

# Velva Regular Commission Meeting

November 21, 2022

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: Gene Jenson – Streets (Cemetery) Commissioner; Ben Zietz – Water/Sewer Commissioner; Dave Keller – Street/Waterworks Commissioner; Mary Liz Davis – Sewerage/Finance Commissioner; Mike Schreiner – Commission President, Police/Finance; ~~Kelly Jemtrud – Public Works; Ron Nagle – City Assessor;~~ Jenny Johns – City Auditor; Emma Lavachek – Ackerman-Estvold Engineering; Deputy McTaggart – McHenry County Sheriff; JD Larson, Clint Gjellstad, and Dave Kramer.

\*Schreiner asked to move Public Appearances to the top of the agenda. The Commission concurred.

**Personal appearances before Commission:** Dave Kramer, VCDC President, was in attendance to discuss the opportunity to sell the two VCDC lots on Main Street and asked the commission if they would entertain the sale of the city's lot as well. Kramer and the VCDC have been approached by 3-different business owners regarding the lots. Prior to the sale, VCDC would require a full business plan for the property's development, including timelines and intentions. Keller/Davis made a motion to allow Kramer and VCDC to pursue the business plan from the interested parties and report back to the city. Roll Call: All-aye; motion carried.

-JD Larson, 20-year Velva resident, submitted a noise complaint on the owner of the elevators north of his home and business on Truax Avenue East. Larson stated there were no issues the first 12-13 years, but since Gjellstad purchased the property and refurbished the dryer fans, he is unable to sleep when the fans are running. Larson asked the commission to set time restrictions on the usage of the fans. Larson quoted Municode violation Sec. 18-31 and 18-32 – Noises. Specifically, *the making, creation or maintenance of such loud, unnecessary, unnatural or unusual noises which are prolonged, unusual and unnatural in their time, place and use, affect and are a detriment to public health, peace, quiet, comfort, convenience, safety, welfare and prosperity of the residents of the city.* Larson – “treat thy neighbor the way you want to be treated.” Larson thanked the commission for their consideration. Gjellstad was also in attendance. Gjellstad stated he only runs the fans when necessary to allow proper cooling of the corn, quoting the NDSU Extension center: *to extend the storage life of the corn, cool it as soon as possible...running the fan for 24-hours per day will cool the corn to roughly the average outdoor air temperature in the shortest amount of time...* Gjellstad stated he does not like paying the electric bill while the fans are running and does not mean to cause any discomfort to surrounding neighbors. However, the elevators are in an industrial zone and the fans were installed and have been running since 1978; so the noise created from the fans are not unusual, unnecessary or unnatural. Gjellstad stated he only runs the fans when he has to, to protect his crop. Keller asked if a sound barrier wall could be put up to deflect the noise. Zietz stated, he lives by the elevators and he can hear them, however, it is just for a short period of time and the noise is not overwhelming or disruptive. Davis asked if any other complaints have been submitted about the noise volume, Johns said no. Johns recommended that the city remove themselves from this situation, stating, this is a civil matter, and the elevators are in and comply with the use regulations of the industrial zone. The commission concurred to do nothing with the complaint.

## MINUTES

Motion by Keller/Davis to approve the minutes from the October 17 regular meeting, and special meeting minutes for October 18, 24 and November 7, with one correction to page 7. Roll Call: All-aye; motion carried.

## PAYROLL & BILLS

Johns stated the ASTECH bill for chip sealing finally arrived today for \$45,500 and that the fire truck loan was paid in full to Verendrye on October 25 after receiving the rural fire departments share for the payment. Motion by Zietz/Davis to approve the bills paid and bills to be paid in the amount of \$110,816.52 and Payroll for

\$29,068.66. Roll Call: All-aye; motion carried. (A-1 Evans 350; ASTECH 45,500; BDS 104.88; ChemLab 18.54; Circle San 6,402.75; CivicPlus 450; Ferguson 730; 1<sup>st</sup> District 50; Hawkins 3,009.58; Ihry 247; Main Elec. 246; McGee 3,235.50; Menards 159.67; Mouse River 702.96; NDLC 30; ND Sew/Pump 2,093.21; NDWUA 100; NorthStar 1,969.18; OneCall 13.20; Ottertail 3,625.61; P Jemtrud 450; Nagle 51.25; Sign Solutions 671.88; SRT 435.73; TC Spec 140; TeamLab 228; VCDC 268.18; Library 268.18; Verizon 227.04; Waltz 242.50; Water Smith 363).

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

Schreiner asked Deputy McTaggart for a report. McTaggart stated everything is going well, they are working daily on parking violations, otherwise, nothing else to report.

### **Communications**

-Schreiner presented two raffle permits, the Velva Area History Museum and the Velva Senior Center. Davis/Jenson made a motion to approve the raffle permits for both entities. Roll Call: All-aye; motion carried.

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

**Commissioner Zietz:** Zietz stated everything has been going good the past few weeks, but he is concerned with the number of water breaks we have had this year.

