

**December 18, 2023, Public Hearing on  
Resolution of Necessity City of Hazen  
Improvement Project District #2023-01**

President Obenauer opened the public hearing on the Resolution of Necessity for Improvement Project District #2023-01 at 5:30 PM CT. Present at the hearing were: President Obenauer, Commissioner Haack, Commissioner Pillar, Commissioner Stern, Commissioner Wiedrich, Attorney Kaffar, Auditor Erhardt, Jerod Klabunde, Moore Engineering, PW Director Brousseau, Buster Langowski, Jennifer Opp, and Jesse Flath. No written protests have been received by the city auditor and no protests were presented at the hearing. Ms. Opp asked if there were plans to address drainage issues as part of the work on the alley and Mr. Klabunde advised that the alley will be concrete with storm sewer improvements. President Obenauer informed those attending the hearing that no work is proposed on the portion of the alley that travels north. Mr. Flath said he hopes to see the project proceed as the alley is falling apart, and asked if the additional work will be a straight billing to the property owner or will be included with the special assessments to the affected properties. Mr. Flath was informed that the usual procedure is to invoice this portion of the work directly to the property owner, but it could be included in the project if approved by the commission. Mr. Klabunde said the project will be designed to include any additional work requested by the various property owners for repairs not directly in the alley. Commissioner Pillar said the project needs to be designed to make sure drainage works for the entire project area. There being no further comments, the public hearing was closed at 5:37 PM CT.

**Hazen City Commission  
Regular Meeting  
December 18, 2023  
Hazen City Hall**

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

**Others Present:** PW Director Brousseau, Attorney Kaffar, Auditor Erhardt, Jerod Klabunde (Moore Engineering), and Buster Langowski.

The meeting was called to order at 5:38 PM by President Obenauer.

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

**Minutes:** Commissioner Wiedrich moved to suspend the reading and approve the minutes of the December 4<sup>th</sup> meeting, as presented, second by Commissioner Pillar. Motion unanimously approved.

**Agenda:** Commissioner Pillar moved to approve the agenda, with the addition of Arbor Day Proclamation as item 12B, second by Commissioner Stern. Motion unanimously approved.

**CONSULTATION WITH ATTORNEY & ENGINEER**

**Resolution of Necessity for Improvement Project District #2023-01:** Having conducted the public hearing on the Resolution of Necessity for Improvement Project District #2023-01, Commissioner Haack moved to approve the Resolution Determining Insufficiency of Protests and proceed with design of the project, second by Commissioner Wiedrich. On roll call vote: Haack, "Aye", Wiedrich, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**Engineer's Report:** Jerod Klabunde, Moore Engineering, reviewed the engineer's report with the

commission. Mr. Klabunde advised that work on Expedition Estates has been closed out for the year and punch list items will be addressed in the spring. President Obenauer asked about televising of the sanitary sewer lines, and how long it may take to complete work. Mr. Klabunde feels the work can be completed prior to July but, since this is work by the developer, not the city, it is a bit of a different situation, and he will seek an updated construction schedule from the developer in February.

Regarding the alley project north of Main Street, from Central Ave to 1<sup>st</sup> Ave NW, Mr. Klabunde provided a proposed task order #16 for the design and bidding of the project at a cost of \$48,000.

Regarding the Sanitary Sewer Improvement project, Mr. Klabunde provided proposed task order #17 for design services of the project at a cost of \$7,500.

Regarding the city-wide water meter replacement project, Mr. Klabunde provided proposed task order #18 for design services of the project at a cost of \$27,000. Mr. Klabunde said there are at least four (4) vendors that can provide bids for the project, and this will be slightly different than a straight bid project in that the city will not only look at the up-front capital cost but will also have to consider life-cycle costs when scoring and awarding bids for the project.

