

**Hazen City Commission
Regular Meeting
June 3, 2019
Hazen City Hall**

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

Absent: President Obenauer

Others Present: Planner Senger, Attorney Donovan, PW Director Brousseau, Editor Arens, Auditor Erhardt, Dan Frei, Greg McCarthy, Austin Clarys, Nathan & Jasmine Busche, and Buster Langowski.

The regular meeting, of the commission, was called to order at 5:30 PM by Vice-President, Commissioner Wolf.

Commissioner Wolf led the Pledge of Allegiance. Commissioner Pillar led the prayer.

Minutes: Commissioner Haack moved to suspend the reading and approve the minutes of the May 20th meeting, as presented, second by Commissioner Stern. Motion unanimously carried.

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

CONSULTATION WITH ATTORNEY & ENGINEER

Annexation Discussion - Maps: The commission reviewed city boundary maps to look at future annexation processes. Commissioner Stern suggested several areas for consideration including: SW Hazen, the area along main street and/or the area where the Farmers Union bulk plant is located; the area of the oxbow of Antelope Creek, north and south of Highway 200; property east of the hospital, north of the railroad tracks; some smaller areas north of Roughrider Electric, south of Antelope Creek; and some of the area south of the railroad tracks, from 4th Ave East to 3rd Ave W. It was determined that the city could not “strip annex” the path to include the golf course in annexation plans. The commissioners will mark up maps for further discussion in the future.

REQUEST OF CITIZENS

Fireworks Display Permit – Hazen Chamber: The commission reviewed an application to conduct a fireworks display, by the Hazen Chamber/CVB, on July 3rd from dusk till completed. Commissioner Stern moved to approve the fireworks display permit, as presented, second by Commissioner Pillar. Motion unanimously carried.

Fireworks Sales Permit – Memory Fireworks, W. Hermes: The commission reviewed an application to sell fireworks, by Wayne Hermes and Memory Fireworks, like previous years. Commissioner Haack moved to approve the fireworks sales permit of Memory Fireworks for June 27 to July 5th at the All Seasons Arena, second by Commissioner Stern. Motion unanimously carried.

INTRODUCTION, READING & APPROVAL OF ORDINANCES

Drone Ordinance: The commission reviewed a proposed ordinance relating to the use of Unmanned Aircraft (drones). Commissioner Haack moved to approve the first reading of proposed ordinance Chapter 9, Article XIII, second by Commissioner Stern. Upon discussion, Commissioner Stern had concerns with the section relating to operating while under the influence and the section relating to exceptions for the city to operate. Commissioner Stern suggested there should be no exception for the city, as it should follow the same rules. There was a question relating to publishing the ordinance for the public and the city will make it available on the webpage, and at city offices however, publication is only required after it is adopted. On roll call vote; Haack, "Aye", Stern, "Nay", Pillar, "Aye", Wolf, "Aye", motion carried.

Junk Vehicle Ordinance: The commission reviewed a proposed ordinance relating to "Abandoned Vehicles". Commissioner Pillar moved to approve the first reading of proposed ordinance Chapter 12, Article II, Abandoned Vehicles, second by Commissioner Haack. Upon discussion, there were questions as to what the proposed ordinance changes and Commissioner Pillar felt the timeframes were different allowing the city to act more quickly in addressing vehicle nuisances. Commissioner Stern asked about the effect on boats and campers on streets and residential property. Planner Senger asked if there should be some type of limit on the number of vehicles, that are licensed, that can be at residential locations. Commissioner Stern questioned the cost for towing and storage being assessed to the last registered owner and what if it was sold and the purchaser never registered it. Commissioner Wolf agreed that some of the language needs to be checked and it needs to be compared with other ordinances to make sure all nuisances, cars and/or other "junk", are addressed. Commissioner Stern asked, if this is approved, will the city amend the zoning ordinances to allow additional construction of storage structures. On roll call vote: Pillar, "Aye", Haack, "Aye", Stern, "Nay", Wolf, "Aye", motion carried.

APPROVAL OF APPLICATIONS AND BUILDING PERMITS

Building Permit w/Variance Request – B. Holen: Planner Senger presented an application for building permit of Brock Holen to move a storage shed onto his property at 314 8th Ave NW. The structure is 10'x16' and will require a fifteen-foot (15') variance to place it in the location requested. The commission review a picture of the structure. Commissioner Haack moved to approve the building permit, and variance as requested, second by Commissioner Pillar. Upon discussion, there was a question as to why the variance was requested and Planner Senger explained it was for best utilization of the lot. On roll call vote; Haack, "Aye", Pillar, "Aye", Stern, "Aye", Wolf, "Aye", motion carried.

