

Velva Regular Commission Meeting

July 13, 2020

7:00pm

Velva City Hall

Velva City Commission meeting called to order at 7:00 pm by Commission President Jennifer Barta. Roll Call was done by Barta, Commissioners: President Jennifer Barta, Dave Keller, Ken Kitelinger, Mary Liz Davis and Ben Zietz. Also in attendance: Kelly Jemtrud, Ron Nagle and Jenny Johns. Guests including: Heather Tudor, JD Larson and Jim and June Hager. The Pledge of Allegiance was recited.

OATH OF OFFICE/ORGANIZATION OF COMMISSIONERS

Barta asked that the elected and appointed officials read their Oath of Office in unison. Officials included: Ken Kitelinger and Benjamin Zietz (Elected officials); and Ron Nagle, Kelly Jemtrud and Jenny Johns (Appointed officials). Barta asked for a motion to approve her recommendations of Commission seats, including: Barta – Commission President/Finance and Revenue Commissioner; Davis – Vice President/Police Commissioner; Keller – Commissioner of Streets and Improvements (Keller read a statement as follows: “I, David Keller, *am* related to the owners of Keller Paving. However, I have no pecuniary/financial relationship with the company, its holdings, its promoters, or its directors. There will be no conflict of interest in any way as I fulfill my duties as Velva’s Street Commissioner”); Zietz – Waterworks & Sewerage Commissioner; Kitelinger – Cemetery Commissioner. Davis/Zietz made a motion to approve the organization of commission seats and accept Keller’s statement. Kitelinger stated he would vote “no” for Keller being Street Commissioner; he also stated that he would like to be Police Commissioner of which he campaigned to be. Barta stated that the commission is reorganized every election year. Zietz stated that he likes being the Water and Sewer Commissioner. Roll Call: Keller, Davis, Zietz, Barta- Aye; Kitelinger – Nay. Motion carried.

MINUTES

Motion by Keller/Davis to approve the minutes from the June 22 City Commission meeting with a correction adding “the Mint Bar, Finishline Burgers and Brew and the Pioneer Bar” to the VFD’s gaming permits. Roll Call: All-Aye. Motion carried.

PAYROLL & BILLS

Motion by Zietz/Davis to approve the bills to be paid in the amount of \$39,323.49 and Payroll for \$11,312.07. Roll Call: All-Aye. Motion carried.

CITY OF VELVA, ND

Check Register for Peoples State Bank

Period	Check #	Vendor Name	Check Amount	Date Issued
7/20	34622	3-D SPECIALTIES, INC	\$ 854.80	07/14/20
7/20	34623	ACKERMAN-ESTVOLD	\$ 4,580.00	07/14/20
7/20	34624	ADVENTURE DIVERS	\$ 600.00	07/14/20
7/20	34625	BAG LLC	\$ 600.41	07/14/20
7/20	34626	BDS (VALLI)	\$ 100.00	07/14/20
7/20	34627	CORE & MAIN	\$ 7,698.00	07/14/20
7/20	34628	DAKOTA AGRONOMY PARTNERS	\$ 122.50	07/14/20
7/20	34629	GOOSENECK IMPLEMENT	\$ 49.95	07/14/20
7/20	34630	HIRSHFEILD'S	\$ 331.18	07/14/20
7/20	34631	HOME OF ECONOMY INC	\$ 15.45	07/14/20
7/20	34632	IMMENSE IMPACT, LLC	\$ 549.45	07/14/20

7/20	34633	LOWES GARDEN CENTER	\$ 2,659.80	07/14/20
7/20	34634	MCGEE HANKLA BACKES PC	\$ 943.00	07/14/20
7/20	34635	MENARDS	\$ 97.76	07/14/20
7/20	34636	MOUSE RIVER OIL COMPANY INC	\$ 539.46	07/14/20
7/20	34637	North Star Community CU- VISA	\$ 524.62	07/14/20
7/20	34638	ONE CALL CONCEPTS, INC.	\$ 13.20	07/14/20
7/20	34639	OTTERTAIL POWER	\$ 3,859.43	07/14/20
7/20	34640	PAMELA JEMTRUD	\$ 450.00	07/14/20
7/20	34641	PEOPLES STATE BANK	\$ 13,746.43	07/14/20
7/20	34642	POSTMASTER	\$ 76.00	07/14/20
7/20	34643	ROUGH RIDER INDUSTRIES	\$ 132.00	07/14/20
7/20	34644	SRT	\$ 368.42	07/14/20
7/20	34645	SWANSTON EQUIPMENT	\$ 372.20	07/14/20
7/20	34646	VELVA AMERICAN LEGION	\$ 25.00	07/14/20
7/20	34647	VELVA FRESH FOODS	\$ 14.43	07/14/20

Total \$39,323.49

GUESTS

Jim and June Hager were in attendance to discuss an issue with a tree on their property located in the city's right of way. The tree was declared a dangerous tree by Beaver Boys tree removal service and the Hagers refused to pay the \$800 to remove the tree stating they were not liable. Discussion ensued on who was liable and that Velva does not have a tree board, a tree fund nor a liability fund set up for such expenses. City ordinance states that "a public nuisance occurring on private land or on any alley, street, boulevard or other public way adjoining the private property, the cost shall be borne by the private owner." City ordinance also states that "dead, diseased or dangerous trees of any type are unsightly and dangerous and are considered a public nuisance." Kitelinger/Zietz made a motion for the city to absorb the bill. Roll Call: Keller-no; Kitelinger-yes; Davis-no; Barta-no; Zietz-no. Motion Failed.