Regarding proposed updates to the lift station communication (SCADA) systems, Mr. Klabunde provided proposed task order #19 for the design services of the project at a cost of \$7,500. Currently the lift station system has two (2) points that are not communicating alarms to water/sewer staff, which will be a priority. Mr. Klabunde said Moore Engineering will pursue cost share for the meter project with the State Water Commission with Attorney Kaffar stating he could communicate with the State Water Commission's local representative as they have worked on water board projects in the past. Commissioner Pillar asked about local funds and was advised that the city can use ARPA and Prairie Dog legislative funding for local cost share. President Obenauer explained that the current meters have a limited useful life, which will be reached within the next couple of years and Mr. Klabunde said that availability of replacement meters will also be considered when the project is bid. Commissioner Pillar stated that all these items were considered a priority when the new budget was discussed. Commissioner Stern had a question about the proposed sewer work and was advised that, because of the recent televising of sanitary sewer lines, there were approximately eleven (11) locations identified as needed repairs soon and that these locations would be priority with later work to be completed on clay pipes in place throughout the city. Mr. Klabunde said Moore Engineering will look for alternative funding sources for the sewer project, but the city does not currently qualify. However, there is a possibility of the state expanding water commission funding to sewer projects. Commissioner Pillar moved to approve Task Orders 16 through 19, as presented, second by Commissioner Haack. On roll call vote: Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wiedrich, "Aye", Obenauer, "Aye", motion carried. Mr. Klabunde said they will get to work on the designs for these and have plans for approval at the mid-month meeting in January with hopes of bidding on the projects in late January or early February.

Commissioner Pillar had a question about a path light for which the city received an estimate of \$5000 to repair a single light and if the city should consider replacing the light with solar lighting. Mr. Klabunde stated that, if a power source is close that is the better alternative but, both options work great. There are still questions about the lifetime costs of solar and how often batteries would need to be replaced. There are also concerns about the appearance of the solar lighting and the associated battery equipment, with Mr. Langowski stating that the presentation for the South Dakota company solar lighting is aesthetically pleasing.

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

**Liquor License – 2024-Box's Bar, Jimmy's Lounge & Pizza, Hazen Bottle Shop, The Hub:**

Commissioner Wiedrich moved to approve 2024 liquor licenses of Box's Bar, Jimmy's Lounge & Pizza, Hazen Bottle Shop and The Hub, as presented, second by Commissioner Haack. On roll call vote: Wiedrich, "Aye", Haack, "Aye", Pillar, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

## REPORTS

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

**Street/Cemetery:** Commissioner Haack informed the board that the second snow gate is being fabricated and should be completed soon.

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

**Police/Fire/Forestry:** Commissioner Wiedrich updated the board on the availability of a vehicle for the police department. Hazen Motors reported that the allocations of Chevrolet Tahoe's to all companies is in question but, if the city wishes to provide approval for the purchase, they will place an order and find out if the allocation is accepted. Commissioner Wiedrich has been in contact with other fleet companies and their availability is also questionable with one vendor indicating they may receive an allocation of Dodge Durango vehicles in the spring. Commissioner Wiedrich moved to approve the purchase order for a Chevrolet Tahoe police package vehicle, second by Commissioner Pillar. Upon discussion, it was determined that the vehicle will be equipped like the county vehicles and if the order is not fulfilled within a reasonable time the order is non-binding on the city. On roll call vote: Wiedrich, "Aye", Pillar, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**HCD:** Buster Langowski informed the commission that he, President Obenauer, and Commissioner Pillar participated in an informational meeting with Talon Metals, Department of Commerce, and UND EERC representatives. The meeting provided much information on the industry and how they would like to establish a presence in Mercer County. There is great interest in the products to be produced and an extensive possibility for other items that can be produced from the various by-products of the process. As the process moves forward, there are likely to be associated studies of the rail system, job/workforce opportunities and development of five-year (5) plan for county industry and economic development. Mr. Langowski also participated in a conference on natural gas and the need to get the commodity into the more rural areas and smaller communities by moving the product from the western part of the state to the east.

