

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES
Tuesday, March 19, 2019
7:00 pm Regular Meeting – City Council Chambers, 420 Villa Drive, Box Elder

Meeting was called to order by Mayor Larson at 7:00 p.m.

Roll was taken. Present were Mayor Larson, City Attorney Kristi Vetri, Council Members Scott Allen, Dawn Beltran, Steve Cowley, Michael Hanson, Michael Knight, and Rick McPherson.

Also present were City Administrator/Finance Officer Nicole Schneider, Police Chief Jason Dubbs, Public Works Director Bob Kaufman, Planning and Zoning Director Ron Koan, Accountant Mandy Morris, and City Clerk Jermy Washington.

Mayor Larson commented on changes to second page of Payroll (page 12) in agenda, needs to be replaced with payroll handout provided; one in agenda has incorrect information.

Motion by Hanson to approve order of business with changes. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

PUBLIC COMMENT:

Teresa Melon–606 Cardinal Drive–with all the snow, asked what City plans for continuous drainage issue on Cardinal Drive and Thunderbird Subdivision. Mentioned 3 barrels placed in easement between 606 & 608; with snow, can't see barrels or where sump pump drains, sump pump continuous with snow. Ms. Melon commented mother not in greatest health and if she gets sick this year and problem not addressed, don't be surprised if she comes after City because this is 34-year issue since buying house; said fighting City 34 years on getting drainage problem fixed. Mayor Larson asked about the barrels. She explained barrels put in by City to help with drainage, and City would come once week to pump water out. She commented on standing water, ducks nesting, and frogs growing. Public Works Director commented this being part of drainage project; she replied on project being voted down because people not affected by drainage issue don't want to pay for it. She commented on past issues with standing water and mosquito problem, and hole in sewer (underground); water drains and goes to water plant. Public Works Director spoke on sewer investigation in summer.

Bo Terrill–spoke on snow removal; he said he saw City plows driving with snow plows up off road and only plow single road, and issues in emergency situations (e.g. heart attack and road now cleared). He commented that not paying workers to drive with plows up, paying them to clear roads, and asked what can be done. Mayor Larson spoke on opening single lane to start with; Public Works Director stated that operating under same policy that existed since he got here; in major event, make one-pass through everything make sure people get in and out (if no obstacles), and explained situation in recent storm. Mr. Terrill talked about he was contracted to City in past in Thunderbird for snow removal and how neighbors liked his curb-to-curb snow removal; he mentioned postal delivery workers can't get to mailboxes when snow plows come through. Public Works Director spoke on making one-pass through every place to people can get in and out, when completed and communities opened up, go back through and clean up. Mr. Terrill asked why don't City hire people to help and get roads opened instead of having one path. Public Works Director commented no one mentioned hiring contractors since been here. Discussed contractors hired in past. Jane Maine commented on 1 or 2 contractors as Plan B when City needed help removing snow–only called in when City needed them, City did what they could with City crew. Discussed bringing up in committee [Public Works, and Planning and Zoning].

COUNCIL COMMITTEE REPORTS:

A. FINANCE, LEGAL, AND PUBLIC SAFETY

Michael Hanson, Steve Cowley, and Rick McPherson

Motion by Knight to Accept the Finance, Legal, and Public Safety Committee Report. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

Motion by McPherson to Adopt the Legal, Finance, and Public Safety Committee Report. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

B. PUBLIC WORKS AND PLANNING AND ZONING

Michael Knight, Scott Allen, and Dawn Beltran

Motion by Hanson to Accept the Public Works, and Planning and Zoning Committee Report. Seconded by McPherson. Vote: Aye. Unanimous. Motion passed.

