

**Hazen City Commission  
Regular Meeting  
July 1, 2019  
Hazen City Hall**

**Present:** President Obenauer, Commissioner Haack, Commissioner Pillar, Commissioner Stern and Commissioner Wolf. (Commissioner Haack left the meeting at 6:19 PM)

**Others Present:** Planner Senger, Attorney Donovan, PW Director Brousseau, Editor Arens, Auditor Erhardt, Mike Quinn, and Buster Langowski.

The meeting was called to order at 5:28 PM by President Obenauer.

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

**Minutes:** Commissioner Wolf moved to suspend the reading and approve the minutes of the June 17<sup>th</sup> meeting, as presented, second by Commissioner Haack. Motion unanimously carried.

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

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Engineer's Agenda-Project Update – Moore Engineering:** The commission was advised that the chip seal of streets is scheduled to begin on July 8<sup>th</sup>. Commissioner Pillar had a question regarding striping of streets after chipping and was informed that striping is part of the contract for the project.

**REQUEST OF CITIZENS**

**Request Free/Reduced Hall Rent – SMC Hospice:**

**Local Permit-Raffle – SMC Hospice:**

**Local Permit-Raffle – Peace Lutheran Church Women:** Commissioner Wolf moved to approve free use of city hall, subject to a kitchen fee, as requested by SMC Hospice, local permit #2019-07 for a raffle as requested by SMC Hospice, and local permit #2019-08 for a raffle as requested by Peace Lutheran Church Women, second by Commissioner Stern. Motion unanimously carried.

**INTRODUCTION, READING & APPROVAL OF ORDINANCES**

**Drone Ordinance:** The commission continued discussion on a proposed “drone” ordinance and there were many concerns about creating an ordinance that will be cumbersome to unmanned aircraft enthusiasts and that FAA regulations cover operation of such devices so there is no benefit to creating an ordinance that would be difficult to enforce. There was also a question about liability for an unenforceable ordinance. Attorney Donovan said the commission could act on the ordinance, revise it further, or incorporate it with other ordinances to protect privacy or address nuisance concerns. No further action taken.

**Abandoned Vehicle Ordinance:** President Obenauer informed the board that he has been in contact with the county commissioner holding the landfill portfolio and informed them of the city's intent to

enforce and impound junk, or abandoned, vehicles. The commission still had concerns about the process and title of vehicles abandoned. President Obenauer has been in contact with a county deputy who enforces the junk vehicle ordinance in the City of Stanton and how the process works. Commissioner Pillar would like to follow-up with more information from the sheriff's department. There was discussion about the hobby permit and the limited duration of such a permit and if the city would be addressing the area of property that can be built on and the height of structures as vehicles, especially campers, become larger. Mike Quinn addressed the commission concerning liability of the party/business that removes a vehicle from property and reasonableness being key to the ordinance, which is a step toward solving a problem. The commission asked that any concerns or issues be forwarded to the city auditor for revision of the proposed ordinance. No further action taken.

### **APPROVAL OF APPLICATIONS AND BUILDING PERMITS**

**Commercial Building Permit – HR Block – JP McDonald Construction:** The commission reviewed a commercial building permit application for remodeling of the structure at 22 Main Street East. The application is by JP McDonald Construction on behalf of H&R Block. Commissioner Pillar moved to approve the building permit, as presented, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

### **REPORTS**

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

**Street/Cemetery:** Commissioner Haack left the meeting, no report. Commissioner Stern had questions about the approaches being installed near the bridge on Antelope Drive and was informed that Moore Engineering provided specifications and will be working to ensure they are complied with. PW Director Brousseau said the loader repairs are complete and the cost for the repairs was less than the estimate provided.

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

**Police/Fire/Forestry:** Commissioner Pillar informed the board that the rural fire department board agreed to cover costs of the window replacement at the fire hall, so the materials have been ordered. Commissioner Pillar said Forester Froelich is working to get the state forester in to review issues within the city.

**HCD:** Buster Langowski informed the commission that the city did not receive the AARP grant for Main Street Initiative improvements. Mr. Langowski would like to proceed with a project at the SW intersection of Main and Central. The project would include removing the tree, replacing the broken concrete and eventually include some type of shade structure and seating. The commission agreed that some of the work could be completed utilizing city staff and the commission would like to see some type of written plan prior to commencing the work.

