

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES
October 15, 2019
7:00 Regular Meeting – City Council Chambers, 420 Villa Drive, Box Elder

Call meeting to order

Meeting called to order at 7:00 p.m.

Moment of Silence/Pledge of Allegiance

There was a moment of silence followed by the Pledge of Allegiance

Roll Call

Roll was taken. Present were Mayor Larson, Attorney Matt Naasz, Council Member Dawn Beltran, Michael Hanson, Michael Knight, and John Talich. Also present were City Administrator Nicole Schneider, Community and Economic Development Director Blaise Emerson, Public Works Director Bob Kaufman, Police Chief Jason Dubbs, Accountant Mandy Morris, Assistant Public Works Director (Projects) Nathan Gjovik, and City Clerk Jermyer Washington.

Approve the Order of Business

Mayor Larson said move 14A up and make that 6B; will have public hearing and that is related to that. Also need to add any Executive Session for South Dakota Codified Law 1-25-2 to get legal advice regarding personnel.

Motion by Knight to approve order of business. Seconded by Hanson. Vote: Aye. Unanimous. Motion passed.

PUBLIC HEARING

Public Hearing convened at 7:03 p.m.

Mayor Larson opened floor to public comments; there were none.

Public Hearing closed at 7:03 p.m.

1st Reading of Ordinance #634 - Rezone #190179 by the City of Box Elder on behalf of Scott and Betty Allen to rezone Lot 1R of Lot D of Southgate Addition from General Commercial to Highway Service more generally described as 114 Box Elder Road.

Motion by Hanson to approve 1st Reading of Ordinance #634. Seconded by Talich. Vote: Aye. Unanimous. Motion passed.

PUBLIC COMMENT (3-minute time limit per speaker):

Leroy Hix – 311 Willow Drive – he said problem he got is this, have tenant at 508 Line Rd, he was informed someone missed paying water bill three times in a row so now it has to be put in his name and he said never gets notified that she missed the first one, the second one, or the third one and now it's in his name. He said went to 703, a lady called today who wanted put water in her name on the 1st and City says she can't do that, the landlord has to do that. He said should be at least notified that there is problem before it becomes his problem. Next thing he wonders about is garbage service, how going to handle that. He asked would that be put in his name because somebody doesn't pay their garbage.

Mayor Larson said haven't gotten all details of what going to do with that. Mayor Larson asked Mr. Hix if talked to anyone about water service. Mr. Hix said yes, he talked to Brenda, and that it was Brenda who informed him that's how it is by ordinance.

COUNCIL COMMITTEE REPORTS

Finance, Legal, and Public Safety Committee

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

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

Public Works, Planning and Zoning, and Community and Economic Development Committee

Motion by Hanson to accept the Public Works, Planning and Zoning, and Community and Economic Development Committee Report. Seconded by Talich. Vote: Aye. Unanimous. Motion passed.

Motion by Hanson to adopt the Public Works, Planning and Zoning, and Community and Economic Development Committee Report. Seconded by Talich. Vote: Aye. Unanimous. Motion passed.

CONSENT AGENDA

- A. Approve the Reading of the October 1, 2019 Common Council Meeting Minutes.
- B. Approve Claims List.
- C. Disclosure of new hire personnel per SDCL 6-1-10: Kristen Schmanski--Human Resources Specialist, \$50,994.19/annually, hire date of 10/17/2019; Krista Shipley--Purchasing Specialist \$50,994.19/annually, hire date of 10/15/2019. Title Changes Only: Ron Koan from Planning and Zoning Director to Community Development and Public Works Coordinator; Mandy Morris from Accountant to Lead Assistant Finance Officer.
- D. Second Reading of Ordinance 631 - Rezoning request #170220A from Agricultural to Highway Service located east of the intersection of Liberty Blvd and Prairie Drive.
- E. Second Reading of Ordinance # 632 - Rezoning request #170220B from Agricultural, Residential, and Highway Service to Mix Use Residential located southeast of the intersection of Liberty Park Drive and Constitution Blvd.
- F. Second Reading of Ordinance # 633 - Rezoning request #170220C from Agricultural to General Residential II located east of the intersection of Prairie Road and Liberty Park Drive.
- G. Authorize the Mayor to sign all related documents for the East Mall Drive Revised H-Lots.

