

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES

Tuesday, July 21, 2015

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

1. **Call meeting to order:** Mayor Larson called the Council Meeting to order at 7:00 pm.
2. Recognition of a Moment of Silence and the recitation of the Pledge of Allegiance.
3. **Roll Call:** Present were: Council Members: Scott Allen, Steve Cowley, Mark Coatney, Jeffrey Hollinshead. Doug Curry arrived at 7:05 pm. Absent was: Bruce Hegel. Also present were: Mayor Larry Larson, Legal Counsel Rex Hagg, Police Chief Jason Dubbs, Public Works Director Al Todd, Planning & Zoning Coordinator Ron Koan, and Finance Officer Mystee Lashwood. There were nine citizens present.
4. **Approve Agenda:** Motion by Allen, seconded by Hollinshead to approve the Council Meeting Agenda for July 21, 2015 as presented. Vote aye: Allen, Cowley, Coatney, and Hollinshead. Absent: Curry and Hegel.
5. **CONSENT AGENDA:** Agenda items A through E 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.
 - A. To approve the reading of the July 7, 2015 Common Council Meeting Minutes.
 - B. To approve Payroll 15 (June 28 to July 11) Total Payroll \$46,849.98: General Government: \$1,403.85; Finance Office: \$1,888.80; General Financial: \$2,518.49; Police Dept: \$18,294.60; PW Street Maintenance: \$5,368.02; PW Animal Control: \$639.76; PW Sign Inspection: \$108.00; PW Parks: \$6,461.77; Planning & Zoning: \$3,171.40; Planning & Zoning Board: \$250.00; PW Water Production: \$2,781.42; PW Water Distribution: \$3,026.87; PW Sewer Collection: \$937.00.
 - C. To approve the Claims and Hand Checks.
 - D. To approve Business License Application #1648 for Atlantis LLC dba Residence Inn, Residence Inn & Suites at 581 Watiki Way, Box Elder, SD.
 - E. To approve Business License Application #1650 for USV Optical – Optical Exchange #7329, at 1000 N Ellsworth Rd, Box Elder, SD.

Motion by Hollinshead, seconded by Coatney to approve Consent Agenda Items 5A-5E as presented. Vote aye: Allen, Cowley, Coatney, and Hollinshead. Absent: Curry and Hegel.

6. UNFINISHED BUSINESS:

- A. **PLANNING/ZONING DEPARTMENT:** Motion by Allen, seconded by Cowley to waive the Building Permit fees, but charge the Water and Sewer impact fees to the Douglas School System for the Vandenberg School. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.
- B. **PLANNING DEPARTMENT:** Motion by Hollinshead, seconded by Curry to approve Resolution 15-16, a Resolution establishing a supplemental sign policy for Tourist Oriented Directional Signing (T.O.D.S.) & Trailblazer signing. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.
- C. **PLANNING DEPARTMENT:** Motion by Allen, seconded by Cowley to approve Supplemental Sign Policy for Tourist Oriented Directional Signing (T.O.D.S.) & Trailblazer signing. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.
- D. **PLANNING DEPARTMENT:** Motion by Coatney, seconded by Cowley to approve Proposed Trailblazer Master Sign Location and Description. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.

7. CITY BUSINESS:

- A. **PLANNING DEPARTMENT:** Motion by Allen, seconded by Hollinshead to approve Variance Application #150069 for an Oversized garage at 17833 Fox Trail. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.
- B. **PLANNING DEPARTMENT:** Motion by Coatney, seconded by Allen to approve Minor Plat Application #150076 for Glen and Lonnette Olson. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.

C. PLANNING DEPARTMENT: To discuss and decide action on Planning Commission decision to repeal Conditional Use Permit for Ken Jobbins at 502 Box Elder Rd West. Recommendation by Legal Counsel Hagg is to have a formal hearing at the next council meeting for the appeal submitted from Mr. Jobbins and his attorney. Motion by Coatney, seconded by Hollinshead to schedule the hearing for the Council meeting of August 5th at 6:00 pm. Vote aye: Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel. Abstain: Allen.

D. MAYOR: Motion by Coatney, seconded by Cowley to approve recommendation for appointment Josh Kelly to the Alternate position (non-voting, non-paid) Planning & Zoning Board position. Extensive discussion. Vote aye: Allen, Cowley, and Coatney. Vote nay: Curry and Hollinshead.