Building Permit w/Variance Request – WSB – Hazen Pioneer Apartments: Planner Senger presented an application for building permit of Western Steel Builders and Hazen Pioneer Apartments to construct garages at the apartment location on east Main Street. The proposed structure is 30'x96' and will require a variance to construct it one-foot (1') off the property line. Greg McCarthy, Hazen Pioneer Apartment Board, explained that the garages were not built at the same time as the apartments because of grant fund concerns and compliance. The garages will help attract tenants to the apartments and will include concrete to aid in snow removal and disposal. Commissioner Pillar

moved to approve the building permit, and variance as requested, second by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

REPORTS

Water/Sewer/Garbage: Commissioner Stern informed the board that the staff is busy completing One Call locates.

Street/Cemetery: Commissioner Haack informed the board new mower is back in service and the repairs were covered by warranty.

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

Police/Fire/Forestry: Commissioner Pillar informed the board that the new door has been installed at the fire hall and work on the new parking area was completed today.

HCD: Buster Langowski had nothing to report, at this time.

President: President Obenauer absent. No report.

OLD BUSINESS

Award Garbage Truck Bid: The commission reviewed the three (3) bids received for the garbage truck. PW Director Brousseau reviewed the bids and specs and recommended awarding the bid for the truck to Nelson International. Commissioner Stern moved to award the bid for the new garbage truck to Nelson International in the amount of \$174,235.00, second by Commissioner Pillar. On roll call vote; Stern, "Aye", Pillar, "Aye", Haack, "Aye", Wolf, "Aye", motion carried.

Dog Park – J. Busche: Jasmine and Nathan Busche appeared to discuss the proposed dog park and the new proposed location, east of 3rd Ave NW and south of 10th Street, near the tree nursery. The Busche's were informed that the Planning and Zoning Board will meet on June 17th to discuss a "conditional use" permit to construct the dog park, at this new location, and to remain as such unless conditions are not met. At this time the conditions for the park have not been determined and the Busche's were encouraged to attend the P/Z meeting. Attorney Donovan informed the commission that, if the conditional use is approved, the city and the park board will prepare a joint powers agreement to address maintenance and upkeep responsibilities. Dan Frei, HPR Director, said he understands that the park district will perform maintenance and hopes to have an agreement with the Girl Scouts for improvements and upkeep. Mr. Busche explained the fundraising for the project is complete and they intend to start construction after the July 4th holiday. Commissioner Stern also encouraged the Busche's to inform the area property owners of the plan.

Approval of Bills: Commissioner Stern moved to approve the bills, as presented, second by Commissioner Haack. Pre-paid and bills approved for payment are as follows: Terry Fahlsing, 2350.00; Universal Premium Fleetcard, 3140.11; Payroll, 132379.34; US Postal Service, 235.00; Ben Bohrer, 100.00; BHG Inc, 2111.03; Cardmember Service, 760.27; D&E Supply, 263.30; Dakota Transit Assoc, 305.00; Fastenal, 63.03; Global Safety Network, 71.45; GovOffice, 750.00; Hazen Hardware Inc, 240.00; Kenneth J Link, 14053.68; Krause's Super Valu, 130.64; Marco Technologies LLC, 367.97; Matthew Bender & Co Inc, 102.43; Monte Erhardt, 97.44; Moore Engineering Inc, 11543.95; Northern Safety Co,

75.01; OK Tire Store, 67.26; Pam Borlaug, 71.92; Pitney Bowes, 431.52; Shannan Senger, 201.84; SW Water Authority, 30853.86; Spruce It Up Lawn & Tree, 695.00; Verizon Wireless, 298.50; West Dakota Lumber, 11.99; West River Telecomm, 1075.50; Western Steel Builders, 2226.89. On roll call vote; Stern, "Aye", Haack, "Aye", Pillar, "Aye", Wolf, "Aye", motion carried.

There being no further business the meeting was adjourned at 6:23 PM CT. The next regular meeting of the commission is scheduled for Monday, June 17, 2019 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor