

COUNCIL PROCEEDINGS

REGULAR

November 19, 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 19th 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: Louise Carter-King, Robin Kuntz, Ted Jerred, Kevin McGrath, Forrest Rothleutner, and Council President Opseth.

Council Member absent: Mayor Tom Murphy.

Staff present: Kendall Glover, Acting City Administrator; Charlie Anderson, City Attorney; Dustin Hamilton, Development Services Director; Wayne Lindgren, Utilities System Analyst; Chuck Deaton, Lieutenant; 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. Reverend Jeremiah Clapper of Living Rock Church gave the Invocation. The Pledge of Allegiance was led by Councilman Kuntz.

The Presiding Officer called for approval of the General Agenda. It was moved by Councilman Rothleutner 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

Work Session - October 29, 2013.

Pre-Meeting - November 5, 2013.

Regular Meeting - November 5, 2013.

Ordinance Third Reading - Consent Agenda

ORDINANCE 3807

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

ORDINANCE 3808

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

Ordinance Second Reading

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

New Business

Approval of a permanent waterline and temporary construction easement for the Gillette Madison Pipeline Project with Terry and Bonnie Gladson c/o Campbell County Abstract Company in the amount of \$22,344.60.

Approval of a permanent waterline and general utility easement for the Gillette Madison Pipeline Project with Kenneth and Vickie Hall c/o Campbell County Abstract Company in the amount of \$9,341.

Approval of a permanent waterline and general utility easement and a temporary construction easement for the Gillette Madison Pipeline Project with the Francis and Elvira Thar Revocable Living Trust c/o Campbell County Abstract Company in the amount of \$5,078.

Approval of a letter agreement with the Municipal Energy Agency of Nebraska (MEAN) for payment of the regulatory independent transmission system operator and transmission adjustment.

Bills and Claims

A & B BUSINESS EQUIPMENT	328.61
AC TREE SERVICE	3500.00
ADECCO EMPLOYMENT SERVICE	203.28
ADRIANA & ROGELIO PARMA	8.44
ALEJANDRA SIERRA-AMAYA	120.35
ALEXIS SHEPARD	41.63
ALICEA FLOATE	48.86
ALSCO	1909.46
ALTEC INDUSTRIES INC	12.12
AMANDA MORRISON	100.00
ANDREW MANSEN	152.72
ANGELA MCQUARRIE	20.00
ANIMAL MEDICAL CENTER OF	734.00
ANISSA ZAMZOW	64.33
ANNA LAND	37.64
ARNOLD MACHINERY CO	401.60
ARROW PRINTING AND GRAPHI	87.90
ASGCO MANUFACTURING INC	364.98
ASSURE CO RISK MANAGEMENT	5000.00
AVOLVE SOFTWARE CORPORATI	74450.00
BASIN RADIO NETWORK	2.04
BENNETT WEBER & HERMSTAD	23250.00
BIG D SANITATION	5012.50
BNSF RAILWAY CO	3501.45
BORDER STATES ELECTRIC	19401.50
BREANNA NILES	71.21
BRENT WILLIAMS	50.00

BRUCE ENGINEERING SERVICE	18486.35
CAMPBELL COUNTY COMMUNITY	5377.00
CAMPBELL COUNTY COOR 3358	930.60
CAMPBELL COUNTY HOSPITAL	165.50
CAMPBELL COUNTY JOINT POW	235331.46
CAMPBELL COUNTY JUVENILE	22759.76
CAMPBELL COUNTY SHERIFF	7000.00
CENTURY 21 REAL ESTATE AS	50.03
CHALK BUTTES LANDSCAPING	21145.21
CHOICE ADVERTISING	677.50
CHRISTOPHER & MYSTERI KOS	49.77
CITY OF GILLETTE - PETTY	64.00
CLARK SAFETY INC MONTE RU	900.00
CLEAN HARBORS ENVIRONMENT	2832.75
CLINTON & JAMIE DENSON	97.92
CODY COMER	76.21
COLLINS COMMUNICATIONS IN	1785.00
CONTRACTORS SUPPLY INC	839.42
CONVERSE COUNTY BANK	2349.46
COOPER POWER SYSTEMS DIVI	31130.76
CPS DISTRIBUTORS	10337.17
CRAIG FURMAN	50.00
CRAIG STEINBORN	70.00
CRAIG'S VENDING	218.50
CRESCENT ELECTRIC SUPPLY	14.33
CRUM ELECTRIC SUPPLY COMP	3713.59
CUES INC	1800.00
CUMMINS ROCKY MOUNTAIN IN	291.44
DALE BUCKINGHAM ARCHITECT	80.00
DANA KEPNER COMPANY INC	555.90
DELL COMPUTER CORP	327.98
DELTA DENTAL OF WYOM 3356	20141.48
DEPARTMENT OF TREASURY -	212953.58
DEVONN & RENE SOSA	84.29
DEX MEDIA WEST	336.08
DONKEY CREEK FESTIVAL	40000.00
DRM INC	685041.18
DRV TECHNOLOGIES INC	1658.50
DUANE BUTCHER	5.91
EARTH WORK SOLUTIONS	13580.00
EARTHCHANNEL COMMUNICATIO	5990.00
EASTSIDE LIQUORS	8.00
ECOBRAMIN.COM INC	13.00
EDGE CONSTRUCTION SUPPLY	353.86
EFLEXGROUP.COM INC	6365.70
ENERGY CLASSIC BASKETBALL	3910.00
ENERGY LABORATORIES INC	360.00
ENTENMANN ROVIN COMPANY	417.40
ESCO SUPPLY	366.27
FAMILY HEALTH	1246.00
FARMER BROTHERS COMPANY	788.26
FASTENAL COMPANY	1181.18
FIRST NATIONAL BANK OF GI	29199.82
FIRST NORTHERN BANK OF WY	26631.93

