

COUNCIL PROCEEDINGS

REGULAR

November 5, 2013

7:00 p.m.

A meeting of the City Council, of the City of Gillette, County of Campbell, State of Wyoming, was held on Tuesday the 5th day of November 2013, in the Council Chambers of City Hall, the regular meeting place of said Council in said City, pursuant to due notice and call. The Presiding Officer called the meeting to order and upon roll call the following were found to be present:

Council Members present: Forrest Rothleutner, Louise Carter-King, Robin Kuntz, Ted Jerred, Kevin McGrath, and Council President Opseth.

Council Member absent: Mayor Tom Murphy.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; Pam Boger, Administrative Services Director; Kendall Glover, Utilities Director; Dustin Hamilton, Development Services Director; Jim Hloucal, Chief of Police; Tom Pitlick, Finance Director; Michael Foote, Sustainability Coordinator; Joe Lunne, Public Information Officer; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk.

Thereupon the following proceedings were had and taken. Father Tom Fiske of Holy Trinity Episcopal Church gave the Invocation. The Pledge of Allegiance was led by Councilman Jerred.

The Presiding Officer called for approval of the General Agenda. It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve the General Agenda. Council President Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Carter-King, Kuntz, Jerred, McGrath, Rothleutner, and Council President Opseth. The Presiding Officer declared the motion carried.

The Presiding Officer called for approval of the Consent Agenda. The Consent Agenda consists of the following:

Approval of Minutes

Executive Session - September 30, 2013.

Pre-Meeting - October 21, 2013.

Regular Meeting - October 21, 2013.

Ordinance Second Reading - Consent Agenda

ORDINANCE 13-26

AN ORDINANCE ADOPTING THE GILLETTE PLAN:
2013 COMPREHENSIVE PLAN UPDATE
FOR THE CITY OF GILLETTE, WYOMING

ORDINANCE 13-27

AN ORDINANCE TO APPROVE THE FINAL PLAT OF THE
PRAIRIE FIRE BREWING PLANNED UNIT DEVELOPMENT
IN THE CITY OF GILLETTE, WYOMING,
BY CHANGING THE ZONING CLASSIFICATION FROM C-1, GENERAL COMMERCIAL
DISTRICT TO P.U.D. PLANNED UNIT DEVELOPMENT ZONING DISTRICT

New Business - Bills & Claims

A PLUS TUNE UP AND REPAIR	175.99
AFFILIATES IN COUNSELING	450.00
AIRGAS INTERMOUNTAIN	435.92
ALESHA STARK	136.43
ALICEA FLOATE	122.58
ALSCO	875.79
AMERICAN EQUIPMENT INC	1428.94
AMERICAN TOWING LLC	132.50
AMERICAN WATER WORKS	174.00
ANGELA MCQUARRIE	50.00
ANIMAL MEDICAL CENTER OF	1268.50
ARROW PRINTING AND GRAPHI	216.90
AT & T MOBILITY NATIONAL	3659.20
B & H PHOTO VIDEO PRO-AUD	314.90
BEAR'S NATURALLY CLEAN	558.15
BIG D SANITATION	200.00
BJ NELSON/NELSON AUTO GLA	90.00
BKS ENVIRONMENTAL ASSOCIA	1294.75
BLACK BOX	3000.20
BLACK CAT CONSTRUCTION LL	23606.00
BLACK DIAMOND INVESTIGATI	80.00
BLUE CROSS BLUE SHEILD OF	226,566.68
BNSF RAILWAY	4076.00
BOMGAARS SUPPLY	399.50
BORDER STATES ELECTRIC	26100.00
BREANNA'S BAKERY	39.89
BRENT WILLIAMS	20.00
BRIAN HARTLE	300.00
BRYLEE BARBOUR	90.17
BURNS AND MCDONNELL CORPO	151449.15
BW INSURANCE AGENCY INC	100.00
CAMPBELL COUNTY CHAMBER O	75.25
CAMPBELL COUNTY HOSPITAL	1156.00
CAMPBELL COUNTY PUBLIC HE	120.00
CAMPBELL COUNTY SENIOR CI	1071.00
CAMPBELL COUNTY SHERIFF	300.00
CARTER NAPIER	471.22
CASEY DUWENHOEGGER	62.20
CASPER COLLEGE OFFICE OF	130.00
CASPER STAR TRIBUNE	260.00
CENTURYLINK	275.97
CHARLES OLIVER	145.67
CHARTER MEDIA	302.00
CHORES-N-MORE	346.97
CITY AND COUNTY OF DENVER	300.00
CITY CLERK OFFICE	74714.77
CITY OF GILLETTE	229.38
CITY OF GILLETTE - PETTY	74.94
CLAY JOHNSON	167.11
CLAYTON KEY	60.00
COMPTROLLER OF PUBLIC ACC	34.38

