

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES
Tuesday, November 20, 2018
7:00 pm Regular Meeting – City Council Chambers, 420 Villa Drive, Box Elder

Meeting was called to order by Mayor Larson at 7:01 p.m.

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

Also present were Police Chief Jason Dubbs, Public Works Director Bob Kaufman, Planning and Zoning Director Ron Koan, Accountant Mandy Morris, and City Clerk Jermyer Washington.

Mayor Larson – changes to agenda; added Item M (Resolution conveying wastewater treatment land to BEED) to Consent Agenda; Hanson – Item L deferred in Committee. Item M (Resolution) changed to Item L in Consent Agenda (consent agenda remains as Items A – L).

Motion by Hanson to approve Order of Business with addition, Seconded by Cowley. Vote Aye: Unanimous. Motion carried.

AWARDS AND RECOGNITIONS:

Public Works Director introduced new Public Works employees, Tyler Steffens and Dillon Arch.

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 Public Works and Planning and Zoning Committee Report. Seconded by McPherson. Vote Aye: Unanimous. Motion passed.

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

CONSENT AGENDA:

Consent Agenda Item 9H2 (Belle Starr Liquor License Renewal Application) incorrectly marked/clerical error; question “Place of business is located in a municipality?” answered/marked as “No”.

Motion by McPherson to Approve Consent Agenda Items A-L with changes. Seconded by Hanson. Roll Call: Allen- Aye; Beltran-Aye; Cowley-Aye; Hanson-Aye; McPherson-Aye; Knight-Aye. Motion passed.

INFORMATION ITEMS:

Thunderbird Drainage Project. Public Works Director gave overview of 3 different options to citizens; trying to make issue as transparent as possible; public meeting to be held December 11, 2018 at 5:30 p.m. in Box Elder Event Center at City Hall; notice of meeting to be sent out. No action taken/needed.

Vehicle Selection for P.D. and City Hall. Chief of Police spoke and gave background of reason for different vehicle selection for P.D.; gave comparison of base prices and configuration costs, and decision on 2019 Dodge Ram 1500 Special Service vehicle; also spoke on minivan selection for City Hall. No action taken/needed.

REPORTS FROM BOARDS AND/OR COMMISSIONS:

BEED – Wes Rick – BEED working on getting files organized.

UNFINISHED BUSINESS:

Review and Discuss Council Attendance Policy. Council Member McPherson voiced concern over harsh expulsion in proposed attendance policy, questioned need for policy, and commented on potential corruption. Further discussion on policy and its language, payment-per-meeting vs. flat monthly salary for Council Members (calculations included) and discussed considering switching back to payment per meeting. Council Member Allen commented on attendance policy and Ethics policy being open to misuse and abuse – not worded good. Council Member Hanson voiced concern over possible mixed messages sent to City employees based on Council Members' monthly salary and unexcused absences. Discussion on Council Member reasons for absences. City Attorney spoke on Title III being at standstill until compensation defined. Mayor Larson questioned possibility of sending policy back to each committee; Allen commented on getting everyone's point of view. City Attorney spoke on language in Title III when a Council Member misses a meeting; not being paid. Motion by McPherson to have City Attorney work on compensation and attendance policy. Seconded by Hanson. Vote: Aye. Unanimous. Motion passed.

NEW BUSINESS:

Discuss and Approve First Reading of Ordinance #616. Motion by Hanson to approve. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

Discuss and Decide Action on Zoning Amendment for 119 S. Ellsworth Road & 133 Melody Lane. Planning and Zoning Director spoke and gave history; hearings held and recommended for approval by Planning Commission. Hanson commented on reviewal of videos and gave further clarification. Motion by Hanson to approve. Seconded by McPherson. Vote: Aye. Unanimous. Motion passed.

Discuss and Decide Action Regarding Variance Application for 119 S. Ellsworth Road & 133 Melody Lane. Planning and Zoning Director spoke and gave background of variance application. Mr. Hayes was present, addressed Council and gave background information. Discussion on original Variance Application #160120 and reason revisiting tonight; original application included both addresses (119 S. Ellsworth Road and 133 Melody Lane); recommendation to Council from Sept. 26, 2016 Planning & Zoning meeting was to approve both 119 South Ellsworth Road and 133 Melody Lane; motion from Oct. 04, 2016 Common Council Meeting stated: "to approve zoning variance for 160120 for Robert Hayes for 119 South Ellsworth Road, to be used for outdoor storage" – 133 Melody Lane was not included in motion. Further discussion that both addresses covered under the application and how 133 Melody Lane wasn't carried forward to Common Council agenda. Discussion on definition of "outdoor storage", original intent of location/storage, items currently at location, and image it gives City. Council Member Allen commented that Mr. Hayes has been under assumption that variance been approved this whole time. Motion by Hanson to deny. Seconded by Beltran. Further discussion; Mr. Hayes addressed Council and discussed minutes from Sept/Oct. 2016 meetings; Council

Member Allen commented on Oct. 04 2016 Common Council Minutes and that application number covered 133 Melody Lane, although 133 not in minutes, and that zoning application and variance match for all three addresses, getting cars screened from public view, and that 133 Melody Lane was never denied at any point. Council Member Knight discussed past approval of 119 and not 133, but also not seeing any disapproval of 133 anywhere. Motion by Hanson to defer until out of Executive Session. Seconded by Beltran. Vote: Aye. Unanimous. Motion passed.