Motion by Hanson to approve Consent Agenda Items A through G. Seconded by Talich. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; Talich-Aye. Unanimous. Motion passed.

NEW BUSINESS

Minor Plat #190178 by Versatile Construction on behalf of Elite Custom Homes LLC for Lot 22AR and Lot 22BR of Block 1 of Raider Point Subdivision more generally described as 324 & 328 Spirit Drive.

Community and Economic Development (CED) Director explained that is minor plat in Raider Point Subdivision; is townhouse where foundation was poured at angle; explained reason to get both lots in order so both lots become legal lots, and lot sizes come up to standards; Planning Commission reviewed and recommended approval of minor plat. Motion by Talich to approve. Seconded by Hanson. Vote: Aye. Unanimous. Motion passed.

Major Amendment #1 to the Fox Borough Planned Development by KTM Design Solutions on behalf of Fox Development Company to reduce lot size requirements for Lots A-D of Block 1 of Fox Borough Subdivision to allow 15 unit dwelling on 0.51 acre +/- (22,215 square foot +/-) ; to allow twenty-foot front yard setbacks on Lots 1A and 1B – 6A and 6B, 7, 8A and 8B, 9, 10A and 10B, 11, 12A and 12B – 17A and 17B of Block 1 and Lots 1-34 of Block 2 of Fox Borough Subdivision, Section 17, T2N, R9R, B.H.M., Box Elder, Pennington County, SD; and for the Public Works Department to determine the location of “No Parking” signs.

CED Director explained that first major amendment Fox bore planned development; he explained the location; he said four lots that platted along to 225th that been identified as four 15-Plex apartment units, units would have shared access, the only two access points of 225th; he said new zoning ordinance requires minimum 2000 square-foot of lot area per dwelling unit, so these lots are too small. He said second item amendment through development had couple different documents submitted into planning and also for review process, one of the documents identified 20-foot front yard setbacks throughout the subdivisions for the townhomes in the single-family, there are some floodplain issues in area—difficult to get whole lot development on that; staff took look at that and recommended approval for 20-foot yard setbacks. The third item amendment of developments allowing “no parking”; original requirement to put “no parking” sign every one hundred feet, doing that with Public Works and looked at it a little bit which will require quite a few signs and the city will be maintaining, Public Works would like to come in and identify the right locations for “no parking” signs to minimize how many have to have long-term; Planning Commission reviewed this and recommended approval of all three items of the major amendment. Hanson asked if ownership okay with this; CED Director said yes. Motion by Hanson to approve. Seconded by Knight. Vote: Aye. Unanimous. Motion passed.

Resolution 19-21 - Petition for Voluntary Annexation for Lots 15-17 of Block 1, Lots 9-14 of Block 3, Lots 9-16 and Lots 27-29 of Block 4, Lots 5-9 and Lots 40-43 of Block 5, and Lots 8-11 of Block 6 and Dedicated Right-of-Way, Freedom Landing Subdivision located in the NW¼ of the SE¼, Section 8, T2N, R9E, B.H.M., Meade County, SD more generally described as being east of the end of Bull Run Drive, Antietam Drive, and Mace Drive.

CED Director explained phase 3 of freedom landing subdivision is located up off of 1 50th St.; final plat approved in May with stipulations that either subdivision improvements were bonded for or were completed; basically when completed with one item on punch list that has to be done, will not file resolution or the final plat until that last item is done so recommend approval of resolution and won't file it with Meade County until last punch list item, file plat first then resolution after. Motion by Hanson to approve contingent on the final punch item being completed. Seconded by Talich. Vote: Aye. Unanimous. Motion passed.

