

**COMMON COUNCIL MEETING OF THE CITY OF BOX ELDER
DRAFT MEETING MINUTES
Tuesday, March 18, 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, March 18, 2014. Present were: Mayor William Griffiths; Council Members: Allen; Cowley; Coatney; Haddenham; Hollinshead were present; and Foster was absent. Also present were: Police Chief Dubbs; Finance Officer Mystee Lashwood; Legal Council Rex Hagg; Public Works Director Al Todd; and Planning & Zoning Coordinator Ron Koan.

Moment of Silence and Pledge of Allegiance

1. **Call meeting to order at 7:00pm.**
2. **Pledge of Allegiance**
3. **Roll Call:** Present: Allen; Cowley; Coatney; Haddenham; Hollinshead. Absent: Foster.
4. **Approve Agenda** Motion by Cowley, seconded by Coatney to approve the agenda. Vote Aye: Unanimous.
5. **Announcements and Praise**
6. **CONSENT AGENDA:** Agenda items A through C 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 March 4, 2014 Common Council Minutes.
 - B. To approve the Claims, Utility deposit refunds, and Hand Checks.
 - C. To approve Payroll 6 (February 23 to March 8): Total Payroll \$47,785.71; General Government: \$1,693.85; Finance Office: \$1,852.00; General Financial: \$4,210.00; Police Dept: \$19,557.15; PW Street: \$6,119.12; Animal Control: \$336.60; Sign Inspection: \$484.50; PW Parks: \$2,391.16; Planning & Zoning: \$3,329.60; PZ Board: \$360.00; PW Water Production: \$2,834.74; PW Water Distribution: \$3,124.75; PW Sewer Collection: \$1,492.24.

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

7. UNFINISHED BUSINESS:

- A. **FINANCE DEPARTMENT:** To discuss and approve the annual report for year ending December 31, 2013.

Motion by Cowley, seconded by Hollinshead to approve the annual report for year ending December 31, 2013. Vote Aye: Unanimous.

8. NEW BUSINESS:

- A. **MAYOR:** To discuss and approve appointment of Planning & Zoning Board Member.

Mayor Griffiths has reviewed the applications and recommends appointing Al LaBine to take Schulte's place until her term ends on 9-30-2017. He is also recommending two non paid ex-officio members Larry Larson and Tricia Weathers.

Motion by Coatney, seconded by Allen to appoint the planning and zoning board members as Mayor Griffiths recommended. Vote Aye: Unanimous.

A1. Planning/Zoning Board Member Oath of Office

Mr. LaBine took the Planning/Zoning Board Member Oath of Office.

B. PLANNING/ZONING DEPARTMENT: To discuss, approve, and authorize Mayor to sign loan application request and all related documents to USDA, Rural Development for the Northern Lights Well and the Northern Lights Water Storage Tank.

Motion by Coatney, seconded by Cowley to approve, and authorize Mayor to sign loan application request and all related documents to USDA, Rural Development for the Northern Lights Well and the Northern Lights Water Storage Tank. Vote Aye: Unanimous.

C. PLANNING/ZONING DEPARTMENT: To discuss and approve request for release of funds for the Preliminary Design Phase of the engineering contract for the Northern Lights storage tank, Well 5, and sewer services. Amount requested to be released: \$35,640.00

Motion by Hollinshead, seconded by Allen to approve request for release of funds for the Preliminary Design Phase of the engineering contract for the Northern Lights storage tank, Well 5, and sewer services. Amount requested to be released: \$35,640.00. Vote Aye: Unanimous.

D. PLANNING/ZONING DEPARTMENT: To discuss and approve the petition for Voluntary Annexation for Gary Brown.

Motion by Coatney, seconded by Hollinshead to approve the petition for Voluntary Annexation for Gary Brown. Vote Aye: Unanimous.

E. PLANNING/ZONING DEPARTMENT: To discuss and approve Conditional Use Permit for Ron Mitchell at 718 Sonic Way to permit a Home Firearms Business. (Planning Commission passed with a 3 to 1 vote.)

Police Chief Dubbs gave a handout as requested by Planning and Zoning. He explained that there are only 2 sides of this: to approve or not approve. He further explained it would be better for him to have background checks and federal oversight by the ATF than to have no background checks and no ATF oversight. Further discussion.

Motion by Coatney, seconded by Cowley to approve the conditional use permit for internet only sales with the following conditions: 1) he will provide a copy of his ATF License for the file, 2) he meets the previous conditions that the planning and zoning commission set. Those conditions are as follows: 1) there will be no signage allowed, 2) during his ATF inspection he will notify the inspector of the day care and school that are within 400 feet of his house, and 3) the police department will verify he has a security system annually for five years.

Vote Aye: Cowley, Coatney, Hollinshead. Vote Nay: Allen, Haddenham. Absent: Foster.

Attorney Hagg explains that with Foster absent his vote is a no, making a tie that needs the Mayor's vote to break the tie.