CONTRACTORS SUPPLY INC	2465.33
COORDINATED CARE PARTNERS	280.00
CRAIG BELECKY	300.00
CRAIG FURMAN	100.00
CRAIG STEINBORN	23.85
DANA KEPNER COMPANY INC	571.45
DANIEL KLUVER	300.00
DEPARTMENT OF TREASURY -	416652.56
DESIGN CONSTRUCTION LLC	61646.42
DPC INDUSTRIES INC	5679.23
DRM INC	7520.00
DYNAMIC TRAINING AND CONS	567.00
E Z TOWING & RECOVERY INC	1391.25
EARTH WORK SOLUTIONS	23843.00
ECOBRAMIN.COM INC	61.00
EFLEXGROUP.COM INC	13207.59
ELIZABETH SULLIVAN	107.29
ENERGY LABORATORIES INC	1040.00
ERIC WELTMER	300.00
EXPRESS SCRIPTS INC	25,021.21
FAIRMONT SUPPLY COMPANY	226.10
FEDEX	1047.68
FIREMASTER DEPT 1019	1728.25
FIRST AMERICAN TITLE	32490.10
FORREST ROTHLEUTNER	231.66
FRANDSON SAFETY INC	224.00
FRONTIER CONTROLS CORPORA	10272.00
G C S	605.00
GARNEY WYOMING INC	672432.95
GEORGE SUCHOR	100.00
GILLETTE WINNELSON COMPAN	156.64
GOVCONNECTION	38992.48
GROUPLINK CORPORATION	2997.00
HALL SIGNS	154.80
HD SUPPLY POWER SOLUTIONS	29807.16
HEWLETT PACKARD	3676.11
HKM ENGINEERING	30236.00
HOMAX OIL	65186.09
ICMA RETIREMENT TRUST 401	551.16
ICMA RETIREMENT TRUST 457	13341.72
INTERMOUNTAIN CONSTRUCTIO	45925.88
INTERSTATE COMPANIES INC	1141.58
ITRON INC	30.00
JACKS HEAVY EQUIPMENT	1228.26
JAMES VELA	39.17
JENNIFER IVORY	50.00
JEREMY & KRISTI MALLI	62.67
JEREMY CARNES	147.26
JEREMY HARDER	75.00
JOHN NEEVES	150.00
JOHNSON CONTROLS INC	1562.25
JOSHUA & CANDICE VANDERME	121.88
KAMI KEARNS	115.60

