

# Velva Regular Commission Meeting

July 18, 2022

7:00pm

Velva City Hall

Velva City Commission meeting called to order at 7:00 pm by Commission President Jennifer Barta. The Pledge of Allegiance was recited. Roll Call: Jennifer Barta – Commission President; Mary Liz Davis – Police Commissioner; Dave Keller – Street Commissioner; Ben Zietz – Water/Sewer Commissioner; Kelly Jemtrud – Public Works; Ron Nagle – City Assessor; Jenny Johns – City Auditor; Emma Lavachek & Alan Walter – Ackerman-Estvold Engineering and Trey Skager – McHenry County Sheriff.

\*\*Barta thanked the City of Velva for the opportunity to serve the community and gave a list of the accomplishments the commission achieved during her time in office, including: bringing the city funds and accounting into compliance and straightening out all funds, adjusting utility rates to cover the costs of those enterprises – (allowing repairs, upkeep and maintenance to be addressed without any extreme additional costs to property owners), helping small business owners during the pandemic, replacing the Goldade lift station without a special assessment, initiating the Main lift station replacement without a special assessment, paying off several debt services, and bringing the city into closer compliance with the state audit laws. \*\*Barta then asked for a motion to accept the final 2022 election results from the County. Davis/Zietz made a motion to accept the final election results from the County. Roll Call: All-aye; motion carried.

## **OATH OF OFFICE/ORGANIZATION OF COMMISSIONERS**

Johns asked that the newly elected officials read their Oath of Office in unison. Officials included: David Keller, Mary Liz Davis and Michael Schreiner. Michael Schreiner took office as Commission President at this time.

\*Schreiner stated there were three Velva residents who asked to be considered for the vacancy on the Commission, Cindy Shattuck, Jennifer Barta and Gene Jenson. Schreiner asked if the commissioners had any questions for the three. Hearing no questions, Schreiner asked for a motion to appoint the vacancy. Davis/Keller made a motion to appoint Gene Jenson to fill the vacancy on the city commission until the next city election. Roll Call: All-aye; motion carried. Mr. Jenson joined the commissioners at the table and was sworn in by Johns. Keller stated he wanted to nominate Cindy Shattuck. Discussion on the motion, second and roll call for Jenson. The commissioners reviewed the recommendations for portfolios. Davis/Zietz made a motion to accept the portfolios as written, including: Schreiner – Commission President, Police/Fire and Finance/Revenue Commissioner; Davis – Vice President, Finance/Revenue and Sewerage Commissioner; Keller – Commissioner of Streets/Improvements and Waterworks; Zietz – Commissioner of Waterworks and Sewerage; Jenson – Commissioner of Streets/Improvements (including Cemetery oversight) Commissioner. Roll Call: All-aye; motion carried.

## **MINUTES**

Motion by Davis/Zietz to approve the minutes with the addition - from May 15<sup>th</sup> to September 30<sup>th</sup> – to the June 20<sup>th</sup> regular meeting minutes (regarding Shattuck's proposal for camper parking on city streets). Roll Call: All-aye; motion carried.

## **PAYROLL & BILLS**

Motion by Zietz/Jenson to approve the bills to be paid in the amount of \$40,034.53 and Payroll for \$21,545.64. Roll Call: All-Aye. Motion carried. (Ackerman-\$205; Acme-6,849.92; BAG 458.92; BDS 109.73; ChemLab 18.54; Circle Control 10,108.40; DAP 1170; Ferguson 1,860.64; 1<sup>st</sup> District 50; Hawkins 672.35; Ihry 456; McGee 955; Menards 28.62; Mouse River 1,330.27; NDLC 300; North Star 118.51; OneCall 13; Ottertail 3,585.50; P Jemtrud 450; Schocks 75; SRT 426.59; TC Spec 50; USPS 90; VCDC 2,158.50; Library 516.48; Verendrye 1,333.34; Verizon 209.22; WeedBio 1,285).

## **Reports of The President/Finance Commissioner**

Schreiner gave a verbal resignation from the Planning & Zoning Board, and asked the Commissioners to bring ideas to fill the vacancy for next month's meeting.

**Communications** Schreiner presented the Contract Police Service Agreement with the County. Davis/Zietz made a motion to accept the County/City Contract for Police Service Agreement for the year ending 2023.

