

**Hazen City Commission
Regular Meeting
September 2, 2019
Hazen City Hall**

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

Others Present: Planner Senger, Editor Arens, Auditor Erhardt, Chris Sailer, Tim Scheid, Tanya and Erling Barmoen, and Dennis Horning.

At 5:30 PM President Obenauer opened the public hearing on an application for liquor license of Chris Sailer for the Bison Sports Bar. President Obenauer asked for comments and none were received. President Obenauer then asked Mr. Sailer if he had any comments. Mr. Sailer stated he has partnered with Tim Scheid and hopes to open the establishment in the next week. The business will be open to the public, over 21 years of age, with the south portion of the building being converted to an arcade for the public, under 21 years of age. No further comments were received, and the public hearing was closed at 5:31 PM.

The meeting was called to order at 5:31 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 August 19th meeting, as presented, second by Commissioner Pillar. Motion unanimously carried.

Agenda: Commissioner Haack moved to approve the agenda, with the addition of item 5B (Condemnation Proceeding), second by Commissioner Stern. Motion unanimously carried.

CONSULTATION WITH ATTORNEY & ENGINEER

Bank of ND Requisition #9 – 2018 Street Project: The commission reviewed loan requisition #9, relating to street project costs paid in July and August, in the amount of \$352,961.45. Auditor Erhardt explained this includes the additional work for the municipal parking lots. Commissioner Pillar moved to approve the loan requisition in the amount of \$352,961.45, second by Commissioner Haack. On roll call vote; Pillar, “Aye”, Haack, “Aye”, Stern, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried. There was also discussion on the special assessment process. Since the final cost information is not complete, it is unlikely that the special assessment committee will have time to complete their work and still allow time for protest, and review, prior to the November certification to the county. The commission agreed that the special assessments will be certified to the county in 2020 and the city will, from sales tax funds, make the principal and interest payments for the next year.

Condemnation Proceedings: Tanya & Erling Barmoen appeared before the commission in response to a notice of condemnation for the structure at 1019 Central Ave N. Ms. Barmoen stated they have been working to clean up the property for over a year and they are having to go through every individual item to make sure they don't dispose of important documents or items that have been stored

throughout the structure. As they have started a business and are working long hours in the oil patch, they would like additional time to complete the cleanup. The commission had no objection to additional time but, Commissioner Wolf suggested a specific date as to when the process will be complete. Dennis Horning didn't believe an arbitrary date was necessary however, the Barmoens agreed a June 1, 2020 date would be realistic and acceptable. Commissioner Pillar moved to delay any further action on the condemnation, by the city, until June 1, 2020, second by Commissioner Wolf. On roll call vote; Pillar, "Aye", Wolf, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

REQUEST OF CITIZENS

Local Permit-Raffle/Bingo – Hazen Public School:

Free/Reduced Hall Rent – Hazen Lions Club: Commissioner Wolf moved to approve local permit #2019-10, as requested by Hazen Public School and to approve free/reduced hall rent, subject to the kitchen fee, as requested by the Hazen Lions Club, second by Commissioner Haack. Motion unanimously approved.

Traffic Concerns – A. Rosenow: Mr. Rosenow did not appear for the meeting but, Commissioner Stern asked about the crosswalks, on 3rd Ave NW and 5th Street NW, and was advised that the city is still doing street markings so this will be added to the list of work to be completed. President Obenauer said he had visited with Mr. Rosenow and the concern relates to the number of children in the neighborhood of 4th Ave NW and the need for additional patrolling to control traffic speeds.

APPROVAL OF APPLICATIONS & BUILDING PERMITS

Liquor License – Bison Sports Bar: Having received no comments in opposition to the requested liquor license, Commissioner Wolf moved to approve the license as requested by Mr. Sailer for the Bison Sports Bar, second by Commissioner Stern. Upon discussion, the current license is for "on-sale" beer and liquor only. Mr. Scheid said they may request "off-sale" licenses when they renew it for the next year. On roll call vote; Wolf, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "Aye", Obenauer, "Aye", motion carried.