**Commissioner Davis:** Davis has put the assessor research on hold until after the new year. Schreiner asked that we get some data on the position and production numbers and rotation schedules.

**Commissioner Jenson:** Jenson had no issues to discuss. Johns thanked Jenson for all of his hard work at the cemetery the past few months, cutting down and removing dead and diseased trees and branches.

**Commissioner Keller:** Keller thanked the Public Works for their great job cleaning streets, however, we did miss Riverview Road. Johns asked that the commission watch and report if residents are clearing snow from their property into city streets. This is unlawful and creates unnecessary work for the PW department. Barta reminded the commission that 1<sup>st</sup> and 2<sup>nd</sup> Avenues West are to remain clear by the homeowners per the Safe Route to school grant the city received.

**Engineer's Report:** Lavachek stated that the park bridge does not require a weight limit posting, however, the city can set the limit as deemed necessary to protect the structure. Discussion on weight loads. Lavachek stated that all city connections will need to be inventoried per the NDDEQ by October 16, 2024. There will be correspondence in January discussing payment options for this large project. Lavachek also stated that the Prairie Dog fund buckets are full again and that Velva should receive a total of \$294,000; Johns stated we received \$125,000 on November 15. Lavachek is finalizing the Master lift station project and will be ready to put out for bids in the spring of 2023.

**Auditor's Report:** Johns explained that one of the on- and off-sale liquor licenses is not currently being used, as the Soltrains bar and grill is currently closed and gave the ordinance regarding revocation of the license if and when the time arises to do so.

-Johns reiterated that the fire truck loan has been paid off after receiving \$16,000 from the rural fire department for their share. The total payoff was \$29,332.68.

-Johns stated again that \$125,000 was received for the Prairie Dog fund on November 15. This money is to be used 100% towards infrastructure, including: water and wastewater treatment plants and lift stations, lagoons, water tanks, storm water infrastructure and road and bridge infrastructure to name a few. \$125,000 was spent last year towards the Goldade lift station replacement project.

-Johns presented an option for a city tax not exceed two percent, that could be established by ordinance, to be imposed upon the gross receipts of retailers on the leasing or renting of hotel, motel or other accommodations within the city for periods of fewer than thirty consecutive calendar days or one month a/k/a City Lodging Tax. Any revenue received from the implication of this tax would deposit directly into a city visitors' promotion fund, to be spent to promote, encourage and attract visitors to come to the city and use the travel and tourism facilities within the city. The commission asked that further research be done on this tax.

**Assessor/Building Inspector's Report:** Nagle was not in attendance. Quorum was not met at the P&Z meeting, so no decision was reached on the proposed building permit changes.

**Public Works Report:** - Jemtrud was not in attendance. The quotes received by Jenson and Jemtrud for a replacement skidsteer were reviewed. Three bids were received from Butler, Bobcat and Case – all similar models and horsepower. Jenson explained the process and conclusion made by himself and Jemtrud. Keller would like the opportunity to do some research prior to the purchase, as he was not involved up until now. Zietz/Davis made a motion to table the Bobcat/skidsteer replacement for further review. Roll Call: All-aye; motion carried.

**Introduction & Adoption of Resolutions/Ordinances:** No ordinances to discuss.

**Unfinished Business:** The vacancy on Planning & Zoning was discussed. Again, a quorum was not achieved during the Planning & Zoning meeting, so we do not have a recommendation on the vacancy appointment from their board. Jenson/Davis made a motion to appoint Kris Goodman to the Planning and Zoning vacancy. Roll Call: All-aye; motion carried.

**New Business:** The only item on the agenda was review and approval of the Renaissance Zone application. The Zone Authority met prior to the regular meeting, and would like to have more information from the applicant. Commission concurred to wait for the updated application.

-Davis stated that the Velva Public Library will be renamed the Iris Swedlund Public Library.

-Davis stated that the fireworks display ~~will~~ **may** not be held on July 4<sup>th</sup> next year, as there is a scheduling conflict with the VAC's vendor; July 1<sup>st</sup> was an available date. More information will come at a later time.

-Johns thanked Dave Keller for his time spent shoveling snow and ice from the city hall sidewalk and steps.

**Additions:** A message received from Chad Bowman was discussed, as he is scheduling out for next year for his mural painting, and made a payment offer to the city regarding the mural painting for the city shop building. Jenson stated the glass for the shop windows are being delivered very soon. Davis/Zietz made a motion to do further research at this time, either for cheaper options or grant funding opportunities, as property tax dollars should not be used towards beautification. Roll Call: All-aye; motion carried.

-Keller stated the Senior Center is having a breakfast buffet on Sunday, November 27, and for everyone to come to it!

**Adjournment:** With no other business to discuss, Schreiner adjourned the meeting at 8:40 pm.

*The next Commission Meeting will be Monday, December 19, 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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**Mike Schreiner**  
**Commission President**

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**Jenny Johns**  
**Auditor**