Mayor's Vote: Aye.

A citizen asked Haddenham to clarify her vote based on her opinion at previous meetings.

Haddenham changed her vote to Aye, resulting in a 4-2 vote and nullifying the need for the Mayor to break the tie. Aye: Cowley, Coatney, Hadenham, Hollinshead. Vote Nay: Allen. Absent: Foster.

F. PUBLIC WORKS DEPARTMENT: To discuss and approve Sanitary Sewer Discharge Agreement between Atlantis LLC, City of Rapid City, and City of Box Elder.

Motion by Coatney, seconded by Hollinshead to defer to the April 1 meeting. Vote Aye: Unanimous.

G. PUBLIC WORKS DEPARTMENT: To discuss and approve Water Service Agreement between City of Box Elder and City of Rapid City.

Discussion. We are getting the whole sale rate as per the City of Rapid City Ordinance reads. Attorney Hagg said this has been in the works for a while and this new lower rate will benefit Box Elder.

Motion by Hollinshead, seconded by Allen to approve the Water Service Agreement between City of Box Elder and City of Rapid City. Vote Aye: Unanimous.

H. FINANCE DEPARTMENT: To discuss Employee Policy and Procedure Manual for City Employees.

Discussion. Questions on the use of a time clock, the employee birthday personal holiday (section 7.14), the benefit package to management staff (section 3.4).

Motion by Hollinshead, seconded by Allen to establish a sub-committee to make recommendations for changes with one council member from each ward. Vote Aye: Unanimous.

9. DEPARTMENT HEAD REPORTS TO COUNCIL:

Mayor: Griffiths recommends that the council change Ron's title from Planning & Zoning Coordinator to Planning & Zoning Director with no pay change until the next budget is discussed. He also let everyone know that the American Legion will be having a corn beef and cabbage dinner tomorrow night.

Police: Chief Dubbs gave the statistics report from March 4-17 and an update on officer training. Dubbs notified the council he will be taking a personal day on Friday. Council Member Allen asked Dubbs if his computer is fixed yet so he can start giving out the weekly updates like he has in the past. Dubbs said he received the computer today.

Public Works: Director Todd gave the council members some handouts. The Boykin Park equipment has been removed and a sign notifying citizens has been put up at the park, we tried to recycle the old equipment but it doesn't meet US recycling standards, the annual drinking water report is complete- copies are available at City Hall and it will be put in the RCJ, the Thunderbird 15 mph signs have been put up, a report in your packet shows the newest water testing results from Well 7 and the results are getting better, there is a spreadsheet in your packet with the progress of other council initiatives I received, the city hall light was fixed but already needs to be fixed again. Council Members asked about the water report from the well. A citizen notified Todd that the stop sign at Radial and Sonic is missing. He said he will get it replaced. A citizen asked if the street lights on the NW & SE corner of 14/16 and Spruce, and the light on Villa and N. Ellsworth on the SE corner have been reported. He said will double check that they have been reported.

Finance: No input

Planning/Zoning: Director Koan met with a Love's representative, everything is on track to start soon. Council Member Hollinshead asked when the company expects to open. Koan said as long as everything goes as planned they are hoping sometime in January.

City Attorney: Hagg asked the council if he should write a letter regarding the annexation of a parcel in Pennington County that would fill in a gap in the City. Council Members gave him approval. Hagg discussed the importance of a joint powers agreement with Rapid City on border properties. Hollinshead asked if the TIF #3 project Hagg was working on went out. He said he would send it out in the next couple days.

10. COUNCIL REPORTS:

Allen: Mentioned the nice article in the RC Journal on Sunday and he hopes everyone was able to read it.

Cowley: Congratulated Al Labine & Tricia Weathers for being selected on the Planning & Zoning Commission.

Coatney: Extended congrats to Al & Tricia for being selected on the Planning & Zoning Commission.

Foster: Absent

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Haddenham: Also extended congrats to Al & Tricia for being selected on the Planning & Zoning Commission.

Hollinshead: Also extended congrats to Al & Tricia for being selected on the Planning & Zoning Commission and thanked everyone the worked on the H2O water agreement with Rapid City.

11. OTHER DEPARTMENT REPORTS:

Chamber of Commerce: President Hanson talked about the 2014 Chamber calendar of events and invited the council and mayor to the March 20th mixer.

Economic Development: No input.

12. CITIZEN INPUT:

A woman asked how she can get more involved in the City. Mayor Griffiths said come to city hall and talk to us, call your council member, or contact the chamber.

13. EXECUTIVE SESSION: None

14. ADJOURNMENT: THERE BEING NO FURTHER BUSINESS TO BE TAKEN IN FRONT OF THE COUNCIL AT 8:36PM MOTION BY Coatney, SECONDED BY Allen TO ADJOURN. Vote Aye: Unanimous.

Seal:

Attest:

William F Griffiths Sr
Mayor

Mystee Lashwood
Finance Officer