Motion by McPherson to Adopt the Public Works, and Planning and Zoning Committee Report. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

CONSENT AGENDA:

McPherson said he'd like to see Item 9M either clarified or removed for consideration separately; he said if someone wants to clarify "Other Responsibility Matters" he's good with it, wants clarification on it; voiced concern over phrase. City Attorney clarified that "Other Responsibility Matters" defined/spelled out in document (page 37 of agenda packet); she read definitions and explained that making sure City hasn't done anything wrong. Hanson commented on that being title of document. McPherson said he's good. Motion by Hanson to Approve Consent Agenda Items A-N: (March 5, 2019 Council Minutes; Payroll; Claims/Loan Payments/Hand Checks; Resolution 19-03; Black Hills Truck Credit Application; Ferguson Enterprises DBA Pollarwater Credit Application; Second Reading Ordinance 620; Second Reading Ordinance 621; Condrey & Associates Contract; Resolution 19-04; Drinking Water Facilities Funding Application; Certification of Drinking Water Needs Categories; Certification Regarding Debarment, Suspension, and Other Responsibility Matters; Water Supply Assessment Certification. Seconded by McPherson. Roll Call: Allen- Aye; Beltran-Aye; Cowley-Aye; Hanson-Aye; McPherson-Aye; Knight-Aye. Motion passed.

UNFINISHED BUSINESS:

Sewer Collection System at 509 Damview—PW Director spoke and gave background; follow-up on action taken by Council, directing Evans' to connect property to sewer by July 1, 2018; sent certified letter March 12, 2019 requested them to be at tonight's meeting (Evans' not present). Hanson asked if received receipt, PW Director said have receipt letter sent, no receipt/notification for letter received yet. PW Director commented on directive by Council to Evans'; connect to sewer or City will connect and bill/assess against their property; he said may have to go in-person to inform that will happen and City will contract with entity to get sewer service put in. McPherson asked about 3rd party giving notification. Beltran asked about moving forward without Evans' acknowledging certified letter; City Attorney recommended personal service; make clear that Evans' need to appear at next Council meeting, to give them due process; need to give notice before City takes action. Motion by Hanson to authorize the Public Works Department Director to verify no service has been installed and seek quotes to have the service installed, and in that receiving those quotes, send those quotes to the homeowner via personal service, give them 30 days to appear in front of this Council, and after the end of that 30 days they choose not to appear in front of this Council, we will take action. Seconded by Allen. Roll Call: Allen- Aye; Beltran-Aye; Cowley-Aye; Hanson-Aye; McPherson-Aye; Knight-Aye. Motion passed.

NEW BUSINESS:

Approve Recommendation of 12-month Payoff Period for Western Mobile Home Park Water Leak. PW Director gave background of leak and how leak fixed by Mr. Matthew. Mr. Matthew spoke and asked about adjustment to Feb. billing; he said they immediately fixed leaks that surfaced, but this leak never surfaced, if had known, they would have fixed immediately. He said that when notified, they started searching for leak; spoke on work accomplished trying to find and repair leak—isolated 2/3 of park and ran new lines (and isolation valves) clear to main pit; asked about reduction for Feb. water bill down to average usage. Hanson referenced Title 53 – no reduction made from regular water rates because of leaking fixture. City Administrator and PW Director spoke on meter readings; Mr. Matthew would not have gotten meter readings prior to master meter because individual meter readings going to tenants, Mr. Matthew had no clue about leak. Mr. Matthew commented that leak in main prior to reaching mobile home court and gave explanation on how water didn't surface, old utility lines, water had channel to get away. City Administrator commented that this water loss to City. McPherson asked why charging him for it. Motion by Hanson to approve the recommendation with the 12-month payoff period of the water leak. Seconded by Knight. Roll Call: Allen- Nay; Beltran-Aye; Cowley-Aye; Hanson-Aye; McPherson-Aye; Knight-Aye. Motion passed.

Approve Contract Negotiation with KLM Engineering for Bi-Annual City-Wide Tank Inspection & Cleaning. PW Director gave overview; sent out Requests for Qualifications (RFQs), 3 responses back; he said that this company appears to be best qualified to perform work want done and recommendation to enter negotiations with them for services. Motion by McPherson to approve. Seconded by Cowley. Roll Call: Allen- Aye; Beltran-Aye; Cowley-Aye; Hanson-Aye; McPherson-Aye; Knight-Aye. Motion passed.