Motion by Cowley to enter into Executive Session. Seconded by Knight. Vote: Aye. Unanimous. Motion passed.

Entered into Executive Session at: 8:27 p.m.

Out of Executive Session at: 8:47 p.m.

Motion by Hanson to defer action until next meeting and to instruct City Attorney to work with Mr. Hayes. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

DEPARTMENT HEAD REPORTS:

Public Safety – Chief Dubbs – Happy Thanksgiving.

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

ADJOURNMENT: 8:52 p.m.

Seal:

Attest:

Larry Larson
Mayor

Nicole Schneider
City Administrator/Finance Officer

Claims for 11/20/18			
#	VENDOR	AMOUNT	DESCRIPTION OF SERVICES RENDERED
1	ACES	\$23,535.00	Thunderbird Drainage - Topographic Survey, Estimate, 90% Design
2	Angel's Catering LLC	\$1,333.55	Breakfast Buffet Catering 2018 Holiday/Employee Appreciation Event
3	Autozone Stores LLC	\$44.47	Micro Edge Wipers
4	Bierschbach	\$843.10	Tandem Roller Compactor Rental
5	Black Hills Business Source	\$8,107.08	Table Tops, Crossbars, Shelves, File Drawers, Wall Panels
6	Boot Barn Inc	\$265.64	Clothing Allowance 2018
7	Border States Electric Supply	\$110.49	Conduit for PW Shop Yard, Tape, Diamond/Recipr. Saw Blades, Returned Fuse
8	Box Elder True Value	\$510.32	Lithium Battery, Water, Tape, Bit Holder, #2 Phil Bit, Sand Belt, Fastners, Sign Repair Supplies, Dcon, Voltage Tester, Gloves
9	Century Business Products, Inc	\$1,114.40	Copier Printer Lease Oct 2018
10	City of Rapid City	\$240.98	Cheyenne Blvd Bulk Water
11	Climate Control Systems & Service	\$9,452.00	Mini Split Installation
12	Core & Main LP	\$2,829.25	Pentagon Wrenches, Water Meter Wire/Gaskets, Check Valve for Booster Station, Couplings
13	D & J Equipment Sales Service	\$9,454.70	Accessories for Lift System
14	D.C. Scott Surveyors, Inc	\$2,466.90	Survey & Platting Speedway Division
15	Dakota Pump Inc	\$591.84	Chlorine Pump Repair Well #6
16	Data Technologies, Inc	\$582.00	Utility Billing Inquiry Module
17	Diesel Machinery, Inc	\$119.46	Equipment Rental for Training
18	Epic Outdoor Advertising	\$450.00	Billboard Ad- 11/1/18-11/30/18
19	Ferber Engineering Company	\$12,655.00	East Mall Drive Design
20	Great Western Tire	\$24.95	Flat Repair CTY8571
21	Grimms Pump & Industrial Supply	\$92.38	Grease Gun & Pressure Gauges
22	Hawkins Inc	\$84.50	Flouride Pump Repair Kit - Well 4
23	Humane Society of the Black Hills	\$1,110.00	Animal Control Oct 2018
24	Jundt, Racheal	\$104.11	Walmart: Reimbursement Clothing Allowance 2018
25	KT Connections, Inc	\$4,822.82	Monthly Billing Nov 18
26	Labine, Jesse	\$53.30	Remaining Clothing Allowance
27	Lakota Contracting, Inc	\$481.95	Misc Uniform Supplies
28	Leads Online LLC	\$1,188.00	Total Track Investigation Service
29	Lighting Maintenance Oc	\$3,612.00	Repair of 11 Street Lights
30	Matheson Tri-Gas Inc. dba Linweld	\$162.56	Oct 2018 - AC, AR, CO2, O2
31	MDU	\$361.49	Utility Services Oct/Nov 2018 - CH & PW
32	Menards	\$120.53	Tape for PW Shop Signage, Shelving Repair Supplies, Shelf Brackets, Mop, Bucket, Soft Soap
33	Midcontinent Testing Laboratories	\$255.00	Water Testing for Oct 2018
34	Museum Alliance of Rapid City	\$525.00	Adelstein Gallery - Remaining Balance Due
35	Northwest Pipe Fittings, Inc	\$6,252.40	Returned Curb boxes, Fire Hydrant Extension Kit, Blade for Tubing Cutter, Meter Pit Supplies
36	Office Depot	\$40.09	Envelopes, HR Portfolios
37	Pennington County Register of Deeds	\$60.00	Record Plat: Speedway Subdivision
38	Pete Lien & Sons, Inc	\$1,778.44	Base Course- Shop Yard
39	Powerplan OIB	\$251.90	Fuel for Loader Rental
40	Qualified Presort Service, LLC	\$722.90	Water Quality Insert/ Utility Billing Oct 2018
41	Rapid City Journal c/o Lee Enterprises	\$57.49	Notice of Hearing 11.13.18 / Park Mowing 11/1-11/8
42	Rapid Fire Protection, Inc	\$102.04	Fire Alarm Service Work
43	Runnings Supply, Inc	\$259.97	Clothing Allowance 2018
44	Rushmore Fencing Company	\$3,869.61	Fence Walk Gate & Valley Heights Booster Station
45	Sander Sanitation Service	\$1,122.87	Yardwaste Dumpster 10/23-10/30
46	SD Police Chiefs' Association	\$230.92	4- 2019 Memberships
47	SDEDA	\$89,581.72	Sept 18 Wastewater Treatment
48	Servall Uniform & Linen Supply	\$303.00	October 2018 Rugs, Mops, CH & Shirts, Rugs, Rags, PW
49	Stan Houston Equipment Co	\$84.00	Driver Bit for Sign Base Installation
50	Stanley Design Group LLC	\$8,600.00	Baseball Field Reconstruction
51	Summit Signs & Supply Inc	\$373.75	Signage for PW Shop, Street Name Signs, Sign Bases
52	Swiftec, Inc	\$444.78	Conduit Location and Gate Wiring Repair
53	Warne Chemical & Equipment	\$679.47	Bandit Ball- Lawn Fertilizer
54	Watertree, Inc	\$44.00	4 - 5 Gallon Water, 2 Dispenser Rental Fees Nov 2018
55	Weston Engineering	\$20,199.15	Repairs Well #5
56	Wex Bank	\$419.22	Fleet Fuel -October 2018
57	Wyoming Contracting Association	\$12,038.18	Heavy Equipment Operator Training
	TOTAL	\$235,220.67	
	Purchasing Card Statement		
58	Great Western Bank	\$6,185.01	October 2018 Credit Card(s) Statement Balance Due

