

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES

Tuesday, August 18, 2015

7:00 pm – City Council Chambers, 420 Villa Drive, Box Elder

Public comments are welcomed, but no action will be taken by the Council on comments received for items not on this agenda. Anyone wishing to have the Council vote on a new item will need to fill out an agenda request item form for the item to be considered on the next council agenda.

1. Call meeting to order: Mayor Larson called the meeting to order at 7:00 p.m.

2. Moment of Silence/Pledge of Allegiance

3. Roll Call: Present were: Council Members: Scott Allen; Steve Cowley; Mark Coatney; Doug Curry; Bruce Hegel; and Jeff Hollinshead. Also present were: Planning & Zoning Coordinator Ron Koan; Public Works Director Al Todd; Legal Counsel Rex Hagg; Police Chief Jason Dubbs; and Finance Officer Mystee Lashwood. There were 15 citizens present.

4. Approve Agenda Motion by Allen, seconded by Coatney to approve the agenda with an amendment – to item 25, executive session for personnel, adding Item 4A – Bid opening for the Well and Tank, and change numbering on consent agenda listing to read items 6-9 instead of 5-9. Vote aye: Unanimous.

4A. Bid Opening: Sealed bids for Well & Tank Northern Lights. Schedule A is for the Tank, Schedule B is for the Well. RCS Construction – Schedule A: \$2,109,861.57; Water System Drilling – Schedule B \$1,014,030.10; Weston Engineering – Schedule B: \$1,082,068.00; Lind Exco – Schedule A - \$2,365,994.87; Mainline Contracting – Schedule B: \$2,377,757.00; Engineering America: Schedule A: \$2,164,500.00; Quinn Construction – Schedule A: \$2,189,854.00; Site Works Specialists – Schedule A: \$2,289,910.00. The engineers estimate for Schedule A \$1,718,239.50, Schedule B \$1,539,840.38.

5. Bid Opening: Sealed bid received for 2004 Harley Davidson Motorcycle. Bid received from Don Lampert – Bid received for \$6,000. Council discussion, they would like to have a dealer's estimate on the motorcycle, and have the decision to be made in two weeks. Motion by Coatney, seconded by Hegel to reject the bid received and let the Police Chief or his representative negotiate the price on the motorcycle on an individual basis. Chief Dubbs asked Council Member Doug Curry to perform the negotiations. Vote aye: Unanimous.

CONSENT AGENDA: Agenda items 6 through 9 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.

6. To approve the reading of the August 5, 2015 Common Council Meeting Minutes.

7. To approve Payroll 16 (July 12 to July 25) Total Payroll \$46,849.98: General Government: \$2,103.85; Finance Office: \$1,888.80; General Financial: \$2,526.64; Police Dept: \$19,402.87; PW Street Maintenance: \$6,048.60; PW Animal Control: \$587.18; PW Parks: \$5,265.54; Planning & Zoning: \$3,162.69; Planning & Zoning Board: \$150.00; PW Water Production: \$2,694.80; PW Water Distribution: \$2,694.80; PW Sewer Collection: \$953.80.

8. To approve the Claims, Utility deposit refunds, and Hand Checks.

9. To approve Business License Application #1148 for 4-U Stores, LLC this is an organization form change from a sole proprietorship to a limited liability corporation.

Motion by Allen, seconded by Cowley to approve Items 6-9 as presented on the Consent Agenda. Vote aye: Unanimous.

10. Motion by Allen, seconded by Coatney to approve Business License Application #1657 for Whitmore's Tiny Tots by Deidre Whitmore. The business is a daycare to be located at 316 Freiheit Lane. Vote aye: Unanimous.

CITY BUSINESS:

11. FINANCE DEPARTMENT: Motion by Hollinshead, seconded by Allen to defer the first reading of Ordinance #555, 2016 Budget Appropriations. Need to get the changes that council made at budget hearings. Vote aye: Unanimous.

12. FINANCE DEPARTMENT: Motion by Coatney, seconded by Hegel to approve the Special Event Malt Beverage & Wine License for Box Elder Area Chamber of Commerce for October 7-9 for a business mixer at Antelope Ridge on October 8, 2015. Vote aye: Unanimous.

13. PUBLIC WORKS DEPARTMENT: Motion by Allen, seconded by Coatney to approve the Certificate of Bond in Lieu of Final Completion. The Project is Freedom Landing Phase 1, water and sewer mains, curb and gutter, surface on roads, sidewalks, and street signs.

14. PLANNING DEPARTMENT: Motion by Coatney, seconded by Allen to approve the Final Plat of Phase 1 Freedom Landing Subdivision. Discussion on having developer (Daene Boomsma) sign a developer's agreement for the second phase of the subdivision and have a second egress on the plat and waive the bond. Vote aye: Unanimous.

