

Velva Regular Commission Meeting

October 21, 2019

7:00pm

Velva City Hall

Velva City Commission meeting called to order at 7:00pm by Commission President Jennifer Soli. The Pledge of Allegiance was recited. In attendance, Commissioners: President Jennifer Soli, Tom Foley (conference call), Dave Keller, Ben Zietz and Mary Liz Davis. Also in attendance: Alan Walter, Emma Lavacheck and Jenny Johns.

MINUTES

Motion by Keller/Davis to approve the minutes from the September 23 City Commission and Planning Commission meetings. No discussion. Roll Call: All-Aye. Motion carried.

PAYROLL & BILLS

Motion by Zietz/Foley to approve the bills to be paid in the amount of \$18,549.84 and Payroll for \$26,019.64. Roll Call: All-Aye. Motion carried.

CITY OF VELVA, ND				
<i>Check Register for Peoples State Bank</i>				
Period	Check #	Vendor Name	Check Amount	Date Issued
10/19	34128	ACKERMAN-ESTVOLD ENGINEERING & MNGMNT CO	\$ 725.00	10/22/19
10/19	Elect.	Verendrye	\$ 1333.34	10/22/19
10/19	34129	BAG LLC	\$ 381.42	10/22/19
10/19	34130	BDS (VALLI)	\$ 100.00	10/22/19
10/19	34131	CIRCLE SANITATION	\$ 6,093.00	10/22/19
10/19	34132	DAKOTA TRUCK & FARM	\$ 81.83	10/22/19
10/19	34133	Department of Environmental Quality	\$ 116.52	10/22/19
10/19	34134	DEPT OF TRANSPORTATION (Added/Meeting)	\$ 4,629.40	10/22/19
10/19	34135	DXP Enterprises, Inc.	\$ 50.00	10/22/19
10/19	34136	FIDELITY SECURITY LIFE	\$ 44.85	10/22/19
10/19	34137	FIRST DISTRICT HEALTH UNIT	\$ 50.00	10/22/19
10/19	34138	MCGEE HANKLA BACKES PC	\$ 658.50	10/22/19
10/19	34139	MENARDS	\$ 29.34	10/22/19
10/19	34140	MOUSE RIVER OIL COMPANY INC	\$ 253.03	10/22/19
10/19	34141	NAPA AUTO PARTS	\$ 145.99	10/22/19
10/19	34142	ONE CALL CONCEPTS, INC.	\$ 8.40	10/22/19
10/19	34143	OTTERTAIL POWER	\$ 3,345.12	10/22/19
10/19	34144	PAM JEMTRUD	\$ 450.00	10/22/19
10/19	34145	RADISSON HOTEL BISMARCK	\$ 338.40	10/22/19
10/19	34146	SRT	\$ 383.40	10/22/19
10/19	34147	TC SPECIALTIES	\$ 37.25	10/22/19
10/19	34148	TEAM LAB CHEMICAL CORP	\$ 3,739.50	10/22/19
10/19	34149	VELVA COMMUNITY DEV. CORP (Added/Meeting)	\$ 10,000.00	10/22/19
10/19	34150	VELVA FRESH FOODS	\$ 22.08	10/22/19
10/19	34151	VERIZON	\$ 162.87	10/22/19
Total:			\$ 33,179.24	

POLICE REPORT

The police report is in the packet for the Commissioner's review.

NEW BUSINESS

Johnny Johnson was in attendance to discuss the refinance of the Star City Golf Course. He listed several reasons why the refinance was necessary. He stated that the city is not liable; they would only be pledging the land as collateral, which is exactly the same as how it is currently set up. David Kramer from People's State Bank stated that two signatures from city officials is required to finish the paperwork. Keller/Davis made a motion to approve the signing of the refinancing documents by two city officials. Roll Call: All-Aye. Motion carried.

-Johns stated that there was a Velva resident in the office recently wanting to discuss the feral cat issue in town and some negative comments that were being made on Facebook regarding the removal of the feral cats. Johns stated she would like to discuss a possible "Ordinance Warden" hired during the summer months to help enforce the animal and nuisance ordinances. She would also like to get a list of ordinances that are enforced by the McHenry County Sheriff's Department per Velva's police contract with the County. Velva residents have every right to contact the County for dogs or cats at large, and several other ordinance violations.

OLD BUSINESS

A complaint from the September 23rd meeting was discussed and a follow-up on the situation was given. The City Assessor and City Auditor are working on a Vacated Building Ordinance to address a few homes in town; and the City Engineer gave his opinion on some fill dirt that was brought in on a lot in Velva regarding drainage and the flood plain. Discussion ensued.