Building/Moving Permit-Shed – G. Jensen: The commission reviewed information presented by Gaylen Jensen who wishes to move a small grain bin to his property, at 15 10th Street NE, and convert it to a space to be used as a potting shed and/or yard decoration. President Obenauer said he had contacted the Jensens about the proposal and he doesn't see it being an issue or eyesore. Planner Senger said this type of structure is not currently allowed under the city planning/zoning ordinances. Commissioner Pillar referred to a recent decision by the board to not permit a storage container to be placed on a property because it did not meet the city ordinances. Commissioner Stern did not see a problem with the request but, he would like to see more detailed drawings of the proposed structure and a requested variance to review. Commissioner Pillar would also like to see drawings and said the only action at this time would be to request the plan design and a variance request. Planner Senger said this would be included on the building permit application, when completed by Mr. Jensen.

REPORTS

Water/Sewer/Garbage: Commissioner Pillar informed the board that the sewer department has received a quote for spare parts for lift station pumps. Commissioner Pillar moved to approve the purchase of an impeller and wear rings for the lift station pumps in the amount of \$1450.00, second by Commissioner Haack. Upon discussion, Commissioner Stern said it would be better to have a complete, spare assembly available for emergency use and it was determined these parts would replace items removed from a spare assembly to make a complete unit. On roll call vote; Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wolf, "Aye", Obenauer, "Aye", motion carried.

Street/Cemetery: Commissioner Haack informed the commission that PW Director Brousseau has contacted Western Steel Builders to use their crane to remove the compactor from the garbage truck to convert it to a dump truck for city use. The public works staff have completed mowing and will continue to work on street marking until completed.

Finance/Busing/Library: Commissioner Stern informed the board that he attended the last library board meeting and met with Director Sailer to learn about the library operations. Commissioner Stern was not aware of all the library's offerings to the public and reported that, as of June, five-thousand people have used the library services.

Police/Fire/Forestry: Commissioner Wolf reported that, in the past month, the police department has handled one-hundred twenty-four (124) calls for service. Commissioner Wolf did attend the last meeting of the ambulance board.

HCD: Buster Langowski absent. No Report.

President: President Obenauer asked the board if they had any additional thoughts/ideas relating to the permitted uses of the property, owned by Mr. Gowin, north of Highway 200 & East of Antelope Drive. Commissioner Pillar said the attorney provided information, as requested, and how changing to industrial zoning district and providing a conditional use may be the best option but, it is back on the property owner to make the decision as how to proceed. Commissioner Wolf said the board should be careful in how they proceed to ensure the use is not contrary to zoning ordinances and Commissioner Haack said there is a broad, broad, broad range of things that can, and cannot, be done on the property. Commissioner Stern expressed concern on telling property owners what can be done on their own property. Mr. Soland's business is expanding and he employs city residents and added, if the city wants control of the property it should buy it. Commissioner Stern said that it would be a good idea to zone the property industrial allowing the city to keep an eye on how the property is used. President Obenauer, and the board, directed Planner Senger to contact the current property owner to ask how he would like to proceed.

OLD BUSINESS

Roof Repair Estimate – Twin City Roofing: The board was informed that there are no insurance reasons for the venting system on the small hall and that Twin City Roofing would remove the vent and repair the area without additional cost. Commissioner Wolf moved to accept the proposal for repairs of the "small hall" roof, in the amount of \$36,859.00, second by Commissioner Stern. Upon discussion, there was a question as to the timeframe for the work and it was planned for this fall, if possible. On roll call vote; Wolf, "Aye", Stern, "Aye", Haack, "Aye", Pillar, "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: US Postal Service, 280.24; August Payroll(s), 187282.42; Alynn Beyer, 837.48; BHG Inc, 543.67; Chamber of Commerce, 220.00; CVB, 2211.67; Dakota Pump & Control, 680.00; Ecolab, 123.39; Hirshfield's, 89.95; Marco Technologies LLC, 393.54; Mayo Construction Co Inc, 1544.88; Millennium Express, 27.60; Monte Erhardt, 92.84; Moore Engineering, 16103.95; Pam Borlaug, 71.92; SW Water Authority, 48742.04; Union State Bank, 37452.81; Universal Premium Fleetcard, 2329.30; Venture Marketing, 80.00. 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 6:16 PM CT. The next regular meeting of the commission is scheduled for Monday, September 16, 2019 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor