

VELVA CITY COMMISSION
MEETING MINUTES MONDAY, OCT 28, 2013 7:00 pm

Velva City Commission meeting called to order at 7:00 pm by Commission President Cindy Shattuck. Pledge was recited. Members present; Shattuck, Blotter, Larson, Anderson, Johnson. Others in attendance; Laurence Anderson, Alan Walter, Jim Wilson, Ivan Canevello, Kelly Jemtrud, Carol Bickler, McKenzi Kossan

Roll call vote to approve meeting minutes from October 14, 2013 with the following changes; Commissioner Blotter made 2nd on Circle Sanitation contract price increase. Paragraph regarding mobile home ordinance to be removed carried. Roll call vote yes; Anderson, Larson, Johnson, No Shattuck, Blotter

GUESTS:

Laurence Anderson approached commission with issues pertaining to City ordinance regarding zoning as well as use of his property. On October 14, 2013 Carol informed the commission that there is a party living in Laurence Anderson's property located at 10 2nd St E Velva, ND 58790

Velva City Ordinance regarding zoning chapter 16 section 6-302 states

"The use, occupancy or ownership of a "manufactured home" or "trailer" as defined in subsection 4 of Section 6-301 of this ordinance, outside of a licensed manufactured court as provided for in this chapter of the ordinances of the City of Velva is hereby prohibited unless approved according to Chapter 19 of the City of Velva Municipal Ordinances. An existing use or occupancy and non-conformance of this ordinance shall be valid no longer than five years from and after the date of the passing of this act, and shall be unlawful upon the change of ownership in the said manufactured home or the real estate upon which the same is located, and after such change in ownership the violator will be subject to prosecution unless the manufactured home or trailer has been removed within 60 days after notice form the City Commission. The penalty for violating any provision of this ordinance shall be a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both such fine and imprisonment.

Laurence informed the Commission that this ordinance was incorrect. City Attorney Jim Wilson confirmed that the ordinance is indeed incorrect. The number of days one may be imprisoned is 30 days and not 90. Laurence stated he will be letting a party live there rent free only paying utilities. Motion Larson/Johnson to have City Attorney Jim Wilson draft contract for Laurence Anderson to sign stating that Laurence may utilize property located at 10 2nd St E Velva, ND 58790 as long as no rent or service fees are charged. This contract will be valid until demolition permit expires on May 21, 2014 carried.

Roll Call vote; No Blotter, James Abstained, Yes, Shattuck, Larson, Johnson

This issue may be revisited in May 2014 if weather prevents demolition of property.

POLICE

Sheriff Marv Sola reviewed McHenry County happenings with the City commission.

2014 Police Contract was discussed. The September police report was reviewed. Commissioner Larson discussed contract price with Sheriff Sola. Motion Larson/ to sign 2014 Police contract for \$33,800.

Motion died for lack of second. Motion Anderson/Blotter to table the decision to accept or deny the 2014 Police contract until after the County commissioners have agreed to meet with City commission carried. Roll call vote yes; Shattuck, Blotter, Anderson, Larson, Johnson.

Cindy will coordinate with City office to schedule this meeting.

Commissioner Blotter stated that it is a state requirement to have a police commissioner. City Attorney Jim Wilson referenced NDLC 40-15-05, which states the required designated responsibilities of each commissioner. Motion Larson/ Blotter to have Commissioner Anderson assume the role of Police commissioner and Commissioner Johnson will assume the role of Finance commissioner carried. Roll call vote yes; Shattuck, Blotter, Anderson, Larson, Johnson

PUBLIC WORKS/ENGINEERING

Kelly's report

Water pump purchased from Rain for Rent will be ready for pick up in three weeks

Kelly has found a boat to purchase for lagoon work & would like to pay Glen Lorenze \$50.00 for the use of his boat last year. Motion Anderson/Larson to approve Kelly to purchase boat for the lagoon in the amount of \$150.00 as well as give \$50.00 to Glen Lorenze for the use of his boat carried. Roll call vote yes; Shattuck, Blotter, Anderson, Larson, Johnson

Alan's report

DOT Grant information was reviewed, & will discuss again at a later time.

Grants for comprehensive plan discussed, Alan will move forward with this.

Braun Intertec will be here to do borings on the dike.

Dike & Levee – FEMA certification needed & surveyor will be here first week in November.

Lagoon repair contract for payment discussed. Motion Anderson/Blotter to approve application of payment to Wagner construction in the amount of \$462,087.86 carried. Roll call vote yes; Shattuck, Blotter, Larson, Anderson (no) Johnson

FINANCIALS

Motion Anderson/Larson to drop the 2014 donation to Heart of America Community Service program carried. Roll call vote yes; Shattuck, Blotter, Anderson, Larson, Johnson

Discussion was held regarding 2011 audit review. The City office will send reminders to Commission in May & November to review pledge of securities. Carol to check on unsecured pledges. Cindy suggested that this be discussed at the City financial meeting. Will be discussed November 12, 2013 Commission meeting.

Motion Larson/Blotter to approve bills carried. Roll call vote yes; Shattuck, Blotter, Anderson, Larson, Johnson

Ackerman – Estvold Engineering \$17,622.50; Dakota Supply Group \$1,694.92; Hawkins INC \$1,099.91; Ivan Canevello \$587.75; Lowe's Printing INC \$145.00; Michael Todd & Company INC \$652.43; Mid America Research Chemical \$2,373.75; North Dakota Insurance \$39.63; Pam Jemtrud \$250.00; TC Specialties \$93.50; UNUM Life Insurance Company \$68.14; Velva Fresh Foods \$68.14; Wal-Mart Community/GEMB \$54.94; Glen Lorenze \$50.00; Gary Willoughby \$150.00; Velva Public Library \$8,700.00

OLD BUSINESS

Hotel Berry closure reviewed with City Attorney Jim Wilson. The Hotel Berry has thirty days from the date they receive letter from City to appeal. Will discuss at November 12, 2013 Commission Meeting

Rescheduling of the City Financial meeting discussed. City office will prepare all information requested & let Commission know when it is ready. Will discuss at November 12, 2013 Commission meeting.

NEW BUSINESS

Motion regarding moratorium on City land sales discussed. This issue will be discussed at another time. City Auditor Carol Bickler announced that she will officially be retiring May 30, 2014.

BUILDING PERMITS

Motion Anderson/Larson to approve the following building permits carried. Roll call vote yes; Shattuck, Blotter, Anderson, Larson, Johnson

- Vedaa Properties LLC (Addition)
- Donald L. Peterson (Premanufactured home Krumwiede addition)

FYI

The following FYI's were discussed;

November 19 @7pm Mouse River basin flood meeting @ VEC

Corps of Engineers – City not pleased with the way dams are regulated or procedures

Souris Basin Planning Council mtg update

DOT Map of vehicle count

McHenry JDA update

VCDC meeting & DOT TAP Grant Update

AGENDA FOR NEXT & FUTURE MEETINGS

City Financial meeting

Elizabeth Redding - Santa Daze Wine Walk

EAPC Engineering & Architecture presentation by Roger Kluck Civil Engineer

Cederstrom Hotel DOT survey regarding dirt fill

Hotel Berry closure

ADJOURNMENT

Motion Anderson/Johnson to adjourn meeting 10:30 pm carried. Roll call vote yes; Shattuck, Blotter, Anderson, Larson, Johnson

Commission President
Cindy Shattuck

Deputy Auditor
McKenzi Kossan