

**Hazen City Commission  
Regular Meeting  
February 3, 2014  
Hazen City Hall**

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

**Absent:** President Nygard

**Others Present:** Attorney Donovan, Editor Erickson, Planner Frovarp, Auditor Erhardt, Joe Armstrong, Director Quast, Myron Stern, Allen Klein and Buster Langowski.

Meeting Called to order at 5:30 PM CT.

**Minutes:** Commissioner Wolf moved to dispense with the reading of the January 20<sup>th</sup> minutes and approve them as presented, second by Commissioner Brunmeier. Motion unanimously carried.

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

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Multifamily Capital Resources Incorporated Presentation:** Buster Langowski, HCD Director, introduced Joe Armstrong who serves as affordability consultant for Multifamily Capital Resources Inc of Scituate, MA. Mr. Armstrong spoke of his background in affordable housing and of his plan to develop affordable senior and workforce housing in the city of Hazen. Mr. Armstrong told the commission that it is his goal to move to North Dakota to expand his business. Mr. Armstrong presented a PowerPoint informational slides to present his idea for housing to meet three (3) goals; Senior Apartments, Workforce Housing and Single Family Homes. At this point the plan is to focus on the senior and workforce housing. Mr. Armstrong presented information on the proposed participants and the different funding sources that will be used to finance the project, such as; Low Income Housing Tax Credits, Housing Incentive Funds, NDHFA Rural Housing Development Funds, NDHFA Loan Financing, and Private Equity. Mr. Armstrong assured the commission that there is no financial commitment from the city, and he is seeking a site control agreement which keeps the land for this particular project. If the project does not proceed as planned the only cost to the city will be the time the land is set aside. Mr. Armstrong will be presenting more detailed information at the Annual HCD meeting on February 5, 2014. Mr. Langowski has the PowerPoint presentation and can send it out to anyone seeking to review it further.

**Main Street Project:** Vice President Obenauer reviewed part of the previous discussion on the main street project and President Nygard's written comments were presented to the commission and Editor

Erickson. Commissioner Stern thought there was some discussion on returning Ash Road to gravel and Director Quast said that option has been discussed in the past. Commissioner Wolf asked if adjacent property owners wanted it paved and Director Quast said that Roughrider Electric had asked about repairs. Vice President Obenauer does not like the idea of going backwards and returning this street to gravel surface suggesting property owners could petition out if the cost is too great. Attorney Donovan said that it is not as easy to petition out of the project if the entire city makes up the special assessment district. Commissioner Stern said something needs to be approved soon to allow time for design and bidding suggesting he would like to see all the projects, as estimated by KLJ, included in the scope and then create the districts to assess the benefit to the property owners. Attorney Donovan agreed that the board must first determine the scope of the project, then look at the district creations process and appoint an engineer to prepare preliminary plans and estimates. Commissioner Wolf asked if the scope can be defined and multiple districts can be approved. Planner Frovarp said they can create smaller districts for certain project areas and a city-wide district. Vice President Obenauer agrees that the board needs to get moving on the process. Commissioner Stern moved to do the Main Street project (4<sup>th</sup> Ave NE to Hwy 200) and to include a portion of 4<sup>th</sup> Ave NW, and 4<sup>th</sup> Street NE from 4<sup>th</sup> Ave to 1<sup>st</sup> Ave NE, omitting the frontage road (between 10<sup>th</sup> & 11<sup>th</sup> Ave NW) and Ash Road, second by Commissioner Brunmeier. Upon discussion Vice President Obenauer asked why not include the frontage road and Commissioner Stern said that he had talked to the property owners, in this area, and they don't see the benefit of paving this road. Commissioner Wolf indicated she would like to see it paved. Allen Klein, Hazen, was present and said he just wanted to know how the cost for the frontage road would be assessed back to the property owners. Vice President Obenauer said the city would include it in the district and the Special Assessment Board would determine the benefit to each property owner. Myron Stern, Hazen, said he has also talked to several property owners near this frontage road and there are concerns about the costs for such a small area and that most of the property owners are against paving it. Commissioner Wolf said that her property has been part of three (3) special assessments and that she understands how it can be a burden. Attorney Donovan suggested the board may want to use caution in limiting the scope of the project at this stage as things omitted now are not likely to be added back in at a later time, but could be removed later. Commissioner Stern provided a map of the proposed streets contained in the motion. On roll call vote; Stern, "Aye", Brunmeier, "Aye", Wolf, "Nay", Obenauer, "Nay", motion died for lack of majority votes. Commissioner Brunmeier moved to approve the project to include Main Street (4<sup>th</sup> Ave NE to Hwy 200) to include a portion of 4<sup>th</sup> Ave NW, 4<sup>th</sup> Street NE from 4<sup>th</sup> Ave NE to 1<sup>st</sup> Ave NE, the Frontage Road and Ash Road, second by Commissioner Wolf. On roll call vote; Brunmeier, "Aye", Wolf, "Aye", Stern, "Nay", Obenauer, "Aye", motion carried. Commissioner Stern moved to select Kadmas, Lee & Jackson Engineering to serve as engineers for the street project, as approved, second by Commissioner Wolf. Attorney Donovan reminded the board that Ulteig Engineering is the appointed firm for the city and that ND Century Code directs the city engineer to conduct this type of work. Vice President Obenauer asked if there ever was a time when the city had used an engineering firm, not appointed, for a project and Planner

