

Velva Regular Commission Meeting

August 18, 2025

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, Street/Finance; Dave Keller – Vice President, Police Commissioner (including Cemetery oversight); Mary Liz Davis – Police/Finance Commissioner; ~~Ben Zietz – Water/Sewer Commissioner~~; Gene Jenson – Commissioner of Streets/Improvements (including Cemetery oversight); Jenny Johns – City Auditor; Chery Bourdeau – City Assessor; Emma Lavachek – Ackerman-Estvold Engineering; Heather Tudor – Velva Area Voice; Trey Skager and David Flory – McHenry County Sheriff's Department. Personal Appearance – Ivan Canavello.

MINUTES: Motion by Keller/Jenson to approve the minutes from the July 21 regular meeting and July 21, 29, 30 and August 6 special meetings. Roll Call: All-aye; motion carried.

PAYROLL & BILLS: Davis/Jenson made a motion to approve the bills paid and bills to be paid in the amount of \$60,207.79 and Payroll for \$26,342.34. Roll Call: All-aye; motion carried. (4K 7,500, Acme 702.61, BAG 543.08, Circle 7,497.75, DAP 217.50, DKeller 362, Enerbase 142.14, 1stDistrict 60, Beaver Boyz 16,691, Gooseneck 171.62, Hawkins 6,753.29, KJemtrud 373.30, KWyche 744.25, McGee 1,501.50, Menards 709.85, MouseRiver 1,124.83, NDWUA 125, NSCCU 3,166.18, 1Call 34.05, Ottetail 3,241.48, PJemtrud 450, Runnings 60.37, SRT 617.70, USPS 2,000, VCDC 1,072.09, VFF 124.11, VLibrary 1,072.09, Verizon 250).

Personal Appearances: Ivan Canavello addressed the City Commission regarding the speed bump on Central Avenue East, stating the reason(s) given for the installment of the bump were more civil than city business. Canavello mentioned the leash law in the city, and not allowing children to play in the street. Discussion on the effectiveness of the speed bump. Canavello asked why everyone had to be punished because of a few speeders. Canavello asked how many signatures it would take on a petition to have the issue reviewed by the Commission. Johns stated that for an initiative or referendum ordinance, the Home Rule Charter states 15 percent of the total votes cast in the city at the most recent presidential election. However, that is for an ordinance change or creation. Johns is to research if this issue could be a question on the ballot at the next election.

Reports of The President/Finance & Street Commissioner

Schreiner asked about the capital improvement project and start date. Johns stated 24 city blocks will be milled and overlaid starting as early as this week.

Communications:

-Johns presented the complaint letters, including visual and junk nuisances.

-The police report was in the packet for the commission's review.

-Schreiner presented the 2026 Policing Contract Service Agreement, and asked Skager how long the amount has been the same. Skager stated, since the 2010 census the amount per resident has been \$75/year. Keller confirmed his dismay with the contract. Jenson/Davis made a motion to approve the 2026 Policing Contract Service Agreement as presented. Roll Call: Jenson, Davis, Schreiner – aye; Keller – nay. Motion Carried.

-Johns asked if any member, other than Davis, would like to attend the NDLC Annual Conference.

-Two bids were collected for the sidewalk replacement on Main Street, whereas, 100 feet of the project would be billed to VCDC/Cookie Cutter ~ Flyway Companies for \$6,525 and NDDC Construction for \$7,000. Jenson/Davis made a motion to approve the bid from Flyway Companies for \$6,525. Roll Call: All – aye; motion carried.

Reports of Officers, Boards, Committees

Commissioner Davis: Davis stated she met with Johns to discuss financial issues, as well as, her 2024 audit concerns. Davis stated the threshold by the state for alleviating an annual audit outsource is two million dollars. In 2024, the city was just barely under that amount. Johns asked Davis to remove the Light Up Velva fund from the city's account to ensure that the city stays below the threshold and does not have to spend up to \$20,000 on external auditing. Keller/Jenson made a motion to release them to proceed independently and to take ownership of their own finances. Roll Call: All – aye; motion carried.