KEITH RING	150.00
KENDALL WIGGER	300.00
KIPLINGER LETTER	99.00
K-MART	16.13
KRIZ-DAVIS COMPANY	5445.77
KUSTOM SIGNALS, INC	663.83
LARRY JEFFERSON	34.11
LEIDOS ENGINEERING LLC	147.00
LISA FINKEY	227.33
LONG BUILDING TECHNOLOGIE	4080.00
M G OIL COMPANY	3334.50
MARK WERNSMANN	300.00
MCM GENERAL CONTRACTORS	27203.84
MIDLAND IMPLEMENT CO INC	320.60
MOLLY BROWN	26.00
MUNICIPAL ENERGY AGENCY O	696257.90
NATIONAL IMPRINT CORPORAT	258.90
ND BOARD OF UNIV & SCHOOL	63.17
NORCO INC	1290.16
NORTH STAR ENERGY & CONST	8185.50
NORTHERN WYOMING COMMUNIT	1244750.00
OCCUPATIONAL TESTING INC	633.00
OFFICE OF STATE LANDS AND	500.68
PAINTBRUSH SEWER & DRAIN	290.50
PATRICIA WALKER	500.00
PCA ENGINEERING INC	14135.65
PETE LIEN & SONS INC	266.27
POKEYS BBQ	752.50
POWDER RIVER CONSTRUCTION	95.00
POWDER RIVER ENERGY CORPO	17303.42
POWDER RIVER OFFICE SUPPL	4551.82
POWER ENGINEERS INC	6194.33
PRIME POWER & COMMUNICATI	5365.00
PROELECTRIC INC	2462.94
RAILROAD MANAGEMENT CO LL	146.16
RAZOR CITY LOCKSMITH LLC	65.50
RICHARD ALFORD	17.64
ROBYN CINTRON	8.30
ROCKY POINT SEAFOOD	186.46
RON & HARMONY JAURE	99.02
SAFETY-KLEEN SYSTEMS INC	159.45
SHAMROCK PIPE TOOLS INC	282.21
SIMON CONTRACTORS	18466.80
SKYLINE GRILLE	290.00
SMITH'S FOOD AND DRUG	29.00
SOLOMON ELECTRIC SUPPLY	2000.00
SOURCEGAS	5757.01
SOUTH DOUGLAS HWY	21.71
SOUTHERN COMPUTER WAREHOU	283.94
SPIEGEL & MCDIARMID LLP	95.00
STATE OF CO-UNCLAIMED PRO	59.89
STATE OF NEW HAMPSHIRE TR	1099.00
STATE OF OKLAHOMA	309.11

STATE OF TENNESSEE, TREAS	10.84
STEPHANIE FELLOWS	29.54
STOTZ EQUIPMENT	123.38
SUSAN LEMPKA	200.00
SWEET DELIVERIES	495.25
TARA SPADE	19.70
THAT EMBROIDERY PLACE	30.00
TIFFANY WATERS	60.84
TOM FORD	60.00
TROY AND MARY LOU GLADSON	1077.00
TYLER TECHNOLOGIES INC	34667.57
VAN ARMSTRONG	162.46
VERIZON WIRELESS	1239.90
WAGONWHEEL ELEMENTARY	100.00
WAL-MART	140.82
WATERWORKS INDUSTRIES INC	4750.00
WELLS FARGO BANK	738.32
WESCO DISTRIBUTION INC	3225.00
WESTERN WASTE SOLUTIONS I	10357.55
WWQ & PCA ASSOC	220.00
WYOMING DEPARTMENT OF HEA	912.00
WYOMING DEPT OF TRANSPORT	211.65
WYOMING STATE BOARD OF VE	300.00
WYOMING STATE TREASURER'S	2155.76
WYOMING WATER SOLUTIONS	175.50
YOUTH EMERGENCY SERVICES	300.00
ZACH NESS	29.56
ZOETIS INC	60.00

It was moved by Councilman Jerred and seconded by Councilwoman Carter-King to approve the Consent Agenda. Council President Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Rothleutner, Carter-King, and Council President Opseth. The Presiding Officer declared the motion carried.

Approval of Conflict Claims

It was moved by Councilman McGrath and seconded by Councilman Rothleutner to approve a conflict claim for Councilwoman Carter-King in the amount of \$4,551.82 to Powder River Office Supply. Council President Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, McGrath, Rothleutner, Kuntz, and Council President Opseth. Councilwoman Carter-King abstained. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve a conflict claim for Councilman Rothleutner in the amount of \$231.66 for travel reimbursement for an Airport Transportation Meeting in Jackson, Wyoming. Council President Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Carter-King, Jerred, Kuntz, and Council President Opseth. Councilman Rothleutner abstained. The Presiding Officer declared the motion carried.

