requirements.

Mark Sweeney, Moore Engineering, arrived at the meeting after the televising decision and was informed that commission was accepting the proposal of PACE. Mr. Sweeney informed the board that his office had updated the State Revolving Fund questionnaire indicating the city is still interested in constructing a new water storage/supply tank at an estimated cost of \$1.5 million. Commissioner Pillar moved to continue with the SRF project questionnaire as presented, second by Commissioner Stern. Motion unanimously approved.

**Approval of Bills:** Commissioner Stern moved to approve the bills, second by Commissioner Pillar. Pre-paid and bills approved for payment are as follows: US Postal Service, 266.06; Universal Premium Fleetcard, 3768.06; MDU, 24.93; Verizon Wireless, 117.00; Benjamin Bohrer, 100.00; BHG Inc, 5168.10; Bryan Tomchuk, 4450.00; Cardmember Service, 431.08; Chuck Dahl, 90.75; CVB, 2337.25; Dannette Huber, 330.00; Fastenal, 17.19; HCD, 177.92; Hazen Hardware Inc, 418.52; High Plains Concepts, 600.00; J&L Automotive LLC, 651.56; Jason or Stephanie Huber, 2100.00; Jeffrey Powell, 50.92; Jonathan Doll, 259.32; Joyce Lemer, 108.50; Kelly Schnaidt, 1000.00; Krause’s Super Valu, 79.98; Kyle Larson, 125.00; L-Tron Corp, 658.00; M&A Heating, 5562.82; Mandate Machinery Inc, 201.98; Marc Corp, 1581.26; Marco Technologies, 345.73; Monte Erhardt, 281.41; ND League of Cities, 140.00; Preble Medical Services, 70.00; Promiseland Designs, 130.00; Ron Muth, 140.00; SBM Inc, 116.63; Shannan Senger, 435.14; Sign Pro, 447.00; Southwest Water Authority, 39263.57; Spruce It Up Lawn & Tree, 1570.00; Stein’s, Inc, 451.51; . On roll call vote; Stern, “Aye”, Pillar, “Aye”, Wolf, “Aye”, motion carried.

Bryan Holen addressed the commission about a safety concern and requests the city to consider installing a stop sign at the intersection of 3<sup>rd</sup> Street and 5<sup>th</sup> Avenue NW. Commissioner Wolf said his concern would be passed along to Street Commissioner Haack.

Justin Klein asked if the city’s decision to not sell any property, now, included the 1.89 acres north of the cemetery and he was advised that it did include this property.

There being no further business the meeting was adjourned at 6:18 PM CT. The next regular meeting of the commission will be Monday, October 16, 2017 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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