

**COMMON COUNCIL MEETING OF THE CITY OF BOX ELDER
DRAFT MEETING MINUTES
Tuesday, June 3, 2014, 7:00 p.m.**

A scheduled meeting of the Common Council of the City of Box Elder was called to order at 7:00 pm on Tuesday, June 3, 2014. Present were: Mayor William Griffiths; Council Members: Allen; Cowley; Coatney; Curry; Haddenham; and Hollinshead. Police Chief Dubbs; Finance Officer Mystee Lashwood; Legal Council Rex Hagg; Public Works Director Al Todd; and Planning & Zoning Director Ron Koan.

Moment of Silence and Pledge of Allegiance

- 1. Call meeting to order at 7:00pm.**
- 2. Pledge of Allegiance and moment of silence.**
- 3. Roll Call:** Present: Allen; Cowley; Coatney; Curry; Haddenham; and Hollinshead.
- 4. Approve Agenda**

Motion by Allen, seconded by Cowley to approve the agenda. Vote Aye: Unanimous.

- 5. EXECUTIVE SESSION:** Contractual as per SDCL 1-25-2 Sub (5).

Motion by Coatney, seconded by Cowley to enter into executive session for Contractual as per SDCL 1-25-2 Sub (5) at 7:03pm. Vote Aye: Unanimous.

Motion by Hollinshead, seconded by Coatney to exit executive session for Contractual as per SDCL 1-25-2 Sub (5) at 8:04pm. Vote Aye: Unanimous.

No decisions were made.

6. CONSENT AGENDA: Agenda items A through G on the Consent Agenda are meant to be approved as a group with a single motion. Questions maybe 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 May 20, 2014 Common Council Minutes.
- B.** To approve Payroll 11 (May 4 to May 17): Total Payroll \$47,655.77; General Government: \$1,783.85; Finance Office: \$1,852.00; General Financial: \$4,160.00; Police Dept: \$20,155.24; PW Street: \$4,698.06; Animal Control: \$340.00; Sign Inspection: \$145.35; PW Parks: \$4,480.27; Planning & Zoning: \$3,069.60; PZ Board: \$450.00; PW Water Production: \$2,730.99; PW Water Distribution: \$2,362.06; PW Sewer Collection: \$1,428.35.
- C.** To approve the Claims, Utility deposit refunds, and Hand Checks.
- D.** To approve Malt Beverage Package Off Sale License Renewal with Video Lottery for Jug Liquor LLC.
- E.** To approve Malt Beverage Retail On-Off Sale License Renewal King's Pit Stop.
- F.** To approve Malt Beverage Package Off Sale License Renewal for Mini Mart – Loaf 'N Jug #449.
- G.** To approve Business License #1569 for KC Skyberg Enterprises LLC dba Creekside Storage by Ken & Casey Skyberg, to be located at 22736 Radar Hill Rd, Box Elder, SD. Questions asked and answered.

Motion by Hollinshead, seconded by Curry to approve the consent agenda. Vote Aye: Unanimous.

7. CITY BUSINESS:

A. PLANNING/ZONING DEPARTMENT: Motion by Coantey, seconded by Allen to defer indefinitely until construction is complete to discuss and approve waiving Building Permit Fee for new Vandenberg School Project. Vote Aye: Unanimous.

B. PLANNING/ZONING DEPARTMENT: Motion by Allen, seconded by Coantey to waive the fees, install the service line to the curb, and to move forward with a resolution and any necessary paperwork to correct this issue for Keith & Meda Harner related to Annexation. Vote Aye: Unanimous.

C. PLANNING/ZONING DEPARTMENT: Motion by Coatney, seconded by Allen to deny Resolution 14-10, a resolution to approve the de-annexation of certain property within the City of Box Elder, Pennington County, South Dakota. Vote Aye: Unanimous.

Planning and Zoning Director Koan explained they would not like to be follow through with this resolution if the council agreed to the terms in item 7B.

D. PUBLIC WORKS DEPARTMENT: Motion by Coantey, seconded by Cowley to approve the Second Reading of Ordinance #547, an Amendment to 2014 Budget with the first reading amendments in sections 1, 2, and 3. Vote Aye: Unanimous.

