

Velva Regular Commission Meeting

November 20, 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; Kelly Jemtrud – Public Works Director; Alan Walter – Ackerman-Estvold Engineering; Dave Kramer – VCDC President; Libby Darnell – Velva Area Voice; and McHenry County Sheriff, Trey Skager.

MINUTES

Motion by Keller/Jenson to approve the minutes from the October 16 regular meeting and special meeting on November 7. 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 \$72,414.17 and Payroll for \$18,616.25. Roll Call: All-aye; motion carried. (4-Acres 3644.48, Ackerman 8442.50, Acme 120.24, Amer. Welding 42.82, BAG 137.78, BDS 104.79, Brady Martz 8100, ChemLab 18.54, CBourdeau 1050, Circle 7282.75, Dakota Truck 329.74, Ferguson 6232, Filtronics 10559, 1st District 60, Gooseneck 682.12, Hawkins 2212.25, Kevins 475.54, MouseRiver 2191.39, NDWUA 100, North Star 574.41, OnPoint 2625, 1Call 30.90, Ottertail 3258.51, PJemtrud 450, RDO 1033.36, LSather 225, Comp. Store 2988.96, VFF 3138, Verizon 375).

Reports of The President/Finance Commissioner

Schreiner acknowledged the money market account, which is accruing around \$3,000/month in interest. Schreiner asked Skager if he had anything to report to the Commission. Skager stated they hired a new deputy a couple months ago, and they are currently training a new K-9 drug dog. The Commission thanked Skager and his department for all they do for the city.

Communications

-Schreiner presented a raffle permit submitted by the Velva Senior Center. Johns mentioned the new raffle permit process through the Attorney General's office; and for people to call if they have questions while filling out the permits. Davis/Jenson made a motion to approve the raffle permit submitted by the Velva Senior Center. 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: Walter stated that DL Barkie will be removing the house at the southeast corner of the bridge very soon; and they are also in town removing trees. Jemtrud and Johns had concerns about the number of trees that are to be taken down. Walter will look into the planning process behind the tree removal. Walter stated the contractor is done for the year doing their preliminary work on the master lift station.

Auditor's Report: Johns stated that 2016 and 2017's audits are now complete and sent to the state. Johns and Wyche have been working on year 2018 since the end of September, and plan to submit 2018 to the

state by month's end. Johns stated that she and Wyche will be attempting to complete one audit year per month, as time allows, and the plan is to have them completed before construction season next summer, including 2023.

-Johns presented one of two debt services that are still remaining on the books for the city. Johns gave a rundown on how fund 5025 – Velva Sewer 2011, could potentially be paid off this year yet. Discussion. Jenson/Davis made a motion to pay off the BND loan, approximately \$90,000, with transfers being made from the sewer reserve fund and the water and sewer sales tax fund, by year end. Roll Call: All – aye; motion carried. Johns thanked the Commission for their understanding and dedication in getting the city's finances in order.

Assessor/Building Inspector: Johns presented the Certificate of Achievement received by City Assessor Bourdeau. Bourdeau has only been with the city a short time, but her dedication and hard work has been very beneficial to keep the city's tax equalization schedule on track. The Commission commended Bourdeau on her achievement and thanked her for her service.

Public Works Report: Jemtrud stated we received one employment application and he would like to set up an interview with the personnel/hiring committee. Discussion on the applicant and hiring process. The personnel committee will attempt to meet this week and give the interview.

Introduction & Adoption of Resolutions/Ordinances:

Ordinance change 2023-04 was addressed, stating:

Sec. 14-90. Dedication of tax proceeds.

- (a) All revenues raised and collected under this division shall be dedicated only to park maintenance and development, city infrastructure, *including beautification*, and economic development.
- (b) All revenue shall be maintained in the fund, to be known as the city sales and use tax fund, separate and apart from all other funds.
- (c) The revenue contained in such fund shall be used for: *city infrastructure, economic development and park maintenance, at a dedication rate established annually, by the City Commission, prior to January 1st of the following year.*

Dave Kramer, VCDC President, was in attendance to provide input on the topic. Discussion on the amount of tax money received annually. Discussion on the impact losing Dot's will have on the city. Johns stated that she does not receive a breakdown from the state, so we will have to wait and see the impact that will have, but it has the potential to be substantial.

Keller/Jenson made a motion to approve the 2nd reading of ordinance change 2023-04, Sec. 14 – 90. Dedication of tax proceeds, as amended. Roll Call: Keller, Jenson, Zietz, Davis, Schreiner – all aye; motion carried.

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.

Jenson/Davis made a motion to approve the 1st reading of Ordinance change 2023-05, Sec. 14-91 as presented. Roll Call: Jenson, Davis, Keller, Zietz, Schreiner – aye; motion carried.

Resolution 2023 – 01 was addressed, stating:

Resolution No. 2023-01

Appendix A – Annexations to the City of Velva

Adopted November 20, 2023

IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF VELVA, NORTH DAKOTA that Appendix A of the Ordinances of the City of Velva, North Dakota shall read as follows:

WHEREAS a resolution relating to the annexation of real property presently located outside the corporate boundaries of the City of Velva. Be it therefore ordained by the City of Velva that the hereinafter described property be annexed to and henceforth shall be a part of the City of Velva:

All of Outlot 396 and portion of State Highway No. 41 right of way lying in the SE1/4 and West of the East line of Section 15, Township 153 North, Range 80 West, McHenry County, North Dakota.

Passed on November 20, 2023 by the Velva City Commission, City of Velva, McHenry County, North Dakota, pursuant to Chapter 40-51.2 of the North Dakota Century Code.

BE IT FURTHER RESOLVED, by the Velva City Commission, McHenry County, North Dakota, that a certified copy of this Resolution shall be filed for record and duly recorded in the Office of the Register of Deeds at the McHenry County Courthouse. The Resolution shall also be published in the official newspaper of the City of Velva as in the case of ordinances.

Jenson/Davis made a motion to approve Resolution 2023 – 01; Appendix A – Annexations to the City of Velva, as presented, to allow for additional sales tax revenue for the City of Velva. Roll Call: Jenson, Davis, Keller, Schreiner – aye, Zietz – nay; motion carried. Johns is to publish the Resolution in the Velva Area Voice and schedule the public hearing for December 18 at 6:30pm.

Ordinance change 2023-07 was addressed, stating:

(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 1st 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: Dave Kramer was previously recognized.

Unfinished Business: No unfinished business to discuss.

New Business: No new business to discuss.

Miscellaneous/Additions: Riverview Road was addressed. Jemtrud is to contact Keller Paving to question the culvert cleaning proposal.

Adjournment: With no other business to discuss, Schreiner adjourned the meeting at 8:05 pm.

*The next Commission Meeting will be Monday, December 18 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