ADDITIONS

Discussion ensued on the letter submitted by Christine Fannick, Velva Ag Ed instructor, regarding land options for the orchard. Nagle addressed trimming and the upkeep liability to the FFA group. Zietz/Kitelinger made a motion to approve the land option of the CHS property with the stipulation that a lease agreement will be drawn up stating the upkeep of mowing the inside of the fence and the trimming of the outside of the fence will fall upon the FFA group. Roll Call: All-Aye. Motion carried.

POLICE

Trey Skager was in attendance stating that the Sheriff's Department was doing good keeping up with everything and maintaining.

ADDITIONS

Dot's Pretzels would like to rent the city hall twice a week for interviewing potential employees. Discussion ensued. Commission concurred to allow the rental pending a revised rental agreement and the rental schedule being approved by both parties; normal rates will apply.

OLD BUSINESS

Johns worked with Alan Walter on the possibility of using strip annexation to get to and annex in the golf course. Walter contacted Jim Redding with the DOT and discovered that the recording of the right of way for the DOT on Highway 41 has not been updated for several years. Johns is waiting for the recording to be

updated and then will bring it back to the commission for guidance. Zietz asked how many liquor licenses are available.

Davis asked Skager how she can report problems found in the city. Skager stated that a complaint needs to be in writing/complaint form.

Zietz asked that the city does not pursue Sauter's semi-trailer that is now parked in an industrial zone. Kitelinger agreed.

ENGINEER

Johns presented the engineer's probable costs sheet for a city-wide water, sewer and street updated project. The information will be table until the next meeting for discussion with city engineers.

JD Larson asked when the bridge placards would be going back up.

REPORTS OF THE PRESIDENT/FINANCE COMMISSIONER

Barta discussed the Leadership Code of Conduct that was included in the packet. The document is at the attorney's office for review.

Davis/Zietz made a motion to approve the 2nd reading of Chapter 2 of the Ordinance Code including resolution 3-102. Roll Call: Kitelinger, Keller, Davis, Barta, Zietz – Aye. Motion Carried.

Barta presented Chapter 14 of the Ordinance Code, including a resolution regarding Mobile Food Units. Davis/Zietz made a motion to approve the 2nd reading of Chapter 14 and resolution. Roll Call: Kitelinger, Keller, Davis, Barta – Aye; Zietz – Nay. Motion Carried.

Barta asked the commission to re-address the street sign replacement project and the sale of the old signs. Kitelinger/Zietz made a motion to put the signs out for bids, with a minimum bid/sign of \$25; no limit on purchasing. Discussion ensued. Keller wants a time limit. Jemtrud and Johns want a purchase limit. Roll Call: Davis-yes; Kitelinger-yes; Keller-no; Barta-no; Zietz-no. Motion failed. Zietz/Keller made a motion to sell the signs for \$20/sign with a limit of 2 per person for 30-days; any remaining signs will go out for bids with a minimum bid of \$20 – Johns will post bid opening for 10 days to receive sealed bids. Roll Call: Kitelinger, Keller – no; Zietz, Barta, Davis – yes. Motion carried.

REPORTS OF OFFICERS

Water Commissioner: Zietz stated that the fire hydrant on Prospect Avenue has been replaced. Zietz also met with the DOT regarding the need for a drainage ditching project along Highway 52. The current contract the city holds with the DOT states that after the curb and gutter went in, the city is responsible for all maintenance. Zietz stated that the drainage issue will need to be budgeted for in 2021. Keller and Zietz will follow up on the issue. Zietz also made a comment regarding commissioner – employee interactions needing to be more positive

Street Commissioner: Davis stated that Chamber wants to do a street dance, tentatively scheduled for August 28 or 29. Keller stated that gaming wanted to do one too. Davis/Jemtrud stated that Keller Paving will be here next week to start the street repair project.

Cemetery Commissioner: Keller stated that everything looks good, there are still some flowers remaining but he left them for families to collect. Keller stated that the curb painting project in town should be reduced to industrial and commercial zones, and only fire hydrant and stop sign curbs in residential. Kitelinger agreed. Kitelinger stated that fire hydrant curbs should be painted red. Barta will check with the fire chief and report at the next meeting.

Police Commissioner: Davis discussed the police contract. She will be attending a county commission meeting in the near future.

AUDITOR

Johns stated that the public information meeting from the SRJB to learn more about the Mouse River flood project and phase 1 of the Velva bridge replacement on Highway 41 N has been rescheduled for Wednesday, July 29 starting at 6:30pm.

Johns asked if any of the commissioners were interested in attending the annual NDLC conference held in September. All five commissioners will be attending.

Johns asked for a meeting to be scheduled to discuss the preliminary budget. Public meeting set for Tuesday, July 21 at 5:30pm.

Davis asked if there was a place in city hall to hang plaques received for training hours achieved from the NDLC.

BUILDING INSPECTOR/ASSESSOR

PUBLIC WORKS

COMPLAINTS

GAMING

ADDITIONS

The Pioneer Bar had a revision to its gaming site authorization permit through the VFD regarding adding electronic and paper machines; the Lariat Bar submitted a gaming site authorization permit through the VFD for paper and electronic. Zietz/Kitelinger made a motion to approve the revision to the Pioneer and the permit for the Lariat. Roll Call: All-yes. Motion carried. Keller discussed the New Salem Legion gaming vendor.

Johns stated that Bonnie Nesmith is requesting a hearing regarding her recent termination. Labor Relations committee will meet Tuesday, July 14 at 2pm, to hear the case.

ADJOURNMENT

Barta adjourned the meeting at 8:33 pm.

Next Commission Meeting will be Monday, July 27 at 7:00pm.

If you would like to be on the agenda in the future, the deadline is Thursday at noon before a meeting.

*****Minutes are subject to amendment and approval*****

Jennifer Barta
Commission President

Jenny Johns
Auditor