E. UTILITY BILLING/PUBLIC WORKS: Customer at 117 Valley Drive Lot 3, request to speak to council regarding water break due to new meter installation. Discussion and decision. Recommendation from Public Works Director Todd to adjust two months worth of billing to an average billing due to a break on the City's part. AI stated that the repair done by the landlord should have repaired the pipe properly with new fittings instead of soldering the pipe together. Motion by Coatney, seconded by Cowley to adjust the previous billing to the average based on the current readings billing, and send the excess of the billing to the landlord for payment. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.

8. DEPARTMENT HEAD REPORTS:

Mayor: Mayor Larson stated that he worked on the reports from Condrey, and he will pass those on to Council for review on the salaries. IT contract has been signed with the school; two techs were over here going over what we as a city are looking at to get upgraded. At the meeting with the Ellsworth Authority, there was talk about the property to the north of the school; they would like to talk with the school and the base regarding a new sports complex arena. Hollinshead suggested that an exploratory board be put together to discuss the complex overall.

Police: Police Chief Dubbs gave the statistics for July 7 to July 20. He stated that the department is hopeful that the new police car will be on line by the end of the week. They are still working on learning the new computer system and he stated that he will be out of the office Friday through Monday.

Public Works: Public Works Director Todd stated that the paving project will begin next week, and yes there will be a new patch put in by Dairy Queen. He stated that they researched a complaint about drainage, and it turned out that it wasn't drainage, it is groundwater. He stated that they will look in to the situation. He stated that the city will be selling/providing sand to the schools for the parking lot since we buy the sand from the state DOT. He stated that the police department is missing a back door, he is looking at a replacement door, he is working with a contractor to get the door replaced. He stated that the geologist that has been looking into the water situation at the Ghere Well, will be having a meeting with AI tomorrow at 8:15am.

Finance: No Input.

Planning & Zoning: PZ Coordinator Koan stated that he has been discussing projects with several developers. He spoke about the Well 5 project and stated that the advertisements for bid have been out since Saturday. He stated that the bid opening is slated to be done on August 5th.

City Attorney: City Attorney Hagg stated that he handed out packets for the ordinance revisions for review. He stated that this is not all of the ordinances, but it is a large portion of the modifications that were necessary for the codification process. He stated that his recommendation when the revisions are done, that they get sent back to the publishing company for the books and cd's. He stated that once they are in finalized form, the index will need to be redone. He stated that there are numerous ordinances that will need to be repealed, so there will need to be an ordinance to repeal old ordinances that are no longer in effect.

9. COUNCIL REPORTS:

Allen: Allen asked when budget hearings could be scheduled. Hollinshead asked if the adjustments that the council requested could be inserted in the budget totals before they get to the meeting. The fourth day of budget hearings is scheduled for 6:00 pm on Tuesday, July 28th.

Cowley: No Input.

Coatney: No Input.

Curry: Curry asked PW Director Todd if there is any new information on the Radar Hill Road project. AI stated that he was told that the 20% split for the repair is essentially the city's responsibility because it is a city road. The Council asked that AI try to find out more information at the state level or perhaps at a federal level to find out about the design problem.

Rex stated that the project and design should be looked at to find out why the project is failing. Al stated that at this point, no one knows why the project failed in the first place; this is a way to find out what went wrong with the project. Al asked that the City Attorney look into contacts for the engineering consultant to get an opinion on what the problem could be. Al stated that he received a recommendation to hire someone from the geotechnical department to bore into the hillside to find out what is going on.

Doug asked about preparation for rally traffic. Chief Dubbs stated that there are numerous memorandums of agreements with other agencies.

Hegel: Absent.

Hollinshead: Hollinshead asked to add personnel onto the Executive Session.

10. OTHER REPORTS:

Chamber of Commerce: No Input.

Economic Development: Wes Rick stated that they had a good meeting last time, voted in two new members. They voted to send a letter to a property owner that they are in default. He stated that they will be having a meeting Friday morning at 8:15 am if anyone would like to attend.

11. CITIZEN INPUT:

11A. EXECUTIVE SESSION: Motion by Allen, seconded by Cowley to enter into Executive Session for Legal as per SDCL 1-25-2 Sub 3 and for Personnel as per SDCL 1-25-2 Sub 2. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.

Motion by Allen, seconded by Hollinshead to come out of Executive Session at 9:17 pm . Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.

12. ADJOURNMENT: There being no further business to be considered in front of the Common Council at pm, motion by Allen, seconded by Hollinshead to adjourn. Vote aye: Allen, Cowley, Coatney, Curry, and Hollinshead. Absent: Hegel.

Seal:

Attest:

Larry Larson
Mayor

Mystee Lashwood
Finance Officer