Approve Recommendation on Interpretation of Oversizing Facilities. PW Director spoke and explained that allow City Council participation in cost of oversizing improvements for new development; he explained staff interpretation of participating in cost sharing of materials and not installation costs; explained two previous cases when done; he said same verbal agreement in place for Mr. Boomsma and Mr. Boomsma interprets that City pay for labor costs as well as material costs; asking Council interpretation on how to proceed. Mr. Boomsma spoke and said ordinance vague; he spoke on situations with other municipalities where he asked to go above beyond what his development requires for future development, it's reimbursed the entire difference, doesn't matter materials, labor, engineering. Cowley commented that if asking someone more than required, City should pay. Hanson commented that if already digging hole to put pipe in, he doesn't understand additional labor costs, so okay to pay material costs, but labor already there digging hole. Mr. Boomsma explained differences in labor required for specific pipe sizes, he acknowledged digging same trench, but labor required. McPherson asked about costs; PW Director gave cost of additional labor (~\$3,300); if material only, \$2,327; if material & labor, total costs a little under \$5,700. Questions on whether past contractors can come back to ask for reimbursement. City Attorney explained contractual, not interpretation; contracts needed approved in two phases—once at preliminary plat, once at final plat, procedure defined in ordinance wasn't done, if had been done, wouldn't be here talking about it. Mayor Larson commented on earlier point made by Cowley. City Administrator clarified on procedure on how Council to approve agreement before work done. Motion by Hanson to stay with the materials only. No second, motion lost. Cowley commented on lots of extra work involved for larger lines. Mr. Boomsma commented on City-Developer partnership, him paying engineers based on PW recommendations. McPherson asked if okay on splitting difference. Allen commented that if City requesting extra for benefit of future, why should lay costs on contractor. Knight mentioned rewriting this part and putting in black & white. Motion by Cowley to approve the payment of labor and materials (\$5,700) and to clarify ordinance. Seconded by Allen. Roll Call: Allen- Aye; Beltran-Aye; Cowley-Aye; Hanson-Aye; McPherson-Aye; Knight-Aye. Motion passed.

DEPARTMENT HEAD REPORTS:

Public Safety – Chief Dubbs – gave update on Dodge Rams. SSVs failed to pass emissions tests, so SSV is cancelled. Will be provided with Ram Tradesman as alternative; more costly, but honoring price; affecting turnaround time from today to 3 months from now. Discussed differences in SSV and Tradesman.

COUNCIL MEMBERS:

Council Member Allen – think time to bring water adjustment policy letter back for everybody to review, make changes, and do something with it. Also spoke on feedback he got from people in Thunderbird area about snow; bring back at Public Works meeting; some drivers driving through neighborhoods not with plow down looking and leaving single lane, if driving truck down single lane, just plow and widen road. Other concern fire hydrants, emergency response can't get to them, how can deal with clearing those; spoke on medical emergency in Antelope Ridge where fire department themselves plowed to; maybe talk about in Public Works and maybe figure out different policy.

Council Member Hanson – believe need to review Title 15, Section J, 152-38 Paragraph #5; as well as Title 53, 53.25.18 specifically; said disagrees with Council Member Allen, doesn't think need full blown adjustment policy, he mentioned warranty program for pipelines for home owners, believes City done due diligence making sure people have that availability, doesn't see why rest of citizens have to pay for people not taking care of their lines; understands accidents happen.

Council Member McPherson – spoke on snow removal; all about getting areas opened up, one lane, however, had issue on Creekside Drive with front-end loader, loader went through narrow snowdrifts with scoop up, didn't try, amount of fuel/time taken, could have opened up area little more. Determined not City. Mentioned City truck driving around with blade up and being parked on Dakota Drive when residents were asked to get vehicles off road for plowing; said City truck needs to abide by laws in area.

Motion by Hanson to adjourn. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

ADJOURNMENT: 7:35 p.m.