Commissioner Keller: Keller had not business to discuss.

Commissioner Zietz: Zietz was not in attendance.

Commissioner Jenson: Jenson had no business to discuss.

Engineer's Report: Lavachek gave an update on the lead service line project, stating that this phase has been completed.

-Lavachek stated that the bridge project is being held up by a permit requested for the Department of Water Resources; Lavachek is doubtful any work will be done this year.

-Lavachek will submit the DWSRF again this year for water main and service line replacement.

Auditor's Report: Johns presented an amendment to the personnel policy manual to take effect January 1, 2026, regarding a ¾ time employee. Keller/Jenson made a motion to approve the amendment as presented. Roll Call: All – aye; motion carried.

Assessor/Building Inspector: The building permit list was in the packet for the Commission's review.

Public Works Report: Jemtrud was unable to attend. Johns gave an update on the upcoming street improvement project and water plant electrical upgrades.

Introduction & Adoption of Resolutions/Ordinances: Johns presented the ordinance that was passed on first reading last month after Brent Fischer addressed the commission on the safety of motorized scooters in town. Johns stated this would be the second reading and changes could still be made.

Sec. 26-8 Motorized Scooters & Sec. 26-9 Penalty and fee

26-8. Motorized scooters.

1. Motorized Scooter is a wheeled, open vehicle, regardless of number of wheels, powered by any style motor of less than fifty (50) c.c. or if powered by electric motor is capable of going in excess of fifteen (15) miles per hour and not capable of being licensed as a motor vehicle under North Dakota law.
2. The provisions of this ordinance are not intended to apply to:
 - a. A vehicle which may be defined as a scooter but is being used to provided mobility to a handicapped or physically impaired person; or
 - b. A child's electric, motorized toy not capable of exceeding fifteen (15) m.p.h. on a flat surface.
3. A person may operate a motorized scooter within the City of Velva subject to the following conditions:
 - a. A motorized scooter may be operated on a public sidewalk but must give pedestrians the right-of-way.
 - b. An operator of a motorized scooter on public property must be at least twelve (12) years of age.
 - c. An operator of a motorized scooter under eighteen (18) years of age must wear a helmet.
 - d. No passengers are allowed on a motorized scooter.
 - e. Motorized scooters may be operated during the hours from sunrise to sunset by any operator who has or does not have a valid driver's license. Operators with a valid driver's license may operate a motorized scooter from sunset to sunrise as long as the motorized scooter has a headlight, tail light and lighted turning signals.
 - f. Operators of motorized scooters shall follow and be entitled to the benefit of the rules of the road applicable to motor vehicles.

- g. A motorized scooter shall not exceed the posted speed limit.
- h. All motorized scooters operated within the City must be equipped with factory supplied stock mufflers, exhaust systems and braking systems.
- i. Unless otherwise allowed by Velva Park District, motorized scooters shall not be operated upon any Park District pathways or trails within the City.
- j. Operators of motorized scooters who do not have a valid driver's license must have a training certificate issued by an authorized motor scooter dealer in their possession at the time of operation.

26-9. Penalty and fee.

A violation of Section 26-8 is an infraction for which there is a fifty dollar (\$50.00) fine.

Davis/Keller made a motion to remove section “i.” and to table the ordinance for further review. Roll Call: Davis, Keller, Schreiner – aye; Jenson – nay ~ motion carried.

