

**Hazen City Commission  
Regular Meeting  
March 16, 2020  
Hazen City Hall**

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

**Others Present:** PW Director Brousseau, Attorney Donovan, Auditor Erhardt, Troy Schilling, James Byerley, and Marvin Schwehr.

The meeting was called to order at 5:29 PM by President Obenauer.

President Obenauer led the Pledge of Allegiance and Commissioner Pillar said the prayer.

**Minutes:** Commissioner Wolf moved to suspend the reading and approve the minutes of the March 2<sup>nd</sup> meeting, as presented, second by Commissioner Stern. Motion unanimously approved.

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

#### **REQUEST OF CITIZENS**

**Free/Reduced Hall Rent – Mercer County Soil Conservation District:** The event has been scheduled. No action taken on request.

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

**Building Permit – Extraterritorial Jurisdiction-C. Miller (WSB):** The commission reviewed an application, completed by Western Steel Builders, to construct a storage building on a rural property, within the city zoning jurisdiction. The building will be located on property owned by Clyde Miller, south of Main Street and 9<sup>th</sup> Ave W. Commissioner Wolf moved to approve the building permit, as requested, second by Commissioner Pillar. Upon discussion, the commission was advised that the structure will have a small bathroom. On roll call vote: Wolf, “Aye”, Pillar, “Aye”, Haack, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

**Commercial Building Permit – West River Telecommunications:** The commission reviewed an application for a building permit submitted by West River Telecom. Troy Schilling, WRT, explained the company completed a building needs assessment, over the past year, and the final plan is to demolish part of the current building, remodel part of the building and construct an addition to the building, not removed. Mr. Schilling advised that Capital City Construction will serve as the prime contractor for the project and they will subcontract to local contractors, if possible. Commissioner Pillar asked if the new structure has the same west boundary as the current building and was advised that it will. The commission also reviewed comments, about the project, received from Moore Engineering. Mr. Schilling said that when the building is complete all staff will be in one building. Commissioner Pillar moved to approve the building permit, acknowledging items indicated by the city engineer, second by Commissioner Haack. Upon discussion, Mr. Schilling advised the construction is expected to take

twelve to fifteen months to complete and advised that no variances are being requested. Commissioner Stern asked about the permit fee and was advised that the fee will exceed \$19,000. Commissioner Stern also asked about taxes and Mr. Schilling explained that the cooperative pays a telecommunication tax based on adjusted gross receipts. President Obenauer asked when the project is expected to begin and Mr. Schilling said they have conducted the abatement process and demolish is planned to start on, or about, April 6<sup>th</sup>. On roll call vote: Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

## REPORTS

**Water/Sewer/Garbage:** Commissioner Pillar informed the board that city staff are experimenting with chemical blocks in the lift stations to maintain them, and hopefully control odors. Commissioner Pillar presented a quote to replace a lift station impeller and wear ring. Commissioner Pillar moved to approve the purchase of the seven-inch (7") impeller and wear ring at a cost of \$1,450, second by Commissioner Stern. On roll call vote: Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

**Street/Cemetery:** Commissioner Haack informed the board that street staff are tarring streets, as they get them prepared. PW Director Brousseau informed the commission that he is still waiting for the new motor for the sweeper, since the old one could not be repaired. PW Director Brousseau informed the commission that the garbage truck chassis is in Fargo and the compactor is scheduled for delivery, later this month or early in April.

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

**Police/Fire/Forestry:** Commissioner Wolf informed the board that the police department has served four (4) property owners under the abandoned vehicle ordinance and is allowing the proper time for action before proceeding to impound vehicles.

**HCD:** Buster Langowski absent. No report.

**President:** President Obenauer informed the board that some cities have closed to the public in response to the coronavirus. They are still staffed and continue to service public needs. President Obenauer indicated that local staff feels safe, so he is not proposing to close city offices, at this time. President Obenauer has been asked about the response to the virus and he has explained that we are taking direction from state agencies and will post information on the city's website.

## CORRESPONDENCE

**101 Things to Do Advertising/Circular:** Commissioner Wolf moved to approve a one-fourth (1/4) full-color advertisement in the 101Things to Do circular, at a cost of \$210, second by Commissioner Stern. On roll call vote: Wolf, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

**Funds Request – Street Flowers – Hazen Chamber:** The commission reviewed a request for \$2,000 for the Main Street flowerpots and for the Pocket Park maintenance. There was discussion about the fees the chamber pays for city utilities and if the city has donated for this in the past. The auditor said he did not find a record of any such donations. Commissioner Wolf moved to approve a donation of

\$2,000, as requested by the Hazen Chamber, for the Main Street flower and Pocket Park maintenance, second by Commissioner Haack. On roll call vote: Wolf, "Aye", Haack, "Aye" Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**Mental Health Summit – Attendee?** As part of the city's sponsorship of the Mental Health Summit they received one complimentary conference registration and are requesting information as to who will attend. The conference is scheduled for April 28 – 30<sup>th</sup>. The commissioners would like to see if the registration can be used by two separate members if they can only attend one day. No further action taken.