Approve Color Selection for Garbage Service Totes (Color #149, dark gray granite).

Motion by Talich to approve. Seconded by Hanson. Vote: Aye. Unanimous. Motion passed.

Recommend Mayor to approve Applicant Pro which includes per-view assessments testing, onboarding, Applicant Pro premium recruiting, and priced per needed background checks.

Chief Finance Officer (CFO) said item discussed with Finance Committee; able to utilize Applicant Pro before this time and increased recruiting ability at least threefold; able to get last three staff members which were highly qualified applicants, had tough time getting those type of applicants into the city with our prior recruiting capabilities, asking for this to be approved. Motion by Knight to approve. Seconded by Beltran. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; Talich-Aye. Unanimous. Motion passed.

DEPARTMENT HEAD REPORTS

Finance – Nicole Schneider – thinks everyone is aware of the meeting that coming up on the 29th where we will have AE2S here to discuss the water fund, and water rates going into the future...that's the big item were working on right now.

Community and Economic Development – Blaise Emerson – attended groundbreaking of Assent Innovation Development Center located in Rapid City where main fire station East Boulevard in main Street; this is second incubator being developed Rapid City, first one on School of Mines campus; impacts new businesses being created, especially high-tech businesses, VRC metals that moved into the elementary school, they came out of original incubator space, that how they developed that company and grew it to point where can come out into the community; good things to be happening in the region and in area and promote good job growth and high-paying jobs as they come out of those incubators.

Public Works – Bob Kaufman – want to let Council know very appreciative of the snow removal crews efforts last week, first snowstorm it went very well got better handle on what going this year. Some of the staff working on Missouri River pipeline project, we have group from school of mines who were working on project for Western Dakota development corporation to do a presentation on the water and Black Hills region, gist of the report will be presently under normal year cycle the population of the Black Hills area has enough water from the Black Hills to support the needs of the area, in 20 years probably not be case; that growth will start to overcome our ability to produce water, Western Dakota has allocation on the Missouri River, Rapid City has a big allocation on the Missouri River, Lyman Jones has a large allocation on the Missouri River; want to start getting talks going about possibility of creating big pipeline project that brings water from the Missouri out to the Black Hills so can put to use; will be sponsoring this on the 29th in the morning if interested please come and see what happens, not committing anybody to any funding or anything like that, just trying get ball rolling. Next week, Nicole and I and a couple of staff members will be at AWWA Conference trying to improve our water system.

EXECUTIVE SESSION

Pursuant to SDCL1-25-2 to Get Legal Advice Regarding Personnel.

Motion by Hanson to enter into Executive Session. Seconded by Talich. Vote: Aye. Unanimous. Motion passed.

Entered into Executive Session at 7:25 p.m.
Out of Executive Session at 7:34 p.m.
No action taken.

ADJOURNMENT

Motion by Knight to adjourn. Seconded by Hanson. Vote: Aye. Unanimous. Motion passed.
Meeting adjourned at 7:35 p.m.

Seal:

Attest:

Larry Larson
Mayor

Nicole Schneider
City Administrator/Finance Officer

CITY OF BOX ELDER CLAIMS for 10/15/19

AFLAC	\$	1,065.66
B.Y.R.S. LAWN CARE	\$	1,560.00
BAN-KOE SYSTEMS, INC	\$	422.24
BELTRAN, DAWN	\$	75.26
BIERSCHBACH	\$	95.40
BLACK HILLS BUSINESS SOURCE	\$	795.00
BLACK HILLS CHEMICAL & JANITORIAL	\$	11.99
BLACK HILLS ENERGY	\$	4,041.62
BOX ELDER PROMOTIONS	\$	9,762.00
BUILD IT, LLC	\$	1,906.58
CENTURY BUSINESS PRODUCTS, INC	\$	1,215.83
CENTURY LINK	\$	53.90
CORE & MAIN LP	\$	19,070.92
CREDIT COLLECTIONS BUREAU	\$	150.23
DAKOTA PUMP INC	\$	200.00
DELTA DENTAL OF SOUTH DAKOTA	\$	1,685.10
DEPT OF TREASURY- IRS	\$	25,176.32
EPIC OUTDOOR ADVERTISING	\$	450.00
FIRST AMERICAN TITLE COMPANY OF SD	\$	66,997.37
GREAT WESTERN BANK	\$	14,280.94
GREAT WESTERN TIRE	\$	658.75
HEALTH POOL OF SD	\$	20,000.64
HEAVY CONSTRUCTORS, INC.	\$	475,334.74
JENNER EQUIPMENT COMPANY	\$	185.17
KAUFMAN, BOB	\$	363.00
KT CONNECTIONS, INC	\$	510.00
LAMAR COMPANIES	\$	509.16
LS ENTERPRISES, LLC	\$	79,430.68
MASON, CHRIS	\$	363.00
MCKIE FORD LINCOLN, INC.	\$	49.49
MERRILL, DANIEL	\$	363.00
MIDCONTINENT COMMUNICATIONS	\$	551.32
MIDCONTINENT TESTING LABORATORIES, INC	\$	225.00
NEW YORK LIFE	\$	161.00
NORTHWEST PIPE FITTINGS, INC	\$	2,385.11
OFFICE OF CHILD SUPPORT ENFORCEMENT	\$	66.68
PEOPLEREADY INC	\$	469.80
THE PITNEY BOWES RESERVE ACCOUNT	\$	685.00
POWERPLAN OIB	\$	142.92
PURCHASE POWER	\$	503.50
RAPID CITY JOURNAL C/O LEE ENTERPRISES	\$	819.19
REMBOLT ENTERPRISES INC.	\$	1,927.20
SANDER SANITATION	\$	1,108.43
SANFORD LABORATORIES	\$	65.00
SCHNEIDER, NICOLE	\$	363.00

SD PLANNERS ASSOCIATION	\$	100.00
SD STATE TREASURER-UCP	\$	802.04
SDEDA	\$	102,904.34
SDRS SUPPLEMENTAL RETIREMENT PLAN	\$	30.00
SERVALL UNIFORM & LINEN SUPPLY	\$	201.93
SOUTH DAKOTA RETIREMENT SYSTEM	\$	13,258.06
SUMMIT SIGNS & SUPPLY INC.	\$	817.50
TEAMSTERS LOCAL NO. 120	\$	395.50
TEMP VENDOR	\$	197.00
THYSSENKRUPP ELEVATOR CORP	\$	693.67
US BANK NATIONAL ASSOCIATION	\$	37,766.54
USDA, RURAL DEVELOPMENT	\$	8,182.00
WEST RIVER ELECTRIC ASSOCIATION, INC	\$	28,031.94
BONNETT, JOHN	\$	32.36
GATTMANN, WILLIAM/CORINNE	\$	8.89
GRINNELL, VERNON	\$	73.10
HANNON, JORDAN	\$	31.55
J & J ASPHALT CO	\$	2,190.24
JENNINGS, CHRISTOPHER/MIN	\$	0.30
KNUTOWSKI, KIMBERLY	\$	33.76
LAWRENCE, BRIAN	\$	67.52
LOVE'S TRAVEL STOPS	\$	472.51
NESS, CHARLES	\$	27.86
OLSON, DONNA	\$	32.90
PENA, EMILY	\$	11.16
PETERSEN-BROWN , AMY	\$	47.80
ROBERTS, JACQUELINE/NATH	\$	17.29
SCOTT, SHAWN	\$	33.76
SEVENING, KILEY	\$	100.00
SMITH, JAMES	\$	4.30
TSCHETTER, MATHEW	\$	133.88
WARREN, HEATHER/MIKE	\$	22.61
**PAYROLL EXPENSES	\$	103,701.48

TOTAL \$ 1,036,680.93