Frovarp indicated that in the past KLJ had done street projects and Ulteig had done water/sewer projects. On roll call vote; Stern, "Aye", Wolf, "Aye", Brunmeier, "Aye", Obenauer, "Aye", motion carried. Vice President Obenauer asked Planner Frovarp to notify KLJ of the action taken and to request guidance in developing the districts for the special assessment.

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

**Free/Reduced Hall Rent – SMC Hospice:** Commissioner Brunmeier moved to approve use of the hall without cost, subject to the normal kitchen fee, as requested by SMC Hospice for the dates February 13-14 and March 27-28, second by Commissioner Wolf. On roll call vote; Brunmeier, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

### **REPORTS**

**President:** No Report

**Police/Fire:** Commissioner Obenauer had nothing to report but advised the board that he had taken a petition out seeking signatures to be placed on the ballot for the position as Commission President.

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

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

**Finance/Busing:** Commissioner Wolf advised the board that the buses will be cycled through Harlow's Bus Sales for general inspections.

### **NEW BUSINESS**

**Dakota Pump and Control Maintenance Agreement:** Commissioner Wolf moved to approve the annual lift station maintenance contract with Dakota Pump and Control at a cost of \$560.00, second by Commissioner Brunmeier. On roll call vote; Wolf, "Aye", Brunmeier, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**Meeting Schedule 2/17/2014 (President's Day):** With the next regular meeting scheduled for the President's Day holiday, Commissioner Wolf moved to change the meeting to February 18, 2014 at 5:30 PM CT, second by Commissioner Brunmeier. On roll call vote; Wolf, "Aye", Brunmeier, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**Approval of Bills:** Commissioner Wolf moved to approve payment of bills, second by Commissioner Stern. The pre-paid and bills approved to be paid are as follows: US Postal Service, 250.66; ASCAP, 330.25; Bank of North Dakota, 14935.00; BHG Inc, 618.55; Bobcat of Mandan Inc, 14.70; Comfort Inn, 74.00; Dakota Fire Extinguishers, 451.14; Dan Wettstein, 320.00; Fargo Water Equipment/DSG, 32.36; Fastenal Co, 45.45; Hawkins Inc, 5.00; Hazen Welding, 329.45; J&L Automotive LLC, 3583.66; Krause's Super Valu, 62.03; Kurt Milbradt, 100.00; Mercer County Auditor, 15.50; Northwestern Equipment Inc, 792.31; Pitney Bowes, 196.32; Railroad Management Co III LLC, 146.16; Roughrider Electric Coop Inc, 165.00; Sakakawea Hazen Clinic, 175.00; Sakakawea Medical Center, 192.68; SBM Inc, 41.99;

Southwest Water Authority, 23058.16; Speidel's, 4164.00; Stein's Inc, 75.70; Steve Frovarp, 20.91; Stroup Insurance, 32575.00; Verizon Wireless, 271.38; West Dakota Lumber, 76.78. Motion unanimously carried.

There being no further business the meeting was adjourned at 6:50 PM CT. The next regular meeting of the commission will be February 18, 2014 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: \_\_\_\_\_  
Mark Nygard,

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