**President:** President Obenauer would like the public works department to address repairs of the window frames and door on the east side of city hall. President Obenauer also spoke about a meeting of the Planning and Zoning board to consider a request to place a storage container on a city lot. The

current zoning ordinance does not allow such containers and the use of one at The Hub is only for use during the remodel of their business.

## **CORRESPONDENCE**

**Chemical Analysis Contract – Wastewater System:** The commission reviewed an annual agreement with the Department of Environmental Quality for Safe Drinking Water Act chemical analysis. Commissioner Stern moved to approve the agreement, second by Commissioner Pillar. On roll call vote: Stern, “Aye”, Pillar, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried.

## **OLD BUSINESS**

**2019-2020 Board Appointments/City Appointments/Portfolios:** The commission discussed the portfolio assignments, board appointments and city appointments. It was determined that Commissioner Stern would assume the Finance/Busing/Library portfolio, Commissioner Pillar would assume the Water/Sewer/Garbage portfolio, and Commissioner Wolf would assume the Police/Fire/Forestry Portfolio. Commissioner Stern will also serve as city representative on the Hazen Chamber board. Commissioner Pillar moved to approve the appointments, with portfolios as noted, second by Commissioner Stern. On roll call vote; Pillar, “Aye”, Stern, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried. Appointments approved are: City Auditor – Monte Erhardt, City Attorney – Donovan and Kaffar PLLP, City Assessor – Shannan Senger, Building Inspector – Contracted, City Engineer – Moore Engineering Inc., Police Chief – James Wolff, Fire Chief – Kasey Lesmann, Forester – Mike Froelich, Depository Banks – Capital Credit Union, Union State Bank, The Union Bank, Bank of ND, Official Newspaper – Hazen Star. Board Appointments approved: Special Assessment Commission – Renae Snyder, Library Board – Peter Grossman Sr, Forestry Board – Bill Zing, Planning/Zoning Board – Gary Emter and Steve Frovarp.

**Hazen Chamber – Fireworks Display Funding Request:** After review of the chamber budget for the fireworks display, Commissioner Stern moved to donate \$2,000 for fireworks expenses, second by Commissioner Pillar. Upon discussion, the commission has approved anything from \$0 to \$1500, with any balance generously covered by a business owner. On roll call vote; Stern, “Aye”, Pillar, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried.

## **NEW BUSINESS**

**2020 City Budget:** The commission was provided preliminary budget information and informed that the estimated cost of health insurance will increase by 10 – 15%. The current rate of inflation is 1.9%. Further meetings to discuss the budget will be held and the preliminary budget must be provided to the county auditor on, or before, August 9<sup>th</sup>.

**Approval of Bills:** Commissioner Stern had a question as to the cost of reclaiming the city lot after the house was removed and how this work was awarded without board approval. President Obenauer said there were concerns about securing the site, so proposals were considered, and he approved the work to be completed by Wild Wittler Carvings. Commissioner Wolf moved to approve the bills, as

presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Further, 13.50; US Postal Service, 275.32, Payroll, 134980.39, Angela Franklund, 96,87; BHG Inc, 832.50; Cardmember Service, 238.89; Chamber of Commerce, 2000.00; Christy Metz, 45.50; Coal Country CHC, 767.00; CVB, 2571.83; Fastenal, 28.53; Global Safety Network, 137.90; HCD, 9243.83; Hazen Fire Dept, 1996.55; Hazen Hardware Inc, 462.29; Hazen Public Library, 2835.98; High Plains Concepts, 296.67; Innovative Office Solutions LLC, 169.16; Kandi McConnell, 28.00; Krause’s Super Valu, 55.89; M&T Fire & Safety Inc, 573.00; Marco Technologies LLC, 367.97; Northern Safety Co Inc, 113.35; Peggy Rahn, 63.00; Rough Rider Industries, 1414.00; Roughrider Electric Coop Inc, 55.00; Sletten Excavating, 365.00; SW Water Authority, 51687.57; Swanston Equipment Corp, 578.64; Universal Premium Fleetcard, 2603.72; Wild Wittler Carvings, 2900.00. On roll call vote; Wolf, “Aye”, Stern, “Aye”, Pillar, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business the meeting was adjourned at 7:01 PM CT. The next regular meeting of the commission is scheduled for Monday, July 15, 2019 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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