****Resolution 2025-01 – Public Comment at a Regular Meeting** was submitted and recommended for approval by City Attorney VanGrinsven. Davis/Jenson made a motion to approve Resolution 2025-01 as presented:

The City of Velva, ND (the “City”) is a North Dakota political subdivision subject to North Dakota’s open meetings requirements under N.D.C.C. Chapter 44-04. Pursuant to N.D.C.C. § 44-04-20.1 (2025) the City, by and through its Board of Commissioners (the “Commission”) adopts the following policy providing an opportunity for individuals to provide public comment at the Commission’s regular meetings:

1. A public comment period shall be included on the agenda for all regular meetings of the Commission. A “regular” meeting means the Commission’s regularly scheduled monthly meetings, as approved by the Commission and filed with the City Auditor under N.D.C.C. § 44-04-20(3).
2. An individual who wishes to provide comment at a regular meeting must provide the following information to the City Auditor, in writing, prior to the regular meeting of the Commission being called to order:
 - (i) his or her name and address, and
 - (ii) the item included in the Commission’s current regular meeting agenda or the Commission’s prior regular meeting agenda that he or she wishes to address.

Pursuant to N.D.C.C. § 44-04-20.1(2), the individual's address is an exempt record. An individual who fails to provide the required information will not be permitted to provide public comment.

3. An individual who wishes to submit written comments must submit them to the City Auditor at least thirty (30) minutes prior to the Commission’s regular meeting. The written comments must include the information required by section 2 of this policy. Copies of properly submitted written comments will be distributed by the City Auditor to the Commission members prior to the regular meeting. Written comments that are not properly submitted will not be distributed to the Commission members until after the regular meeting.
4. Each individual providing verbal public comment must limit his or her remarks to five (5) minutes. Time may not be transferred to another speaker. In order to ensure orderly and efficient meetings, public comment will be limited to a total of thirty (30) minutes, regardless of the number of individuals providing public comment and even if all individuals who have given notice under section 2 have not had an opportunity to speak. However, the Commission may, by majority vote, extend the time for public comment.
5. Public comment (whether verbal or written) must be pertinent to the City and is limited to topics included in the agenda of:
 - (i) the Commission’s current meeting, and
 - (ii) the Commission’s previous regular meeting.
6. Speakers must conduct themselves in a respectful and orderly manner. Comments should be directed to the Commission as a whole and not to individual members of the Commission, City staff, or members of the audience. Public comment may be curtailed or prohibited if:
 - a. an alternative procedure exists to bring the particular type of public comment before the Commission,
 - b. the comment includes confidential or exempt information, or is otherwise prohibited by law,
 - c. the comment is disruptive, defamatory, abusive, harassing, or unlawful.

Roll Call: All – aye; motion carried.

Personal Appearances: Personal appearances were previously discussed.

Additions: The plat submitted to Planning & Zoning for Sunset 2nd Addition was explained by Bourdeau. Bourdeau stated the preliminary plat for Andy Telehey was approved, minus the street dedication to the city. They will submit the changes back to Wold Engineering for a final draft.

-City Attorney VanGrinsven recommended that the City Commission ratify and approve the Tolling Agreement as presented. Jenson/Davis made a motion that the Tolling Agreement by and between the City, North Prairie Rural Water District, and the Souris River Joint Board, which was signed by the Commission President on August 14th, 2025 with the advice and counsel of the City Attorney, be ratified and approved and binding upon the City. Roll Call: All – aye; motion carried.

-Johns asked if the Auditor's office could be closed on Thursday, August 28th, due to a scheduling conflict. The Commission concurred to allow the office to be closed.

Unfinished Business: Johns gave an update on the Valley Park Manor, stating the original permit issued to the park was as a trailer park or campground park. Johns informed Stewart of the information. Johns also stated that the road into Valley Manor Addition *dedicated the streets, avenues and other improvements on or under such streets and avenues to the public use forever*, upon its creation. Johns also stated that no money was budgeted toward this street this year, and recommends to not pay for the material for their asphalt project as requested.

New Business: No new business to discuss.

Adjournment: With no other business to discuss, Schreiner adjourned the meeting at 8:18 pm.

The next Commission Meeting will be Monday, September 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*****

Mike Schreiner
Commission President

Jenny Johns
Auditor