Oral Comments - For the Good of the Community

Council President Opseth proclaimed November 15, 2013, as "America Recycles Day."

Public Information Officer Lunne gave a video presentation of past and upcoming events around the community.

Councilwoman Carter-King expressed "kudos" to the Cam-Plex staff and to the Visitor's Bureau for their efforts in bringing back the Pyrotechnic Guild Association fireworks display to the community.

Public Comments

Council President Opseth asked for public comments. There were none.

Council Reports

Council President Opseth asked for Council reports. There were none.

Written Comments

Council President Opseth asked for written comments. City Clerk Abelseth replied there were none.

Ordinance First Reading

ORDINANCE 13-28

AN ORDINANCE TO AMEND SECTION 3-3 OF THE GILLETTE CITY CODE TO
EXTEND THE REQUIREMENT OF ALCOHOL SERVER TRAINING TO ALL ALCOHOL
SERVER STAFF

It was moved by Councilman Kuntz and seconded by Councilman McGrath to approve the foregoing Ordinance on first reading. Council President Opseth asked for an explanation of the request. City Administrator Napier explained that this Ordinance would expand the scope of the training that is required to include all server staff and managers, and include all liquor establishments, not just restaurants. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carter-King, Kuntz, Jerred, McGrath, and Council President Opseth. The Presiding Officer declared the motion carried.

New Business

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve the Girls Residential Treatment Facility Project Memorandum of Understanding with Campbell County and Youth Emergency Services, Inc. Council President Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Carter-King, Kuntz, Jerred, McGrath, Rothleutner, and Council President Opseth. The Presiding Officer declared the motion carried.

RESOLUTION NO.2439

A RESOLUTION TO APPROVE A DELEGATION AGREEMENT BY AND
BETWEEN THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
AND CITY OF GILLETTE, WYOMING, PURSUANT TO §35-11-304(a)
W.S. 1977, AND DESIGNATING THE CITY ENGINEER AS THE
DELEGATED LOCAL OFFICIAL.

It was moved by Councilman Rothleutner and seconded by Councilman McGrath to approve the foregoing Resolution to approve a delegation agreement by and between the Wyoming Department of Environmental Quality and the City of Gillette, Wyoming, pursuant to Section 35-11-304(a) W.S. 1977, and designating the City Engineer as the delegated local official. Council President Opseth asked for an explanation of the request. City Administrator Napier explained that the relationship between DEQ and the City is such, that DEQ has delegated their review authority to the City so that any public utilities that are constructed can be approved by the City, versus having to go through DEQ for the authorization. The basic nature of that agreement will continue upon passage of this agreement. The major changes are more in line with some of the outdated exhibits and other items within the agreement that needed updating. The agreement specifies that private utilities constructed, that won't come under the ownership of the City, will have to seek authority of the DEQ. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Rothleutner, Carter-King, and Council President Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Kuntz to approve a Memorandum of Understanding between the Gillette Police Department and the Northern Wyoming Community College Police Department. Council President Opseth asked for an explanation of the request. City Administrator Napier explained that this agreement memorializes the agreement between the Gillette Police and the Campus Police, allowing the Campus Police to issue citations that would be heard in Municipal Court. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Jerred, McGrath, Rothleutner, Carter-King, Kuntz, and Council President Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilwoman Carter-King to approve an amendment authorizing the Mayor to sign on behalf of the City of Gillette, Amendment Three to the City's Schedule J Power Supply Contract with the Municipal Energy Agency of Nebraska. Council President Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Rothleutner, Carter-King, Kuntz, Jerred, and Council President Opseth. The Presiding Officer declared the motion carried.

