

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES

Tuesday, May 5, 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 Griffiths called the meeting to order at 7:00 pm on Tuesday, May 5, 2015.

2. There was a recognized Moment of Silence and the recitation of the Pledge of Allegiance.

3. Roll Call: Present were Mayor William Griffiths, Council Members: Scott Allen, Steve Cowley, Mark Coatney, Doug Curry, Carolyn Haddenham, and Jeff Hollinshead. Also present were: Planning & Zoning Coordinator Ron Koan, Public Works Director Al Todd, Assistant Finance Officer Racheal Jundt, and Police Chief Jason Dubbs. City Attorney Rex Hagg was present.

4. Approve Agenda: Motion by Allen, seconded by Hollinshead to approve the agenda with an Executive Session for Contractual as per SDCL 1-25-2 Sub (3) and with change on item 5 agenda items A through R. Vote aye: Unanimous.

5. CONSENT AGENDA: Agenda items A through B 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 April 7, 2015 Common Council Minutes.

B. To approve Payroll 9 (April 5 to April 18) Total Payroll \$44,135.46: General Government: \$1,453.85; Finance Office: \$1,888.80; General Financial: \$2,682.76; Police Dept: \$19,497.53; PW Street: \$4,680.68; PW Animal Control: \$388.94; PW Code Enforcement: \$13.50; PW Parks: \$2,438.68; Planning & Zoning: \$3,162.37; Planning & Zoning Board: \$150.00; PW Water Production: \$2,552.95; PW Water Distribution: \$4,305.20; PW Sewer Collection: \$920.20.

Motion by Allen, seconded by Coatney to approve the Consent Agenda. Vote aye: Unanimous.

6. UNFINISHED BUSINESS:

A. PLANNING/ZONING DEPARTMENT: After much discussion in regards to the condition of the property and how it is being maintained.

Motion by Allen, second by Coatney to approve continuation of CUP #120023 for Marine Storage at 22761 Mule Deer Trail, and advising Mr. Milt Gutknecht, that his property is to be kept in a neat and clean matter and further scrutiny will take place prior to the following years review. Vote aye: Unanimous.

B. PUBLIC WORKS DEPARTMENT: Motion by Coatney, second by Cowley to approve Resolution 15-09, a Resolution authorizing acceptance of 180' of gravel road and Right-of-Way on 150th Place just North of the 225th Street intersection. Vote aye: Unanimous.

C. PUBLIC WORKS/FINANCE DEPARTMENT: Motion by Hollishead, second by Allen to approve remaining amount due of \$20,000 on Pay App #5 to First American Title Company for TIF #3 Residence Inn Infrastructure/Watiki Way. Vote aye: Unanimous.

7. ANNOUNCEMENTS AND PRESENTATIONS:

Recognition of Ward 1 Council Member Carolyn Haddenham

Recognition of Mayor William F Griffiths Sr

Scott Allen presented plaques to both Carolyn Haddenham and William Griffiths for their years of service as mayors and council members from the city.

Short statement by Carolyn Haddenham to thank for the support and hope to see the city continue to move forward. Carolyn also said she will continue to serve on the different committees for the city and she also congratulated Bruce Hegel.

Short statement by Mayor Griffiths thanking everyone for opportunity to serve for the city, and that Box Elder has become a fast growing community and the city had welcomed 26 new businesses into the area.

8. RECESS (Short): ending of the 2014-2015 Council Session

Motion by Coatney, second by Hollinshead to take a short recess ending the 2014-2015 Council Session. Vote aye: Unanimous.

9. CALL TO ORDER (by Council President) 2015-2016 Council Session

SWEAR IN NEWLY ELECTED MAYOR AND COUNCIL MEMBERS: (City Attorney)

Swearing in oath of office administered to Mayor-Elect Larry Larson for the new (3) year term
Swearing in oaths of office administered to ward Council Members; Ward 3 Steve Cowley, Ward 2 Jeff Hollinshead & Ward 1 Bruce Hegel for the new (3) year terms

A. Roll Call: Present were Mayor Larry Larson, 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, Assistant Finance Officer Racheal Jundt, and Police Chief Jason Dubbs. City Attorney Rex Hagg was present.

B. Nomination and Election of Council President

Motion by Coatney, seconded by Hollinshead to nominate Allen for Council President. Vote Aye: Unanimous.

Motion by Coatney, seconded by Hollinshead to close nominations for Council President. Vote Aye: Unanimous.

C. Nomination and Election of Council Vice President

Motion by Allen, seconded by Hollinshead to nominate Cowley for Council Vice President. Vote Aye: Unanimous.

Motion by Allen, seconded by Hollinshead to close nominations for Council Vice President. Vote Aye: Unanimous.

10. CONSENT AGENDA: Agenda items A through R 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 Claims, Utility deposit refunds, and Hand Checks.

B. To approve Business License Application #1634 for Cutie Pies Day Care by Gina Morris to be located at 348 Big Badger Drive, Box Elder.

C. To approve Business License Application #1644 for Dougherty's A Walk in the Clouds Day Care by Adele Dougherty to be located at 1152 DeSmet Court, Box Elder.

D. To approve New License for Retail On/Off Sale Malt Beverage & SD Farm Wine for Americas Beverage & Entertainment at 514 Americas Way, Box Elder.

E. To approve Renewal of License for Retail On/Off Sale Malt Beverage for 4U Stores at 640 Box Elder Road West, Box Elder.

F. To approve Renewal of License for Retail On/Off Sale Malt Beverage for 4U Stores at 640 Box Elder Rd West, Suite B, Box Elder.