BUILDING INSPECTOR/ASSESSOR

Two building permits were approved by the planning commission for the city commission's review. The first was for Dot's Pretzels for an additional unloading dock and the second was for a grain bin replacement. Keller/Davis made a motion to approve the Dot's Pretzel building permit. Roll-Call: All-Aye. Motion Carried. Discussion ensued on a petition that was signed by homeowners regarding the elevator property. Foley/Davis made a motion to approve the grain bin replacement building permit. Roll-Call: All-Aye. Motion Carried.

ADDITIONS

The Sales Tax Committee met on Thursday, October 17. Randy Hauck, from the S/T committee and the Chair of the Velva Community Development Corporation (VCDC), was in attendance to discuss a grant request from Dokken Automotive/Bauer Welding & Fabrication i.e., Star City Services. They would like to do some improvements to their building. A \$10,000 grant will be issued after they finish their insulation project. Keller/Zietz made a motion to approve the grant as presented. Roll Call: All-Aye. Motion Carried. Johns is to issue the check to VCDC along with the other bills to be paid.

ENGINEERING

Lavacheck from Ackerman Engineering discussed the GIS map progress. She stated that the project is nearly completed. The app will be available soon to the Public Works Department and it will be a valuable tool in case of an emergency as well as being used in several other aspects of their job.

-Walter handed out a copy of the request letter he submitted to the NDDOT for the grant reimbursement from the SRF program for the Velva Park West access project; he will keep the city updated on the response from his request. Walter also discussed the city's dyke inspection that will take place on Thursday, October 31 at 9:00 am. All commissioners are welcome to attend. Zietz asked if Walter could look at a fence that may be too close to the toe drain and the removal of some trees. Walter disclosed the opportunity to apply for the Garrison Conservative Diversity grant for the golf course path. Lavacheck would apply for the grant for the amount of \$40,000. This would be a 3-part grant for the path. Soli asked about all the precipitation that Velva has received and the flood implications this could cause if it continues. Discussion ensued. Zietz asked about the water gates in the park. Kelly Jemtrud, Public Works, had them open all summer, but they are closed now for winter.

ADDITIONS (Cont.)

Mike Heisler was in attendance, as a Velva Park representative, discussing the 50-trees that need to be planted and the bill from Lowes for over \$1,700. Discussion ensued on the trees and where they will be planted. Discussion ensued on the remainder of the NDDOT bill that the park was asked to pay. Keller/Davis made a motion for the city to pay the remainder of the NDDOT bill for \$4,629.40. Roll Call: All-Aye. Motion Carried. Johns is to add the check to the bills to be paid for October.

-Proposals were discussed for the removal of the sidewalk on the Welo lot. Zietz asked if the Public Works Department could do the work. Davis/Zietz made a motion to table the issue until they could talk to Jemtrud. Roll Call: All-Aye. Motion Carried.

REPORTS OF THE PRESIDENT/FINANCE COMMISSIONER

President Soli asked the commissioners if they had a chance to review the Municode chapters included in the packet. Soli asked if there were any changes or additions. Davis asked if we could remove Chapter 14a for further review. Zietz/Davis made a motion to approve the first reading of the adoption of the Home Rule Charter and Municode chapters: 1, 3, 4, 9, 10, 11, 12 and 15. Roll Call: Foley-Aye; Zietz-Aye; Keller-Aye; Davis-Aye; Soli-Aye. Motion Carried. The second reading will be held at the next meeting. The Municode will be approved in sections as time allows and amendments are made. Discussion ensued on the NDRWSA training that will be held in Rugby on October 24. A meeting of the Personnel Manual Committee was scheduled for Monday, October 28 at 2:00 pm. Soli stated that she has completed the 90-day evaluation for the Auditor; and that she has been working on applying for another grant with Maria Hanson.

REPORTS OF OFFICERS

Water Commissioner: Ben Zietz asked if the Public Works Department could haul in gravel for some areas/alleyways in town.

Street Commissioner: Mary Liz Davis discussed the progress on street sweeping the leaves after the storm.

Cemetery Commissioner: Dave Keller and Leo Walter, Public Works, cut down a few trees at the cemetery. Discussion ensued on the possibility of replacing the trees with a couple of the 50-trees the park will be planting. Keller will talk to Heisler regarding the matter.