RESOLUTION 2440

A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR
LOTS 2A & 2B, SUNRISE ADDITION TO THE CITY OF GILLETTE,
WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve the foregoing Resolution approving and authorizing the final plat for Lots 2A and 2B, Sunrise Addition to the City of Gillette, Wyoming, subject to all Planning requirements. Council President Opseth asked for an explanation of the request. City Administrator Napier explained that one lot will be subdivided into two lots, and they are located east of the Club Energize Facility. After some discussion, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carter-King, Kuntz, Jerred, McGrath, and Council President Opseth. The Presiding Officer declared the motion carried.

Administrator's Report

Council President Opseth asked for an Administrator's report. City Administrator Napier replied he had nothing to report.

Special Orders of the Day

Council President Opseth opened into a public hearing to solicit citizen views, comments and recommendations regarding a Community Facilities Grant Program Grant Application by the City of Gillette to the Wyoming Business Council, for the Boys and Girls Club of Campbell County. City Administrator Napier opened the discussion to give background information. The idea is the City, as the applicant, would approach the Business Council through the Community Facilities Program to take ownership of the old Lakeview School and make it available for a tenant relationship with the Boys & Girls Club. The request is for \$1,000,000 to provide improvements to the building so it can accommodate the needs of the Boys & Girls Club. The match is being proposed to be provided by the Boys & Girls Club, and not the City of Gillette. The City's exposure in regards to this relationship would be in the ownership of the building, and provide the building on a landlord basis. Mr. Napier went on to say that if the application is not successful, the City will not retain ownership of the building, and the building would be given directly to the Boys & Girls Club from the School District, leaving the City out of the picture. Karla Brandenburg, Board Member, shared the progress and plans of the Boys & Girls Club and the success rate in Campbell County. She informed the group that their plan is to rent a portion of the building as well. Councilwoman Carter-King asked if they could rent to other businesses since they were applying for a grant. Ms. Brandenburg replied that since the grant is for a community facilities building, the Business Council would find it more favorable if other organizations in the community could utilize the building as well. Councilwoman Carter-King asked if the other businesses were youth related, or could any business occupy the building with the Boys & Girls Club. Ms. Brandenburg replied that it could be other businesses, however, that is not who they would be renting to. She went on to say that they would be renting to other youth related businesses. Councilman McGrath asked if the Boys & Girls Club was not successful in obtaining the full amount, would they still be able to retain a portion of the building. Ms. Brandenburg stated that they plan on keeping the building regardless. Councilman Jerred asked if the Boys & Girls Club Organization provides any type of funding or support. Ms. Brandenburg replied the Organization provides program funding; but no operational funding. After the discussion, Council President Opseth closed the public hearing.

RESOLUTION 2441

A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE COMMUNITY FACILITIES GRANT AND LOAN PROGRAM FOR A COMMUNITY FACILITIES GRANT PROJECT ON BEHALF OF THE GOVERNING BODY FOR THE CITY OF GILLETTE, WYOMING

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve the foregoing Resolution to authorize an application for a Community Facilities Grant Program Grant for the Boys and Girls Club of Campbell County and approve the Lakeview School Site Memorandum of Understanding with the Boys & Girls Club of Campbell County and the Campbell County School District. Council President Opseth asked for further discussion. There was none. Roll was called on the motion with the following results. Council

Members voting aye: Carter-King, Kuntz, Jerred, McGrath, Rothleutner, and Council President Opseth. The Presiding Officer declared the motion carried.

Council President Opseth opened into a public hearing for a zoning map amendment for Lot 3, Block 1, Bivens Addition, from R-2, Single and Two Family Residential District, to C-1, General Commercial District. No comments were made and Council President Opseth closed the public hearing.

ORDINANCE 13-29

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 810 EAST 4TH STREET, AND LEGALLY DESCRIBED AS LOT 3, BLOCK 1, BIVENS ADDITION, FROM R-2, SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT TO C-1, GENERAL COMMERCIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve the foregoing Ordinance on first reading. Council President Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Rothleutner, Carter-King, and Council President Opseth. The Presiding Officer declared the motion carried.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:41 p.m. The next regularly scheduled meeting will be Tuesday, November 19, 2013.

Tom Murphy, Mayor

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk

Publication date: November 13, 2013