Keller stated he is still disappointed that a few cities in the County get coverage without a contract. Skager explained that there is no coverage in non-contracted cities, only mandatory coverage conveyed under the NDCC. Roll Call: Davis, Zietz, Jenson, Schreiner-aye and Keller-nay; motion carried.

-Keller/Davis made a motion to approve the special event permit to sell alcoholic beverages submitted by the Lariat for the Throttles and Gears event at the rodeo grounds on August 20<sup>th</sup>, 2022. Roll Call: All-aye; motion carried.

-Discussion on the invoice received from Roger Dietrich for \$250 for “spraying the State Highway property in front of his house for dandelions, chemical, water and labor.” Zietz/Jenson made a motion to deny payment of the invoice. Roll Call: All-aye; motion carried.

-Keller/Davis made a motion to approve the raffle permit (2022-07) submitted by the Velva Association of Commerce for a calendar raffle in October 2022. Roll Call: All-aye; motion carried.

### **Reports of Officers, Boards, Committees**

**-Water/Sewer Commissioner:** Zietz addressed a street light out on Main Street. Zietz also discussed kids on 4-wheelers (electric), and the safety issue involved with them driving on the streets. Jenson mentioned the 4<sup>th</sup> of July was very concerning with golf carts and 4-wheelers, with kids and adults driving haphazardly. Schreiner would like a public service announcement regarding the issue to be posted on Facebook and/or city website.

**-Street Commissioner:** Keller did not receive an update on chip sealing. Jemtrud would like to meet and look at patching. Keller has only looked at the Keller Paving blade so far, but has asked for other quotes with no reply. Keller stated the blade runs well, and it is a good price, but it is only a 10-foot blade. The tree dump road also needs to be bladed. Keller complimented the Main Street flowers! Keller was asked if he received any quotes for street milling and repaving? Keller said not yet, it is too expensive this year. Jenson said if we wait too long on the streets it will get into winter; and potholes need to be fixed prior to chip sealing.

**-Cemetery Commissioner:** Jemtrud and Johns gave an update on the cemetery after last week’s storm. Several large trees were taken out, and the tree debris was too large for the city’s equipment to clear. Weber’s tree service was hired, and Johns attempted to turn the claim into insurance, but it was rejected. George Weber has everything cleaned up perfectly, minus one stump that was too heavy for his equipment. The PW will attempt to remove it with the city’s pay loader.

**-Police Commissioner:** Sheriff Trey Skager, McHenry County Sheriff’s Department, was in attendance. Davis said that department coverage hours were still up, with a total of 332 hours in June. Davis advised Jemtrud of a street sign down after the storm.

**-Engineer’s Report:** Walter has been working with Moore Engineering regarding the Highway 41 bridge project on locating utilities. The bridge design is near completion. Walter mentioned again about the walkway on the dike becoming available later this fall.

-Lavachek stated that Johns, NCPC, and herself, along with Ryan Ackerman had a team meeting to discuss payment options for the Main lift station. Zietz asked Walter about tree planting in the park, and the survival rate of the trees after last year’s drought.

**-Auditor’s Report:** Johns presented the NDLC annual conference held in Grand Forks this year, from September 22-24. Johns asked that anyone interested in attending, call the office as soon as possible to get signed up. \*Johns asked the commissioners to set a date for the preliminary budget meeting for 2023. The Commission concurred to meet Monday, July 25 at 5:00pm. \*Johns stated that the Commission needed to designate new signers at Peoples’ State Bank and North Star Community Credit Union. Zietz/Jenson made a motion to designate Schreiner, Davis, Wyche and Johns as bank signers. Roll Call: All-aye; motion carried.

\*Johns gave an audit update as Brady Martz is almost finished with years 2016-17. There have been several questions regarding deposits made that were not itemized out into the accounting system, (until 2019 when Johns started reconciling the bank statements from December of 2016 forward). \*Johns has not received anything officially, but was told that the federal relief money for the April 2022 snow storm was denied due to not enough damages being submitted statewide. \*Johns stated that the Aggie Foundation has submitted another gaming site authorization for Soltrains for the fiscal year July 1, 2022 through June 30, 2023. Johns clarified that authorization was already approved in April 2022 for the Velva Fire Department Gaming for

Soltrains. Jenson asked questions about the Aggie Foundation and was very concerned with the thought of removing the VFD gaming from a site in Velva. Schreiner would like Mr. Soli and other bar owners to have a say in the gaming entity. Davis does not want taxes to go up by losing the VFD. Barta recited the gaming laws of ND, stating cities are responsible for authorizing gaming in eligible establishments, not bar owners. Keller/Jenson made a motion to deny the site authorization for Soltrains submitted by the Aggie Foundation. Roll Call: All-aye; motion carried.