Police Commissioner: Tom Foley was asked by some residents about the response time by the Sheriff's department from the weekend's events. Keller stated that the response time was good. The McHenry County Sheriff's Department contract was discussed. The current contract negotiation that Velva submitted was denied. The commission will be working on negotiating the contract for 2021 within the next few months. The deadline for the 2021 contract is July 1st, 2020. Zietz/Davis rescinded the motion made at the August 26 meeting, and accepted the McHenry County contract as presented. Roll Call: Keller-Nay; Davis-Aye; Zietz-Aye; Foley-Aye; Soli-Aye. Motion Carried. Keller stated he would like to start working on negotiating for the following year's contract as soon as possible.

AUDITOR

The first reading was read and passed on Ordinance: Chapter 2, Sec. 2-446 Powers and Compensation: *The Planning Commission shall have the powers and shall perform the duties as may now or hereinafter be provided by law. The members thereof shall receive compensation for his services, such sum as the City Commission may establish, and that they may be allowed actual expenses for traveling as provided by law.* Davis/Foley made a motion to pass the first reading of the ordinance. Roll Call: Zietz-Aye; Foley-Aye; Davis-Aye; Keller-Aye; Soli-Aye. Motion Carried. The first reading was read and passed on Ordinance: Chapter 22, Sec. 22-1(b) Snow Removal Emergency – Removal of Vehicles from Public Streets: *When the President of the Velva Commission, or his designee, determines that a snow removal emergency exists, the President by proclamation shall direct that all residents of the City of Velva remove vehicles from the streets of the City of Velva for the purpose of facilitating snow removal. Failure to do so will result in the vehicle being towed at the owner's expense. The Commission President shall offer the proclamation to the local broadcast media for immediate dissemination. The proclamation shall also be posted on the City of Velva's Website as well as Facebook page.* Zietz/Davis made a motion to pass the first reading of the ordinance. Roll Call: All-Aye. Motion Carried.

-Johns stated that her 90-day probation period has ended and it has been a pleasure meeting all the residents she has met so far, and working with the Velva Staff and Commission. Johns congratulated Ron Nagle, City

Assessor, on his Class II – Assessor Certificate that he recently received. Johns proposed a “snow bird” policy for the commission to consider; this item will be readdressed at the next meeting. Discussion ensued on the privately-leased elevator property on the west side of main street. An update was given regarding the violation and progress that was made to remedy the issue. Johns discussed the Water Plant Fund and gave an update on the auditor’s progress. The final numbers will not be available from Brady Martz until the end of the year, however, all the evidence we have so far leans towards the assessment being paid in full. Consensus from the Commission not to certify the assessment to the County for 2020. Johns stated that during the review of the Personnel Policy Manual it required that all employees needed an annual evaluation completed by November 15th of each calendar year. The evaluations were completed and included in the packet. Praise was given to the current staff and commission for their efforts and dedication to the City of Velva.

PUBLIC WORKS

No items to discuss.

COMPLAINTS

Johns stated that two complaint letters were sent out last month. Snow removal and hazardous material within city limits were the topics involved with the letters.

GAMING

No items to discuss.

EXECUTIVE SESSION

President Soli asked for a motion to discuss the next topic in executive session. Davis/Foley made a motion to go into executive session. Roll Call: Zietz-Aye; Foley-Aye; Keller-Aye; Davis-Aye; Soli-Aye. Motion Carried. President Soli read NDCC section 44-04-19.1, the legal authority for closing this portion of the meeting: *The executive session will be recorded and all members of the governing body are reminded to limit their discussion during the executive session to the announced topic. Any collective decision, collective commitment, or other final action by the governing body must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session.* President Soli asked the members of the public who were attending the meeting to leave the room. Soli anticipated the adjourning of executive session, and reconvening the open portion of the meeting, at approximately 9:00 pm. Let the minutes show that the executive session began at 8:28 pm and was attended by Soli, Zietz, Foley, Davis, Keller, Johns and City Attorney Brian VanGrinsven. Discussion ensued on the threatened litigation by landowner. Zietz/Foley made a motion to adjourn executive session at 9:29 pm. Roll Call: All-Aye. Motion Carried. Let the minutes show that the executive session was adjourned at 9:29 pm. Soli invited the public to return to the meeting room and stated that we are now back in open session. Soli asked for a motion authorizing the City Attorney to proceed with the recommendations decided in Executive Session. Zietz/Davis made that motion. Roll Call: All-Aye. Motion Carried.

FYI

Next Commission Meeting will be Monday, November 18 at 7:00pm.

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

ADJOURNMENT

Davis made a motion to adjourn at 9:31 pm.

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

Jennifer Soli
Commission President

Jenny Johns
Auditor