		\$6,185.01	
	Loan Payments		
59	City Hall Series 2016-First National Bank & Trust	\$69,836.25	November 2018: Interest \$29,836.25 - Principal \$40,000.00
60	City Hall Series 2011-First National Bank & Trust	\$180,372.50	November 2018: Interest \$5,372.50 - Principal \$175,000.00
61	First National Bank & Trust	\$600.00	Agent Fee
		\$250,808.75	
	BID#2		
62	First American Title Co.	\$61,280.11	Box Elder Event Center Draw #11
		\$61,280.11	
	Hand Checks/Payments		
1	Barbara Hotaling	\$10.00	Refund Duplicate Pet License Fee Charged - CC Error
2	Credit Collections Bureau	\$60.00	Payroll 24 Garnishment
3	Deluxe Small Business Sales, Inc	\$261.86	City Laser Printed Checks
4	Department of Treasury- IRS	\$20,154.91	Payroll 24 Taxes
5	Labine, Jesse	\$192.50	Training 11/13-11/15 - Perdiem
6	Merrill, Daniel	\$192.50	Training 11/13-11/15 - Perdiem
7	Midcontinent Communications	\$119.46	Phone Services November 2018
8	Office of Child Support Enforcement	\$66.68	Payroll 24 Garnishment
9	SDRS Supplemental Retirement Plan	\$30.00	Payroll 24 Retirement
10	Waste Connections	\$350.67	Portable Toilets; Bandit Ball & BMX October 2018
	TOTAL	\$21,428.58	
	Hand Checks: Utility Billing Deposit Refund Checks		
1	Smith, Darrel Jr	\$85.00	Finalized Account, Credit Balance Refund
2	Saldana-Ortega, Veronica	\$18.05	Finalized Account, Credit Balance Refund
3	Jasper, David/Deanne	\$37.86	Finalized Account, Credit Balance Refund
4	Bellander, Dawayne	\$23.10	Finalized Account, Credit Balance Refund
5	Hansen, Tyler	\$0.28	Finalized Account, Credit Balance Refund
6	Maher, William	\$32.76	Finalized Account, Credit Balance Refund
7	Lorenzen, Patricia	\$26.66	Finalized Account, Credit Balance Refund
8	TNT	\$32.76	Finalized Account, Credit Balance Refund
9	Stiles, Natalia	\$33.76	Finalized Account, Credit Balance Refund
10	Montross, Allison/Harold	\$37.66	Finalized Account, Credit Balance Refund
11	Muth Homes Inc	\$32.76	Finalized Account, Credit Balance Refund
12	Ortner, Timothy/Gina	\$25.30	Finalized Account, Credit Balance Refund
13	Boom Construction	\$33.76	Finalized Account, Credit Balance Refund
14	Sheely, Patrick/Marlene	\$66.40	Finalized Account, Credit Balance Refund
15	Barnard Pipeline inc	\$2,484.08	Finalized Account, Credit Balance Refund
		\$2,970.19	