**Assessor/Building Inspector's Report:** Nagle presented the building permit list and asked if anyone had any questions for him. No questions were asked.

**Public Works Report:** Jemtrud stated that lightning struck the water plant during last weekend's storm and burnt out one of the drives. Jemtrud has had the issue repaired by Circle Control Systems, and the claim was turned into insurance. The cost of parts and labor was over \$10,000. Jemtrud stated that he will begin flushing hydrants as soon as time allows; and will flush at night due to higher usage during the day. Davis asked if they could get bids to have the city shop painted. Jenson said he can donate a sprayer. The PW will request bids for the painting project. Johns talked with the attorney after the last meeting regarding the request by Gene Jenson to have parking only on one side of the street around the perimeter of the school. The attorney recommended a public hearing to receive feedback from the school and residents in the area. Barta recommended that parking passes could be given to residents affected by the change. The Commission concurred to hold a public hearing on Monday, August 15<sup>th</sup>, at 6:30pm to receive feedback.

**-Introduction & Adoption of Resolutions/Ordinances:** A proposed change to **Sec. 4-12(a)(2)** of the Municode, **License – Classes of and fees**, was discussed. Matt McCasson of Velva Foods asked the Commission to consider amending the current ordinance to allow an additional “off-sale liquor and beer license” for the City of Velva. The McCassons have been in contact with the state as well, and their plan to reconfigure their store will work with state requirements. Keller/Jenson made a motion to approve the 1<sup>st</sup> reading of Ordinance change 2022-02 – Sec. 4-12(a)(2) – as follows:

**Sec. 4-12. - License—Classes of 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, 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 ~~750~~ 500 (five hundred) 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.

(b) *Transfer from entity to entity.* If a licensee would like to transfer their license to another individual they may transfer that license with the approval of the city council at an amount pro-rated in relation to the amount of time left on the license. The same stipulations stated above apply to the transfer of a license.

(c) *Transfer from establishment to event location.* The city council will exercise their discretion in granting a transfer of license for the purpose of an event. There shall be a transfer fee as set periodically by the city council.

Roll Call: Keller-aye; Jenson-aye; Zietz-aye; Davis-aye; Schreiner-aye ~ motion carried.

**\*\*Cindy Shattuck proposed an ordinance change to Sec. 26-5(c, e, f) – Parking Offenses. The current Municode does not allow trailers, boats, campers, etc. to park on city streets without being attached to a prime mover and not for more than 24-hours at a time. Shattuck proposed changing it to the City of Harvey’s ordinance, which allows the parking of trailers, boats, campers, etc. from May 1<sup>st</sup> through October 15<sup>th</sup> without being attached to a primary mover. Shattuck gave her reasons for wanting the ordinance changed. Schreiner asked for a petition. Jenson was not in favor of the change, for safety reasons as well as for the potential of damage to city streets. Davis asked Shattuck if she had initiated the current ordinance back when she was the President. Shattuck denied. Jenson/Davis made a motion to deny the ordinance change at this time. Zietz would like to see amendments to the proposal before he would consider it. Roll Call: Jenson, Davis, Zietz, Schreiner – aye; Keller – no ~ motion carried.**

**-Personal appearances before Commission:** No personal appearances.

**Unfinished Business:** Johns gave an update on the Alley/Avenue vacate, stating the resolution was rejected by the County recorder’s office, and the map will have to be redone, as well as adding one line of verbiage. The resolution is currently back at the attorney’s office.

**New Business:** No new business to discuss.

**Miscellaneous:** Schreiner thanked Barta for her accomplishments during her time in office. He also stated he is looking forward to working with the current commission. Jenson thanked Barta for doing a great job and bringing around new changes to the city! Zietz and Davis graciously thanked Barta for her dedication to the city and her time in office. All employees present also graciously extended their appreciation to Barta for her knowledge and dedication to the city.

**Adjournment**

-With no other business to discuss, Schreiner adjourned the meeting at 8:47 pm.

*The next Commission Meeting will be Monday, August 15, 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\*\****

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**Jennifer Barta**  
**Commission President**

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**Jenny Johns**  
**Auditor**