

**CITY OF BOX ELDER CITY COUNCIL**  
**Tuesday, April 21, 2020**  
**7:00 PM - City Council Chambers, 420 Villa Drive, 2nd Floor, Box Elder**

**TO ENCOURAGE THE PRACTICE OF SOCIAL DISTANCING, THE CITY OF BOX ELDER RECOMMENDS YOU REMOTELY ATTEND THE APRIL 21, 2020 CITY COUNCIL MEETING VIA A SCHEDULED ZOOM MEETING. INSTRUCTIONS ON JOINING THE ZOOM MEETING ARE PROVIDED BELOW.**

**THE CITY OF BOX ELDER ENCOURAGES WRITTEN SUBMISSION OF PUBLIC COMMENT BY EMAIL TO: CITYCLERK@BOXELDER.US. ALL SUCH WRITTEN COMMENTS WILL BE READ ALOUD AT THE MEETING DURING THE PUBLIC COMMENT PERIOD. PLEASE INCLUDE YOUR NAME AND ADDRESS IN ALL WRITTEN PUBLIC COMMENT SUBMISSIONS.**

Join Zoom Meeting

<https://zoom.us/j/93795901894>

Meeting ID: 937 9590 1894

Dial by your location

+1 346 248 7799 US (Houston)  
+1 312 626 6799 US (Chicago)  
+1 646 876 9923 US (New York)  
+1 253 215 8782 US  
+1 301 715 8592 US

1. **Call meeting to order**
2. **Moment of Silence/Pledge of Allegiance**
3. **Roll Call**
4. **Approve the Order of Business**
5. **Declaration of any potential conflicts-of-interest**
6. **PUBLIC HEARING: None**
7. **PUBLIC COMMENT (3-minute time limit per speaker):**  
A time for the members of the public to address the Council. On any issue not on the agenda, action will not be taken at the meeting except by placement on the agenda by unanimous vote of the Council members present.

**IF YOU WANT TO COMMENT DURING PUBLIC COMMENT, PLEASE CLICK ON THE REACTION BUTTON ON THE BOTTOM RIGHT OF YOUR SCREEN (OR DIAL \* 9 ON YOUR PHONE IF ATTENDING BY PHONE) . STAFF WILL UNMUTE YOU AND RECOGNIZE YOU BY NAME OR PHONE NUMBER WHEN IT IS YOUR TURN TO SPEAK. THIS WILL ALLOW EVERYONE TO BE HEARD IN A TIMELY MANNER.**

**8. AWARDS AND RECOGNITIONS**

- 8.A.** Employee Introduction -- Doug Curry, Public Works Director.

## **9. COUNCIL COMMITTEE REPORTS**

**9.A.** Finance, Legal, and Public Safety Committee

**9.B.** Public Works, Planning and Zoning, and Community and Economic Development Committee

## **10. CONSENT AGENDA**

Agenda items on the Consent Agenda are meant to be approved as a group with a single motion. Questions may be asked of any Consent Agenda items but may not be debated. Any Consent Agenda item may be removed from the Consent Agenda for separate action at the request of any Council Member or anyone present. All questions are to be directed to the Department Head.

**10.A.** Approve the April 7, 2020 Council Meeting Minutes.

**10.B.** Approve the Claims List.

**10.C.** Disclosure of New Hire Personnel per SDCL 6-1-10: Public Works Director since 04/14/2020: Doug Curry - \$93,977.23 annually.

**10.D.** Parks Department Vehicle Purchase Approval

**10.E.** Utility Easement Change for East Mall Drive

**10.F.** Change Order Proposal for Sanitary Sewer Manhole Coating

**10.G.** Second Reading ORD 624: Amendments to Ordinance #581 Available Liquor Licenses.

**10.H.** Declaration of Surplus Property.

## **11. INFORMATIONAL ITEMS**

**11.A.** Published Annual Report

**11.B.** Race Track Update - Bill Keester.

## **12. REPORTS FROM BOARDS AND/OR COMMISSIONS: None**

## **13. UNFINISHED BUSINESS**

**13.A.** Consider Resolution No. 20-11 recognizing a public health emergency and encouraging all individuals and businesses within the City of Box Elder to comply with guidelines and directives established by the CDC and State of South Dakota necessary to slow the community spread of Coronavirus (COVID-19); and recognizing the City's authority to abate nuisances necessary to protect the public health.  
Council to provide a conservative level of guidance to the community in recognition of the COVID-19 health issue.

**13.B.** Consider Resolution No. 20-12 authorizing the Public Works Department to abate utility late fees and shut off orders on a case by case bases during the Coronavirus (COVID-19) pandemic.

Council to allow specific discretion from the Public Works Director and Finance Officer to review each hardship scenario created by the COVID-19 situation and make accommodations for repayment and removal of late fees as needed.

#### **14. NEW BUSINESS**

- 14.A.** Resolution 20-13 Accepting Infrastructure Improvements for Liberty Park Subdivision Phase #1
- 14.B.** Preliminary and Final Plat #200035 – Application by Mark Biggs on behalf of B & G Development LLC for Lots 1 & 2 of Biggs Subdivision, Section 17, T2N, R9E, B.H.M., Box Elder, Pennington County, South Dakota more generally described as south of the intersection of Villa Drive and Briggs Street.
- 14.C.** Conditional Use Permit #200041 by Jennifer Behrens for Cleaner Image Inc, a residential cleaning business, to operate out of 22761 Partridge Lane (Lot 24 of Block 4, Creekside Estates Subdivision, Section 30, T2N, R9E, B.H.M., Box Elder, Pennington County, South Dakota).
- 14.D.** Build Planning Grant Letter of Support and Resolution
- 14.E.** Concrete Street Repair Bid Award
- 14.F.** 2020 Crack Sealing Bid Award
- 14.G.** Lhotak Properties, LLC Memorandum of Understanding for City Center property.
- 14.H.** Bids for 2020 City Property Mowing (Project PWP 01-2020)
- 14.I.** Bids for 2020 Street Chip Seal-Thunderbird (Project PWR 03-2020)
- 14.J.** Review Bid and make Award Recommendation for 2020 Sewer Main Repair Project
- 14.K.** Approve mayor to sign, engagement agreement with Dougherty & Company LLC for Water Revenue Bonds, Series 2020A, for the purpose of refinancing Water Revenue Bonds, Series 2006.
- 14.L.** Reversion of Lot 1 of the City Center Subdivision - Dakota Primary Care

#### **15. DEPARTMENT HEAD REPORTS**

**16. EXECUTIVE SESSION: None**

**17. EXECUTIVE SESSION ACTION: None**

#### **18. ADJOURNMENT**

*ADA Compliance: The City of Box Elder fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Finance Office 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.*