Seal:

Attest:

Larry Larson
Mayor

Nicole Schneider
City Administrator/Finance Officer

Claims for 03/19/19			
#	VENDOR	AMOUNT	DESCRIPTION OF SERVICES RENDERED
1	ARC International, Inc	\$ 5,110.68	CH Main Level Remodel - Feb 2019
2	Black Hills Chemical & Janitorial	\$ 61.33	Snow Plow Ice Melt - 50 lb Bags - x 6
3	Black Hills Truck & Trailer, Inc	\$ 94.90	2 1/2 Gal Diesel Exhaust Fluid x10
4	Border States Electric Supply	\$ 450.33	L50S400 Fuse 400A 500V- x3 - Well Supplies
5	Box Elder Promotions	\$ 5,788.00	Feb2019- Bid Occupancy Tax
6	Box Elder True Value	\$ 77.21	60LB Concrete Mix, Qty 10, PVC Tubing
7	Carquest #3951	\$ 730.62	Air/Oil Filter CTY0107, Wiper Switch-CTY6946, Oil/Air Filters, Wiper Blades- PD Stock, Halogen Beam (CTY7202)
8	City of Rapid City	\$ 261.49	Bulk Water Meter -1/22-2/20/19
9	Climate Control Systems & Service	\$ 859.50	2019- Preventative Maintenance Quarter 1
10	Contractors Supply Inc	\$ 360.00	Blankets, Hard Hats, & Safety Vests
11	Core & Main LP	\$ 2,126.52	Municipex Pipes, Inserts, PVC, Hymax Flaps, Epoxy/SS Bands, Omni Strainer Covers & Gaskets
12	Dubbs, Jason	\$ 107.00	Cabela's Reimbursement: Sleeping Bags, Pillows
13	Epic Outdoor Advertising	\$ 450.00	Billboard 3/1/19-3/31/19
14	Environmental Systems Research	\$ 1,842.40	ARCGIS Desktop Primary Maintenance
15	Fed-Ex	\$ 16.83	Meter Read Gun- Shipping
16	Ferber Engineering Company	\$ 6,243.75	East Mall Drive Design- Feb 2019
17	Government Finance Officers Association	\$ 320.00	GFOA Memberships- Davis & Schneider
18	H & S Uniforms & Equipment	\$ 35.00	Hem Pants, Short Sleeve Repairs
19	Harvey's Lock & Security	\$ 2.08	Duplicate Key- Storage Building
20	Hawkins Inc	\$ 332.60	Nozzle, Bolt Assembly, O-Rings
21	Heavy Constructors, Inc.	\$ 59,418.00	First Floor Remodel- Feb 2019
22	Humane Society of the Black Hills	\$ 350.00	Animal Control Feb 2019
23	Interstate All Battery Center	\$ 270.22	Speed Trailer Battery & Core Return
24	Kimbal Midwest	\$ 815.41	Hand Pads, Wirewheels, Relays, brake cleaner, Hex Nuts, Sensor LEDs, Ultra Bond, Grease, Carbex, Glass Cleaner, Promax FI Orange
25	KT Connections, Inc	\$ 9,824.16	Monthly Billing Mar 2019, Acrobat Pro-PD Assistant, Move Clerk Workstation
26	Lamar Companies	\$ 509.16	EAFB AF Road / EP Howe 3/1/19-3/31/19- Billboard Advertising
27	Lighting Maintenance Co	\$ 195.34	Street Light, Labor, Boom Truck Repair -Liberty Blvd
28	Loyal Plumbing, LLC	\$ 551.02	Camera Inspection/Mapping -Sewer Line
29	M&W Towing	\$ 250.00	Tow 2017 Freightliner, CTY0141
30	Matheson Tri-Gas Inc dba Linweld	\$ 182.40	Feb 2019- AC, AR, CO2, O2
31	Menards	\$ 43.08	18" Pusher/Shove, 8Qt Black Pail
32	Midcontinent Communications	\$ 537.86	Phone Services Mar 2019
33	Midcontinent Testing Laboratories	\$ 225.00	Water Testing Feb 2019
34	Northwest Pipe Fittings, Inc	\$ 36.31	4500W, 240V Element- Water Heater, Water Heater-Heavy Wrench
35	Office Depot	\$ 734.18	3V Lithium Battery, Tape, 3x5 Index Cards, Letter Clipboards/Storage Bins, Envelopes, Toilet Paper, Refill Ink
36	Olheiser, Dale	\$ 49.45	Reimbursement-Fuel & Parking Fees
37	Pennington County Sheriff	\$ 500.00	Psych Eval- New Hire
38	Peyrot, Duane	\$ 7.20	Reimbursement- Certified Letter Postage
39	Plumbing & Heating Wholesale	\$ 35.53	PVC/DWV Pipe, Elbows, Clamps
40	Qualified Presort Service, LLC	\$ 771.37	Feb 2019- Utility Billing, Late Cards, & Insert Processing
41	Rapid City Journal C/O Lee Enterprises	\$ 475.17	Feb 5, 2019 CCM Minutes, East Base Water Line, Grave Street Reconstruction, Resolution 19-02
42	Sander Sanitation	\$ 319.55	Yardwaste Dumpsters- 2/1/19
43	Sanford Laboratories	\$ 390.00	2/6 & 2/7 Random Drug Screens
44	SD Assoc. of Code Enforcement	\$ 50.00	Information/ Training Conference Registration Fee
45	SD One Call	\$ 27.30	Feb 2019 Locate Tickets
46	Servall Uniform & Linen Supply	\$ 290.23	Shirts, Rugs, Rags, Mops, CH & PW -Feb 2019
47	Summit Signs & Supply Inc.	\$ 500.00	Set of Graphics- Dodge Ram 1500- CSO
48	Taser International	\$ 2,895.00	Tasers x2, Battery Packs x7
49	Temperature Technology, Inc	\$ 185.00	Service Labor & Trip Charge
50	Tyler Technologies Inc	\$ 400.00	TCM- Joseph Bader Consulting Fees 2/14/19
51	Watertree, Inc	\$ 56.25	7-5 Gal Water Delivery - Feb 2019
52	Wex Bank	\$ 323.44	Fleet Fuel- Feb 2019
53	Zuercher Technologies	\$ 16,710.00	Mobile CAD, NCIC, & Records
	SUBTOTAL	\$ 123,197.87	
	Purchasing Card Statement		
54	Great Western Bank	\$ 12,879.76	February 2019 Credit Card(s) Statement Balance
	TOTAL	\$ 136,077.63	
	Hand Checks/Payments		
1	Century Link	\$ 53.00	Phone Security: Bandit Ball

