

**Hazen City Commission
Special Meeting
September 26, 2016
Hazen City Hall**

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

Absent: Commissioner Haack

Others Present: Attorney Donovan, Planner Frovarp, Auditor Erhardt, Editor Arens, Greg McCarthy and Buster Langowski.

Meeting was called to order at 5:00 PM CT by President Obenauer.

Joint Power Agreement – City/HHA/HPA: The commission reviewed a proposed Joint Powers Agreement (JPA) relating to the Hazen Pioneer Apartment Project. Attorney Donovan explained that the city is required to advertise for bids to dispose of certain real property unless such an agreement is in place. The agreement outlines all the different responsibilities of the parties in developing the property as affordable housing units. Attorney Donovan stated the purpose of the agreement is to transfer property to the affiliate of the Hazen Housing Authority who will serve as the sole owner for the project and will be hiring a management firm for the operation of the facility. All of the documents being considered are necessary to facilitate funding from the ND Housing Finance Agency and a local bank and once they have obtained the collateral for the project they will then be able to close the loan and receive the grant funds. Attorney Donovan understands that the project has been designed and re-designed to accomplish the goals of the ND HFA. The first step in the process, after the property was re-platted is to act on the JPA, then on the petition to vacate public grounds and finally to deed the property to the Hazen Pioneer Apartments. President Obenauer inquired as to the need for the JPA and Attorney Donovan said it all relates to the disposition of property owned by the city. Commissioner Pillar asked about the ability to amend the JPA upon mutual consent should something change as the project proceeds and Attorney Donovan stated the agreement can be amended at any time. Commissioner Stern asked if the deed will only be for the building on the property and Attorney Donovan stated the deed will encompass the land and building to eliminate any liability for the mortgage. Commissioner Stern also referred to the city providing in-kind support for building demolition. Buster Langowski advised the commission that demolition will be completed as part of the project and they are only requesting limited assistance from the city to remove items from the basement prior to demolition. President Obenauer added material may be hauled to the city disposal for crushing also. The commission then reviewed information relating to the property boundaries prior to re-platting. Commissioner Pillar moved to enter into a Joint Powers Agreement with the Housing Authority of the City of Hazen (Hazen Pioneer Apartment) for purposes of this housing project, second

by Commissioner Stern. On roll call vote; Pillar, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

The commission recessed the meeting at 5:14 PM CT.

The commission reconvened the meeting at 5:30 PM CT.

President Obenauer immediately opened the public hearing on the Petition to Vacate Public Grounds and asked for comments. No one appeared in person and no written comments have been received.

President Obenauer closed the public hearing at 5:31 PM CT.

Commissioner Wolf moved to approve a Resolution to Vacate Public Grounds described as Lot 1, Block 1, Pioneer Addition, as indicated in the petition, second by Commissioner Pillar. On roll call vote; Wolf, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

The commission reviewed the proposed warranty deed to transfer the property to Hazen Pioneer Apartments. Commissioner Pillar moved to approve the warranty deed, as presented, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

There being no further business, on the special meeting agenda, the meeting was adjourned at 5:34 PM CT. The next regular meeting of the commission will be Monday, October 3, 2016 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor