

Velva Regular Commission Meeting

December 18, 2023

7:00pm

Velva City Hall

Velva City Commission meeting called to order at 7:00 pm by Commission President Mike Schreiner. The Pledge of Allegiance was recited. Roll Call: Mike Schreiner – Commission President, Police/Finance; Mary Liz Davis – Sewerage/Finance Commissioner; Dave Keller – Street/Waterworks Commissioner; Ben Zietz – Water/Sewer Commissioner; Gene Jenson – Streets (Cemetery) Commissioner; Jenny Johns – City Auditor; Kerry Wyche – Deputy Auditor; Chery Bourdeau – City Assessor; Kelly Jemtrud – Public Works Director; Alan Walter and Emma Lavachek – Ackerman-Estvold Engineering; Heather Tudor – Velva Area Voice; and McHenry County Sheriff Deputy – David Flory.

MINUTES

Motion by Jenson/Davis to approve the minutes from the November 20 regular meeting and special meeting on December 10. Roll Call: All-aye; motion carried.

PAYROLL & BILLS

Davis/Zietz made a motion to approve the bills paid and bills to be paid in the amount of \$48,555.68 and Payroll for \$29,397.46. Roll Call: All-aye; motion carried. (4k 1500, Acme 104.87, AmWelding 42.05, BAG 632.28, BDS 104.84, BMS 14660, BKeller 25, ChemLab 18.54, CBourdeau 1915, CivicPlus 450, Enerbase 499.24, 1st District 90, GWeber 350, KGoodman 25, Gooseneck 610.10, Hartford 2421, Hawkins 1469.6, JJohns 4000, Kevins Plumb 264, Mouse River 640.96, Napa 155.99, NorthStar 1427.16, NorthInt. 2495.42, 1Call 17.65, Ottetail 3896.73, PJemtrud 450, RBrown 25, LSather 25, Sundre 813.72, TeamLab 4675, CompStore 2059.98, TSC 185.94, VCDC 46.73, VFDG 2000, VFreshFoods 223.56, VLibrary 149.34, KWyche 2000, WYstaas 85.98).

Reports of The President/Finance Commissioner

Schreiner asked Flory if he had anything to report from the Sheriff's Department; Flory had nothing to report.

Communications

-Schreiner presented a membership request/renewal from the Minot Area Chamber; Johns would like to know if the Commission wants this to be renewed. Davis/Jenson made a motion to discontinue the membership with the Minot Area Chamber due to lack of benefits. Roll Call: All – aye; motion carried.

-Mike Heisler, Velva Fire Department Chief, submitted a request from the city to contribute money to the fireworks display this year. Zietz/Jenson made a motion to contribute \$2,000 towards the fireworks display. Roll Call: All – aye; motion carried.

Reports of Officers, Boards, Committees

Commissioner Davis: Davis had nothing to report.

Commissioner Keller: Keller had nothing to report.

Commissioner Zietz: Zietz had nothing to report.

Commissioner Jenson: Jenson had nothing to report.

Engineer's Report: Lavachek gave an update on the master lift station; she also sent in the 4th reimbursement request for the project. Lavachek gave a quick presentation for the lead service line inventory project. Lavachek gave a rundown on the GIS mapping that is now fixed with their software company. Davis/Jenson made motion to approve the ESRI – GIS mapping system app for the city, costing \$550/year. Roll Call: All – aye; motion carried.

Auditor's Report: Johns stated that 2018's audit has been sent to and accepted by the State. Johns has also completed 2019 and started 2020, and Wyche is doublechecking 2019 now.

-Johns asked for approval to do the end of year transfers that were previously budgeted for or discussed; but needs an official approval from the Commission. Jenson/Davis made a motion to approve the end of year transfers as presented. Roll Call: All – aye; motion carried.

-Finally, Johns stated that she has completed the reporting of the Prairie Dog Fund money usage to the state, and there is currently \$111,967.59 remaining in the fund.