E. COUNCIL PRESIDENT/FINANCE DEPARTMENT: Motion by Allen, seconded by Hollinshead to approve the first reading of Ordinance #548, an ordinance amending Ordinance #520 related to and permitting of the on and off sale of alcoholic beverages on Sunday and Memorial Day with the following amendments: take out the section II amendment regarding fee for Sunday sales (fee will remain at five hundred (\$500) dollars for Sunday Sales) and remove references to changing section II of the ordinance.

F. FINANCE DEPARTMENT: Motion by Allen, seconded by Curry to defer the disposition of the Surplus Inventory Listing until we can check on auction prices around town. Vote Aye: Unanimous.

Finance Director Lashwood announced the addition of a 2004 Harley Davidson Road King Motorcycle to the surplus listing from the Police Department. Police Chief Dubbs said the goal would be to trade the motorcycle in for a sedan.

Discussion of the best method to sell surplus items: break the items into lots and accept sealed bids, using an auction house/service, or having them for sale during Founders Day.

G. FINANCE DEPARTMENT: Motion by Coantey, seconded by Allen to approve Resolution 14-11, a resolution to approve the discharge of fireworks within the city limits of Box Elder for the Fourth of July holiday during the year 2014. Vote Aye: Unanimous.

H. FINANCE DEPARTMENT: Motion by Coatney, seconded by Allen to approve Resolution 14-12, a resolution to approve fireworks displays for various holidays within the city limits of Box Elder during the year 2014. Vote Aye: Unanimous.

I. FINANCE DEPARTMENT: Motion by Coatney, seconded by Curry to approve Budget Hearing dates as Monday, July 21, 2014; Tuesday, July 22, 2014; and Wednesday, July 23, 2014 if needed from 6:00pm to 8:00pm. Vote Aye: Unanimous.

8. DEPARTMENT HEAD REPORTS TO COUNCIL:

Mayor: Griffiths explained that Ellsworth will be hosting an open house on August 16 from 10am to 2pm and everyone is welcome to attend; a new business: Grizzly's will be coming into Box Elder, they will serve breakfast, lunch, and dinner.

Police: Chief Dubbs gave the Department Statistics report from May 20th to 30th gave the training update.

Public Works: Director Todd said the Boykin Park playground equipment is complete and a walk through to release the grant funds will be scheduled with the Game, Fish, and Parks Department in the upcoming weeks. New park equipment for the 4 other parks has been ordered and it will be here in 3 weeks; the Line Road pot holes have been filled; the flag pole lights in the City Hall parking lot will be looked at by an electrician on Thursday; I am also working on the budget and our capital improvements plan. Maine asked that the railroad ties that were removed from Bandit Ball be replaced so they can provide a barrier to the fields. A Bandit Ball coach requested that public works try to maintain the upkeep of the grass so the kids don't have to play in 6-7 inches of grass.

Finance: Officer Lashwood notified that she is working on the budget and finalizing the 2013 reconciliations so she can get everyone the beginning balances and an accurate financial statement for 2014.

Planning/Zoning: Director Koan received the building plans for Love's and they are being reviewed now, their intent is to break ground by the end of the month; the Bradsky's plans are also currently being reviewed.

City Attorney: Hagg spoke to the judge on the Larmar Advertising case and he was notified that we won the case and it was filed back in October of 2012. The then spoke with the clerk and the delay for notification was an oversight. Hagg submitted the conditions for the case and the judge accepted all of the conditions, now Lamar has the right to appeal if they choose to. Hagg has also been working with Koan to address items in the Ordinance revision code book that were published incorrectly and need to be fixed.

9. COUNCIL REPORTS:

Allen: No input.

Cowley: No input.

Coatney: No input.

Curry: No input.

Haddenham: No input.

Hollinshead: No input.

10. OTHER DEPARTMENT REPORTS:

Chamber of Commerce: The Derby is ready to go on July 5th from 3-6, we are still looking for parade entries and vendors, and we have 72 volunteers from the base for the Bash.

Economic Development: No input.

11. CITIZEN INPUT: No input.

12. ADJOURNMENT: THERE BEING NO FURTHER BUSINESS TO BE TAKEN IN FRONT OF THE COUNCIL AT 9:23PM MOTION BY Coatney, SECONDED BY Allen TO ADJOURN. Vote Aye: Unanimous.

Seal:

Attest:

William F Griffiths Sr
Mayor

Mystee Lashwood
Finance Officer