	2	Credit Collections Bureau	\$ 60.00	Payroll 5 Insurance
	3	Department of Treasury- IRS	\$ 22,587.97	Payroll 5 Insurance
	4	Office of Child Support Enforcement	\$ 66.68	Payroll 5 Garnishment
	5	SDRS Supplemental Retirement Plan	\$ 30.00	Payroll 5 Retirement
	6	Waste Connections	\$ 350.67	Portable Toilets: Bandit Ball/ BMX - Feb2019
		TOTAL	\$ 23,148.32	
		Hand Checks: Utility Billing Deposit Refund Checks		
	1	Fights Over, Carolyn	\$ 28.52	Finaled Account, Credit Balance Refund
	2	Heronimus, Kent/Elena	\$ 21.41	Finaled Account, Credit Balance Refund
	3	Merhoff, Caitlynn	\$ 6.18	Finaled Account, Credit Balance Refund
	4	Six LLC / Casey Skyberg	\$ 79.54	Finaled Account, Credit Balance Refund
	5	Harvey, Mark	\$ 33.76	Finaled Account, Credit Balance Refund
	6	Kurz, Jeffrey/Petra	\$ 47.52	Finaled Account, Credit Balance Refund
	7	Runner, Jennette	\$ 40.65	Finaled Account, Credit Balance Refund
	8	Boom Construction	\$ 18.06	Finaled Account, Credit Balance Refund
			\$ 275.64	
		GRAND TOTAL	\$ 159,501.59	