G. To approve Renewal of License for Retail On/Off Sale Malt Beverage for Atlantis LLC – Palms Pub at 1520 Elk Vale Road #2, Box Elder.

H. To approve Renewal of License for Retail On/Off Sale Malt Beverage for Atlantis LLC – Palms Sports Bar at 1520 Elk Vale Road #1, Box Elder.

I. To approve New License for Retail On/Off Sale Malt Beverage & SD Farm Wine for Baan Thai at 114 Box Elder Road West, Box Elder.

J. To approve Renewal of License for Retail On/Off Sale Malt Beverage for Cimarron Casino at 224 Frontage Road, Box Elder.

K. To approve Renewal of License for Retail On/Off Sale Malt Beverage for Cimarron Casino II at 224 Frontage Road, #A, Box Elder.

L. To approve Renewal of License for Package Off Sale Malt Beverage for Dolgen Midwest – Dollar General Store #15078 at 430 N Ellsworth Rd, Box Elder.

M. To approve Renewal of License for Package Off Sale Malt Beverage for J & L Market at 520 N Ellsworth Rd, Suite #1B Box Elder.

N. To approve Renewal of License for Package Off Sale Malt Beverage for Loves Travel Stops & Country Stores Inc – Loves Travel Stop #602 at 679 Reagan Avenue, Box Elder

O. To approve Renewal of License for Retail On/Off Sale Malt Beverage for MG Oil Company – Truck Stop Lounge at 4300 N I-90 Service Road, Box Elder.

P. To approve Renewal of License for Retail On/Off Sale Malt Beverage for MG Oil Company – Flying J Travel Plaza at 4200 N I-90 Service Road, Box Elder.

Q. To approve Renewal of License for Package Off Sale Malt Beverage for Mini Mart Inc – Loaf ‘N Jug #449 at 437 N Ellsworth Road, Box Elder.

R. To approve Renewal of License for Retail On/Off Sale Malt Beverage for NPC International Inc – Pizza Hut #2768 at 102 Ellsworth Road, Box Elder.

Allen asked the Chief of Police if there was any issues with any malt beverage license and he indicated that there were none.

Motion by Coatney, seconded by Hollinshead to approve Items A-R as presented on the Consent Agenda. Vote aye: Unanimous.

11. BUSINESS:

A. FINANCE DEPARTMENT/AUDITOR: Motion by Hollinshead, seconded by Allen to approve presentation and acceptance of the 2013 Audit from Deidre Budhal, Casey Peterson and Associates. Vote aye: Unanimous.

B. ACDC AUTOMOTIVE CLAIM: Motion by Coatney, seconded by Cowley to approve the payment of AC/DC Automotive total \$42.00 for Change out tires on 2005 and 2008 Crown Victorias for Police Department vehicles. Vote aye: Coatney, Cowley, Curry, Hegel, Hollinshead. Abstain: Allen.

C. PLANNING & ZONING: Motion by Allen, second by Hollinshead to approve of the Fireworks Application #1198 for Space International, McDavis Inc. Vote aye: Unanimous.

D. PLANNING & ZONING: Motion by Allen, second by Hollinshead to approve of the hire BYRS Lawn Care for 2015 Nuisance Lawn Care Abatement. Vote aye: Unanimous.

12. DEPARTMENT HEAD REPORTS:

Mayor: No report.

Police: Dubbs reminded everyone that summer curfews are in effect. He also talked about the IRS phone scams that have been reported, and also reminded about the increase in the door to door salesman and if citizens felt the salesman were aggressive to call law enforcement.

Public Works: Todd informed that Roger Olson passed another water test and would be receiving a quarter raise. He also stated that on May 1st Antelope Ridge was hooked up to our water without any problems. Well 4 went down but is being fixed. He met with the Ball Parks and talked to them about different ball grants. He also talked about Radar Hills Rd and what was being done to fix it.

Finance: Jundt mentioned city server has arrived and Matt would be hooking it up.

Planning & Zoning: No report.

City Attorney: Thanked Griffiths and Haddenham for their service as mayor and council member. He commented that we are a Class 1 Municipality same as Rapid City and Sioux Falls. He stated he met with Hunt to negotiate about the fees for upkeep and whose liabilities and responsibilities were whose to manage.

13. COUNCIL REPORTS:

Allen: No report.

Cowley: No report.

Coatney: Welcomed Larson and Hegel, and thanked Griffiths and Haddenham for their service.

Curry: He said he also welcomes Larson and Hegel, and thanked Griffiths and Haddenham for their service. He also said he is looking to moving forward in the future.

Hollinshead: Said that he feels the same as Coatney and Curry.

Hegel: Thanks everyone for the support and needed to also turn in his resignation papers for Planning and Zoning.

14. OTHER REPORTS:

Chamber: Was working on the 2015 Bash and that they have a new Board Member.

Economic Development: They just finished writing a check and signing a loan agreement with the owners of Gizzi's and working with a new company towards the end of the month.

15. CITIZEN INPUT: Jane Maine mentioned that they had a successful pancake feed and will be doing a spaghetti feed May 15th from 4 to 7 pm. There was also a general discussion about the Event Center fees and when they should be waived.

16 Executive Session: Motion by Allen, Second by Hollinshead to go into a short Executive Session to meet with legal counsel at 8:10 PM. Vote aye: unanimous

Motion by Allen, seconded by Hollinshead to come out of Executive Session at 8:30 PM. No decisions were made. Vote aye: unanimous

17. ADJOURNMENT: Motion by Allen, seconded by Hollinshead to adjourn at 8:35 PM. Vote aye: Unanimous.

Seal:

Attest:

Larry Larson
Mayor

Racheal Jundt
Assistant Finance Officer