FOURUM LLC	57.96
FRONTIER CONTROLS CORPORA	1781.70
G & G LANDSCAPING INC	9322.50
GILLETTE ENERGY ROTARY CL	192.50
GILLETTE PRINTING COMPANY	1997.99
GILLETTE ROTARY CLUB	235.25
GILLETTE WINNELSON COMPAN	3925.36
GOURMET ON THE GO LLC	308.00
GRIMM'S PUMP AND INDUSTRI	471.84
HAROLD BACHTOLD	94.84
HD SUPPLY POWER SOLUTIONS	2825.85
HDR ARCHITECTURE INC	166618.74
HDR ENGINEERING INC	61355.34
HEAVEN LINT	250.00
HECKLER & KOCH DEFENSE IN	180.00
HERITAGE HOMES	85.22
HEWLETT PACKARD	18393.74
HKM ENGINEERING	36182.40
HOMAX OIL	3880.90
ICMA RETIREMENT TRUST 401	275.58
ICMA RETIREMENT TRUST 457	6621.21
INNOVYZE INC	1800.00
INTEGRATED INFORMATION SO	700.00
INTER-MOUNTAIN LABS INC	146.00
INTERSTATE COMPANIES INC	934.55
JEFF WORCESTER	200.21
JENNY PICKERNELL	104.74
JILLIAN & BRAULIO OCHOA	75.15
JOHNSON CONTROLS INC	2319.88
KARL THACKER	45.20
KIM MURPHY	75.00
KIMBALL EQUIPMENT COMPANY	1019.66
K-MART	84.12
KRISTIN SMELSER	135.24
KRIZ-DAVIS COMPANY	2827.24
KUSTOM SIGNALS, INC	941.60
LAKER CHEMICAL INC	3575.00
LETICIA RAMIREZ JONES	25.00
LEXISNEXIS MATTHEW BENDER	477.82
LINA & JONATHAN GERKE	165.26
LISA C SMITH	160.75
LISA DEHERRERA	100.00
LOUISE CARTER KING	23.73
MARGARET H BROWN-HEALD	53.13
MARIA TERESA KUHBACHER	32.00
MCM GENERAL CONTRACTORS	63691.72
MEGAN PAXTON	102.02
MFG REMINGTON, LLC	41.43
MID WEST PEST MANAGEMENT	45.00
MIDTOWN MANAGEMENT LLC	355.00
MIKE DERUDDER	9.39
MILES & CAREY SMITH	36.73
MILSOFT INTEGRATED SOLUTI	7660.00
MORRISON MAIERLE INC	52761.60