**President:** President Obenauer informed the board that the portion of the meeting with Talon Metals that he attended included particularly good discussion of industry advancement and that Mercer County Economic Development will be looking at additional opportunities to aid in the industrial development. President Obenauer asked about scheduling town hall meetings with Talon Metals and was informed that these will likely be scheduled after the site acquisition is made public. Commissioner Pillar said the meeting discussed interesting opportunities for CO2 sequestration as part of the process and the possibility of collaboration with area lignite electric generation plants.

## CORRESPONDENCE

**Maintenance Agreement – Steins Inc:** Commissioner Haack moved to approve a maintenance agreement with Stein's Inc at a base cost of \$120/quarter, second by Commissioner Stern. On roll call vote: Haack, "Aye", Stern, "Aye", Pillar, "Aye", Wiedrich, "Aye", Obenauer, "Aye", motion carried.

**Dakota Pump and Control Inspection Agreement:** Commissioner Pillar moved to approve the

Inspection Agreement with Dakota Pump and Control for lift stations #1, #2, #4, and #6, second by Commissioner Wiedrich. On roll call vote: Pillar, "Aye", Wiedrich, "Aye", Haack, "Aye", Stern, "Aye", Obenauer, "Aye", motion carried.

**NEW BUSINESS**

**Authorizing Resolution – FY2025 Transit Grant:** The commission reviewed a proposed resolution authorizing Peg Rahn or Auditor Erhardt to submit a transit program grant for FY2025. Commissioner Pillar moved to approve the authorizing resolution, as presented, second by Commissioner Haack. On roll call vote: Pillar, "Aye", Haack, "Aye", Stern, "Aye", Wiedrich, "Aye", Obenauer, "Aye", motion carried.

**Arbor Day Proclamation: December 22, 2023:** Joel Allen, State Forester, contacted the city to assist with recertification as a Tree City USA community. Part of the recertification process includes an Arbor Day Proclamation, budget compliance and other items. Mr. Allen is willing to make an Arbor Day presentation at city hall on Friday, December 22, 2023, at 10:30 AM CT. Commissioner Haack moved to approve the Arbor Day Proclamation for December 22, 2023, second by Commissioner Wiedrich. Motion unanimously approved.

**PUBLIC COMMENTS**

No public comments were received at this time.

**Approval of Bills:** Commissioner Wiedrich moved to approve the bills and funds transfer, as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Aramark, 376.07; Cenex, 2943.44; Christy Metz, 47.00; City of Hazen, 438.00; Donovan & Kaffar PLLP, 1200.00; Empower Electric LLC, 580.00; Environmental Equip & Services Inc, 409.84; Fitterer Oil Hazen LLC, 383.61; Further, 6.50; Grand Forks Fire Equip Co, 1805.26; HCD, 1977.00; Hazen Star, 1584.83; Hazen Welding, 260.00; In Control Inc, 200.00; ITD, 28.30; Jim Block, 86.00; Krause’s, 178.66; Loren Wiest, 300.00; Marc Corp, 765.57; MDU, 4679.09; Monte Erhardt, 15.72; ND Dept of Health, 50.00; ND One Call Inc, 9.10; Roughrider Electric Coop Inc, 4223.42; Share Corp, 484.17; Stamps.com, 104.63; Stein’s Inc, 100.00; Swanston Equip Corp, 155.36; The Hub, 346.59. Fund transfer approved is for the transfer of \$278,031.57 from the legislative funding fund to the water department fund for water storage tank project costs. On roll call vote: Pillar, "Aye", Stern, "Aye", Haack, "Aye", Wiedrich, "Aye", Obenauer, "Aye", motion carried.

There being no further business, the meeting was adjourned at 6:43 PM CT. The next regular meeting of the commission is scheduled for Tuesday, January 2, 2024, at 5:30 PM CT in the Commission Room of the Hazen City Hall.

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

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