Assessor/Building Inspector: Bourdeau stated that her tax roll assessment has to be in to the county by February 1st, so if the meeting with the golf course is delayed for that long, there will be nothing she can do to help. -Johns and Bourdeau gave a rundown on the violation of Sec. 8-24(123.3) of the Municode, by Soltrain Enterprises. A cease-and-desist certified letter was sent out on November 30, after a verbal cease and desist was given to Mr. Soli on November 29, 2023 – stating “any building, remodeling, or structural changes, without obtaining a building permit and providing the city of Velva with architectural or CAD plans, needs to cease as of November 29, 2023.” The issue was brought to the city's attention by a contractor contacting Assessor Bourdeau to come and look at the building modifications that were taking place. Robby Brown, Planning and Zoning Board and Fire Inspector for Minot, was asked to give the city an opinion on the work taking place, based on the Internation Fire Code. Brown recommended a cease-and-desist letter be issued immediately and produced several violations of the Code. The Commission was asked how to proceed with the violation, quoting the \$100/day penalty in the Municode. Jenson/Zietz made a motion to follow Sec. 8-24 (123.3) of the Municode, beginning on November 30th, 2023, and every day after, until the city receives a building permit and architectural plans for the project. Roll Call: All – aye; motion carried.

Public Works Report: Jemtrud stated that the personnel committee had an interview with Mr. Moulton and would like permission to offer him the position. Schreiner explained the three options presented to offer the employee. Schreiner/Jenson made a motion to approve option 2 at \$23.50/hour, including the benefit package. Roll Call: All – aye; motion carried.

Introduction & Adoption of Resolutions/Ordinances:

Ordinance change 2023-05 was addressed, stating:

Sec. 14-91. Dispersal of funds.

- (a) Funds collected from the one percent sales tax may only be dispersed by the city commission upon recommendation of the city sales and use tax committee, the membership of which shall be as follows:
- (1) Mayor of the city.
 - (2) A city area development corporation representative selected by the city community development corporation.
 - (3) *A member at large, residing within city limits.*
 - (4) A city park board representative selected by the city park board.
 - (5) An active area farmer/agricultural producer living in or outside the city limits appointed by the city community development corporation.

Zietz/Jenson made a motion to approve the 2nd reading of Ordinance change 2023-05, Sec. 14-91 as presented. Roll Call: Zietz, Jenson, Davis, Keller, Schreiner – aye; motion carried.

Ordinance change 2023-07 was addressed, stating:

Sec. 4-12. – License Classes and fees

(a) *Generally.* The city council, in its sole discretion, shall decide whether to issue, or transfer any available license under this section and may require the applicant to provide any information it deems necessary to make its determination. The maximum number of each class of license issued hereunder shall be as follows. The fee for such licenses shall be as established by the city.

(1) On- and off-sale beer and liquor licenses, *not* including clubs and lodges. One license may be issued for every 350 residents of the city, or fraction thereof equal to or exceeding one-half, according to the last available federal census.

(2) Off-sale liquor and beer licenses. One license may be issued for every 500 residents of the city, or fraction thereof equal to or exceeding one-half, according to the last available federal census.

(3) On-sale beer and liquor license. There shall be no limitation on the number of on-sale beer and liquor licenses for hotels, lodginghouses, and boardinghouses.

(4) On- and off-sale beer and wine. There shall be no limitation on the number of on-sale beer and wine licenses for hotels, lodginghouses, and boardinghouses.

(5) On-sale wine only. There shall be no limitation on the number of on-sale wine licenses for hotels, lodginghouses, and boardinghouses.

(6) On-sale beer and liquor license. There shall be no limitation of the number of on-sale beer and liquor licenses for clubs and lodges.

Davis/Jenson made a motion to approve the 2nd reading of Ordinance change 2023 – 07, Sec. 4-12 – License Classes and fees., as presented. Roll Call: Davis, Jenson, Keller, Zietz, Schreiner – aye; motion carried.

Personal Appearances: No personal appearance.

Unfinished Business: Johns asked the Commission to designate the distribution rates for the sales tax effective January 1, 2024. Jenson/Davis made a motion to dedicate the tax proceeds from the first 1% sales tax: 45 percent to city infrastructure, including beautification; 45 percent to park maintenance; 10 percent to economic development. Roll Call: All – aye; motion carried.

New Business: No new business to discuss.

Miscellaneous/Additions: Keller/Davis made a motion to approve the raffle permit submitted by the Velva High School Trap Team. Roll Call: All – aye; motion carried.

-Johns asked the Commission to approve the payment to the Velva Park District of 20% of the total state aid money received, after the December deposit is made. Jenson/Davis made a motion to approve the payment once the December state aid distribution is received. Roll Call: All – aye; motion carried.

Adjournment: With no other business to discuss, Schreiner adjourned the meeting at 7:59 pm.

The next Commission Meeting will be Tuesday, January 16 at 7:00pm.

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

*****Minutes are Subject to Amendment and Approval*****

Mike Schreiner
Commission President

Jenny Johns
Auditor