

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES
Tuesday, November 3, 2015
7:00 pm – City Council Chambers, 420 Villa Drive, Box Elder

1. Call meeting to order Mayor Larson called the meeting to order at 7:00 pm.

2. Moment of Silence/Pledge of Allegiance

3. Roll Call: Present were: Council Members: Scott Allen; Steve Cowley; Doug Curry; Bruce Hegel; and Jeff Hollinshead. Also present were: Police Lieutenant Chris Misselt; Planning & Zoning Coordinator Ron Koan; Public Works Director Al Todd; Legal Counsel Rex Hagg; and Finance Officer Mystee Lashwood. There were 12 citizens present.

4. Approve Agenda: Motion by Allen, seconded by Hollinshead to approve the agenda for Tuesday, November 3, 2015 as presented. Vote aye: Unanimous.

CONSENT AGENDA: Agenda items 5 through 17 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.

5. To approve the reading of the October 20, 2015 Common Council Meeting Minutes.

6. To approve Payroll 22 (October 4 to October 17) Total Payroll \$45,747.37; General Government: \$1,403.85 Finance Office: \$1,888.80; General Finance: \$2,522.40; Police Dept: \$31,127.36; PW Street Maintenance: \$5,099.11; PW Animal Control: \$368.60; PW Parks: \$1,942.64; Planning & Zoning: \$3,162.37; Planning & Zoning Board: \$250.00; PW Water Production: \$3,602.95; PW Water Distribution: \$2,169.70; PW Sewer Collection: \$920.20.

7. To approve the Claims, Utility deposit refunds, Loan Payments, and Hand Checks.

8. To approve renewal of Retail (on sale) Liquor license #1506 with Sunday Sales for America's Beverage & Entertainment LLC at 514 Americas Way.

9. To approve renewal of Package (off sale) Liquor license #1574 for America's Beverage & Entertainment LLC at 514 Americas Way.

10. To approve renewal of Convention Facility (on sale) Liquor license #1205 for Atlantis LLC at 4201 S Interstate 90.

11. To approve renewal of Package (off sale) Liquor license #1481 for Atlantis LLC at 1416 N Elk Vale Rd.

12. To approve renewal of Retail (on sale) Liquor license #1393 with Sunday Sales and Video Lottery for Belle Starr Gentlemens Club at 228 Box Elder Rd.

13. To approve renewal of Package (off sale) Liquor license #1246 for J & L Market Inc at 520 N Ellsworth Rd, Ste 1B.

14. To approve renewal of Package (off sale) Liquor license #1584 for The Jug Liquor Store (Big C Properties LLC) at 135 S Ellsworth Rd.

15. To approve renewal of Package (off sale) Wine license #1616 for Love's Travel Stops & Country Stores Inc (Travel Stop #602) at 679 Reagan Ave.

16. To approve renewal of Retail (on sale) Liquor license #1217 with Sunday Sales and Video Lottery for MG Oil Company – Truck Stop Restaurant & Lounge at Exit 61 and I-90.

17. To approve renewal of Retail (on sale) Liquor license #1461 with Sunday Sales and Video Lottery for MG Oil Company – Truck Stop Lounge North at 4200 N I-90 Service Rd.

Motion by Allen, seconded by Cowley to approve Items 5 through 17 as presented on the Consent Agenda. Vote aye: Unanimous.

CITY BUSINESS:

18. COUNCIL PRESIDENT ALLEN: To appoint Ward 3 Council Member. Discussion. Legal Counsel Hagg stated that the seat will be filled and there will have to be an election in 2016 and the seat will be for a 1 year term until the scheduled election for this seat in 2017. Nomination by Hollinshead, seconded by Cowley to appoint Tricia Weathers as Ward 3 Council Member. Vote aye: Unanimous.

19. MAYOR: To discuss and appoint representative and alternate to the Rushmore Regional Rail Authority Committee.

Discussion. Motion by Allen, seconded by Hollinshead to approve the appointment of the Mayor to representative and Council Member Curry as alternate. Vote aye: Unanimous.

20. PUBLIC WORKS/ANIMAL CONTROL DEPARTMENT: To discuss and decide action on Customer request for hearing on Animal Control decision regarding dangerous animal. Discussion. Motion by Allen, seconded by Hollinshead to deny the request from owner on not having the animal declared dangerous. Customer may bring back request for another hearing on the declaration after the animal has undergone obedience training. Vote aye: Unanimous.

21. PLANNING/ZONING DEPARTMENT: To discuss and decide action on Minor Plat Application #150136 for Duane Kirk at 306 West Sunnydale Rd. Motion by Curry, seconded by Hegel to approve Minor Plat Application #150136. Vote aye: Unanimous.

22. PLANNING/ZONING DEPARTMENT: To discuss and decide action on Zoning Amendment Application #150138 for Duane Kirk at 306 West Sunnydale Rd. Motion by Hollinshead, seconded by Cowley to approve Zoning Amendment Application #150138. Vote aye: Unanimous.

23. PLANNING/ZONING DEPARTMENT: To discuss and decide action on Resolution 15-35, a resolution to approve a plat for 306 West Sunnydale Rd. Motion by Allen, seconded by Hollinshead to approve Resolution 15-35. Vote aye: Unanimous.

24. DEPARTMENT HEAD REPORTS:

Mayor: Mayor Larson spoke about the WAVE open house on December 3 from 11-2. He spoke about the newsletter and the encouragement to buy local. He spoke about the meeting regarding the preconstruction for the well and pumphouse. He spoke about the sports complex property and the need to raise money for the project.

Police: Police Lieutenant Misselt gave the statistics report for October 20 to November 2. He spoke about the advanced tactical medical training. Hollinshead thanked the police department for doing the Halloween patrol.

Public Works: Public Works Director Todd spoke about the preconstruction meeting for the well and stated that the notice to proceed was issued and the estimated date of completion is April 1, 2016. He spoke about Well 7 and stated that a geologist recommended that the problem is fixable and would cost approximately \$100,000. He stated that the department hired Tyjus Wilson; he also stated that Mike Lemley should be back on light duty this month. He stated that the chairs that were ordered for the council chambers were sent back because they were damaged in shipping and a refund has been requested; he stated that the chairs will be purchased elsewhere.

Finance: No Input.

Planning & Zoning: Planning & Zoning Coordinator Koan stated that he had a meeting with KLJ regarding the Highway 14-16 design; he spoke about the building expansion of America's Way; and he stated that Jump Craze will be having a soft opening next week.

City Attorney: Legal Counsel Hagg stated that he had 1700 children come to his house for Halloween trick or treating.

25. COUNCIL REPORTS:

Allen: No Input.

Cowley: No Input.

Curry: No Input.

Hegel: No Input.

Hollinshead: No Input.

26. OTHER REPORTS:

Chamber of Commerce: Invited people to the Chamber mixer on November 10 at 7:30 am at the Air & Space Museum.

Economic Development: No Input.

27. CITIZEN INPUT: None.

28. EXECUTIVE SESSION: None.

29. ADJOURNMENT: There being no further business to be considered in front of the Common Council at 8:12 pm, motion by Allen, seconded by Hegel to adjourn. Vote aye: Unanimous.

Seal:

Attest:

Larry Larson
Mayor

Mystee Lashwood
Finance Officer