## **PUBLIC HEARING**

President Obenauer opened the public hearing on the proposed annexation of ND DOT rights-of-way at 6:01 PM CT. Marvin Schwehr, Mercer County Commission, appeared but had no comment in support or opposition of the proposed annexation. No other interested parties appeared in person. The commission reviewed a letter submitted by Curtis Sailer stating that, "I'm not for the annexation of ditch or my property to be annexed into the City Limits." The commission also reviewed a letter of ND DOT consenting to the annexation of the ND DOT right-of-way as described in the resolution adopted February 3, 2020. Attorney Donovan stated the legal requirement is to notify those property owners within the area to be annexed. Attorney Donovan said the county was notified and the property is non-taxable and is maintained by the city. Commissioner Stern asked if the annexation would affect rural property owner taxes and was advised that it should not. No other comments were received, and the meeting was closed at 6:07 PM CT.

## **CONSULTATION WITH ATTORNEY & ENGINEER**

**Annexation – ND DOT Right-of-Way:** Commissioner Pillar moved to approve a resolution annexing the ND DOT right-of-way property, as advertised, second by Commissioner Stern. On roll call vote: Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

**Engineer's Report:** The commissioner reviewed a proposal, from Moore Engineering, to prepare annexation plats for properties discussed at previous meetings. After review this may include, as many as eight or more separate parcels. Commissioner Stern indicated that a portion of these properties were included in a recent plat and the cost for this area should be reduced.

The commission reviewed the updated ND STREET program application which included the newly annexed properties. Commissioner Haack moved to approve the signatures on the updated ND STREET grant application, second by Commissioner Wolf. Upon discussion, Commissioner Stern asked about the proposed underpass near 4<sup>th</sup> Ave NE and was advised that this is included in the application and cost estimates. On roll call vote: Haack, "Aye", Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

## **NEW BUSINESS**

**Main Street Community Champion – Action Plan:** The commission reviewed a proposed Main Street Initiative Action Plan prepared by Chamber Director Heier. The action plan covers items such as:

Healthy, Vibrant Communities; 21<sup>st</sup> Century Workforce; Smart, Efficient Infrastructure. As a “Main Street Champion” community, the city is eligible for additional grant funds at lower match requirements. Commissioner Pillar moved to approve the Main Street Initiative Action Plan, to become a Main Street Community Champion, second by Commissioner Haack. On roll call vote: Pillar, “Aye”, Haack, “Aye”, Stern, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried.

**Approval of Bills:** Commissioner Haack moved to approve the bills, as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Verizon, 424.21; Ameripride, 355.91; Approval Payment Solutions Inc, 16.65; BHG Inc, 982.83; Cenex, 293.89; Chamber of Commerce, 2000.00; Comfort Suites, 1738.00; D&E Supply, 207.28; Donovan & Kaffar PLLP, 1600.00; Fitterer Oil Hazen LLC, 566.40; Fitterer Oil LLC, 1287.70; Global Safety Network, 71.45; Grand Forks Fire Equipment, 390.00; HCD, 16494.62; Hazen Motor Co, 490.90; Hazen Parks & Rec, 10000.00; Hazen Welding, 472.13; ITD, 10.30; Inland Truck Parts, 234.20; M&A Heating, 1205.72; Mercer Co Treasurer, 4194.40; Millennium Express, 34.50; MDU, 4580.85; ND Dept of Health, 32.00; NAPA, 684.68; ND One Call Inc, 4.80; RDO Truck Centers, 130.36; Roughrider Electric Coop Inc, 4385.88; Stamps.com, 50.00; Stroup Insurance, 44715.00; Team Lab Chemical LLC, 713.50; The Hub, 192.20; Thomson Reuters – West, 334.00; West River Telecom, 1085.37. On roll call vote: Haack, “Aye”, Stern, “Aye”, Pillar, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business, the meeting was adjourned at 6:17 PM CT. The next regular meeting of the commission is scheduled for Monday, April 6, 2020 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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