15. PLANNING DEPARTMENT: Motion by Allen, seconded by Coatney to approve Resolution 15-17, a Resolution approving the petition for Annexation of Phase 1 of Freedom Landing Subdivision. Vote aye: Unanimous.

16. PLANNING DEPARTMENT: Motion by Coatney, seconded by Cowley to approve the first reading of Ordinance #556, Amendments to the Official Zoning Map (rezoning of Phase 1 for Freedom Landing Subdivision). Vote aye: Unanimous.

17. PLANNING DEPARTMENT: Motion by Coatney, seconded by Hegel to approve Conditional Use Permit #150095. Application is for a 30 unit apartment complex at 615 Northern Lights Boulevard. Discussion, Planning Commission recommended approval. Because the residential regulations require multi family units to be reviewed, it is required that there is a conditional use permit in place. There was discussion on the concerns about putting in another egress for the housing development. Vote aye: Unanimous.

18. PLANNING DEPARTMENT: Motion by Coatney, seconded by Cowley to approve Variance Application #150095. Application is to allow 42 foot tall apartment complex. The ordinance currently permits maximum height of 35 feet. Vote aye: Unanimous.

19. PLANNING DEPARTMENT: Motion by Coatney, seconded by Allen to approve allowing Mayor Larson to sign letter of support for proposed 30 unit apartment complex to be located at 615 Northern Lights Boulevard. Extensive discussion on the letter and the exhibit format of the letter, this letter is only to submit the application for the funding from South Dakota Housing. Vote aye: Unanimous.

20. PLANNING DEPARTMENT: Motion by Coatney, seconded by Allen to approve Resolution 15-18, a resolution amending Resolution 15-10 to add further property subject to the moratorium on adding additional customers to certain water lines. Vote aye: Unanimous.

21. DEPARTMENT HEAD REPORTS:

Mayor: Larson stated that tentatively September 14th at 4:00 dedication at the new school.

Police: Jason gave the statistics for August 5-17; both replacement officers are both uniformed and on the road. Air show report. Recognition of Sergeant Grass for the traffic plan that resulted in 51,000 visitors with no accidents. Reserve officer Tim Simmonds has tendered his resignation; he will be pursuing an additional degree.

Public Works: Al gave a report on Mike Lemley, and he discussed how he would like to hire two new employees and since in 2016 there is scheduled a replacement employee, have Mike come back in as the 2016 employee. Discussion on the seating, requested that the council take a close look at the seats. He spoke about the public works committee meeting and discussed the hot water in Prairie View; he spoke about the sports complex idea, discussion on having sponsors build the complex. There was a discussion on the notion of water roundup billing, discussion about where the extra pennies should go to. There was discussion on road edge maintenance. He stated that there was discussion on the revitalization of the street light project to install street lights in the areas where there are none. Discussion on the GSA water and sewer service line installation, need to look at the minutes for the discussion on these issues. Rex stated that the minutes should be examined and then go from there.

Finance: No Input.

Planning & Zoning: Recognition to the residents of Northern Lights Subdivision and encouraged them to stay involved in the community.

City Attorney: Rex asked that Legal issues be added to the Executive Session.

22. COUNCIL REPORTS:

Allen: No Input.

Cowley: No Input.

Coatney: Commendation to the Police Department for the job well done at the Air Show.

Curry: Second that, he stated that the Police Dept did a phenomenal job at the Air Show.

Hegel: Stated that the police department did an awesome job with the traffic for the Air Show. He also extended thanks to the residents of the Northern Lights area for their concerns and participation in the City.

Hollinshead: Deuces to the police department for the good job done during the Air Show.

23. OTHER REPORTS:

Chamber of Commerce: Mike Hanson spoke about the upcoming chamber meeting.

Economic Development: Wes Rick stated that he didn't get a chance when he was waved through the stop sign on the weekend, to say good job to the police department. He stated that the meeting they had with Black Hills Federal Credit Union and they stated that there are issues that need to be addressed before they will consider offering a loan.

24. CITIZEN INPUT:

Thank you to Public Works Department for fixing the issues in the Northern Lights area.
Discussion on the potholes in the alley between Fairbanks and Juneau.

25. EXECUTIVE SESSION:

Motion by Hollinshead, seconded by Allen to enter into Executive Session at 9:09 pm for Personnel as per SDCL 1-25-2 Sub 1, and for Legal as per SDCL 1-25-2 Sub 3. Vote aye: Unanimous.

Motion by Coatney, seconded by Allen to exit out of Executive Session at 10:32 pm. Vote aye: Unanimous.

26. ADJOURNMENT:

There being no further business to be considered in front of the Common Council at 10:33 pm, motion by Coatney, seconded by Allen to adjourn. Vote aye: Unanimous.

Seal:

Attest:

Larry Larson
Mayor

Mystee Lashwood
Finance Officer