MOUNTAIN VIEW BUILDING IN	476824.32
NATIONAL IMPRINT CORPORAT	141.45
NEVADA NORTON	27.53
NEWMAN SIGNS INC	103.50
NEWS RECORD	5202.41
NORCO INC	786.92
NORTH STAR ENERGY & CONST	234046.92
ONE CALL OF WYOMING COPR	159.00
ONLINE INFORMATION SERVIC	362.10
PAINTBRUSH SEWER & DRAIN	2075.00
PCA ENGINEERING INC	60718.89
PETE LIEN & SONS INC	432.62
POKEYS BBQ	1421.75
POWDER RIVER CONSTRUCTION	192510.09
POWDER RIVER ENERGY CORPO	124.19
POWDER RIVER OFFICE SUPPL	32.99
PRIME POWER & COMMUNICATI	10005.00
PRO BUILT HOMES INC	7167.00
PROELECTRIC INC	34405.76
RAILROAD MANAGEMENT CO LL	146.16
REDROCK TOWING LLC	125.00
RESOURCE ACTION PROGRAMS	7215.00
RICARDO'S CLEANING, LLC	650.00
RICHIE AULT	11.97
RINGER LAW P.C.	3090.00
RMEL	200.00
ROBIN KUNTZ	14.98
ROCKY MOUNTAIN BUSINESS E	300.00
S & S BUILDERS	65938.90
S D MYERS INC	5340.00
SARAH NEWBERN	215.93
SCOTT SETTLES	220.00
SCRUBS N MORE	113.43
SHANDY WOLFF	40.00
SHAUNA AWBERY	100.00
SHILOH DUGGER	164.67
SOUTHWESTERN EQUIPMENT CO	367.35
SPECTER INSTRUMENTS	395.00
SPRING CREEK DESIGNS	50.00
STANLEY SECURITY SOLUTION	501.88
STEINER THUESEN PLLC	10270.45
STEVE EBERT	389.50
STUART C IRBY CO	608.27
SUNGARD PUBLIC SECTOR INC	66.66
SWEETWATER GAP ENTERPRISE	265.00
TERRY CARR	100.00
THAT EMBROIDERY PLACE	65.96
THE PIN CENTER	6440.00
TOM MURPHY	310.74
TROY DARLINGTON	113.70
TWO M COMPANY INC	311.40
TYLER TECHNOLOGIES INC	13839.31
U S POSTAL SERVICE/HASLER	25000.00
UNDERWRITERS LABORATORIES	1682.00

UNIVERSAL ATHLETIC SERVIC	273.99
UPHOLSTERY BY LADONNA	60.00
USABLUEBOOK	702.22
VAN EWING CONSTRUCTION	121624.00
VISIONARY COMMUNICATIONS	451.88
WALLACE LEASTMAN	257.50
WAL-MART	67.41
WASTE CONNECTIONS OF WYOM	615.87
WATERWORKS INDUSTRIES INC	3180.00
WEBPROS INC	270.00
WESCO DISTRIBUTION INC	24854.40
WESLEY CARROLL	139.32
WEST PLAINS ENGINEERING	455.00
WILLIAM BEDELL	163.70
WWQ & PCA ASSOC	310.00
WYOMING APCO CHAPTER	300.00
WYOMING ASSOCIATION MUNIC	312.00
WYOMING DEPT OF EMPLOYMEN	2425.78
WYOMING DEPT OF TRANSPORT	981.77
WYOMING LAW ENFORCEMENT A	1051.00
WYOMING PRECAST PRODUCTS	1195.00
WYOMING RED ROCK	2800.00
WYOMING SUPREME COURT	6584.18
XEROX CORPORATION	1474.49
ZABEL & ASSOCIATES	1000.00

It was moved by Councilman Jerred and seconded by Councilman McGrath 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 Rothleutner and seconded by Councilman Jerred to approve a conflict claim for Councilwoman Carter-King in the amount of \$56.72 (\$32.99 to Powder River Office Supply and \$23.73 for internet reimbursement). 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 McGrath to approve a conflict claim for Councilman Kuntz in the amount of \$2,814.98 (\$2,800 to Wyoming Red Rock and \$14.98 for internet reimbursement). 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, Rothleutner, and Council President Opseth. Councilman Kuntz 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 Mayor Murphy in the amount of \$310.74 for travel reimbursement to University of Wyoming Art Gala. Council President Opseth asked for discussion. There was none. 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.

Oral Comments - For the Good of the Community

Council President Opseth proclaimed Saturday, November 30, 2013, as "Small Business Saturday."

The Council recognized ConocoPhillips Company for their generosity in granting an easement to the City of Gillette for \$1.00, in lieu of the \$10,888 market value, to benefit the construction of the Gillette Madison Project.

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 Second 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 Councilwoman Carter-King and seconded by Councilman McGrath to approve the foregoing Ordinance on second reading. 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.

New Business

It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approve a parade permit requested by A.B.A.T.E. of NE Wyoming, December 7th, from 2:00 p.m. to 2:30 p.m., to be held on Gillette Avenue for their annual A.B.A.T.E. Toy Store Kick Off. 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.

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve a parade permit requested by Gillette Main Street, December 7th, from 4:00 p.m. to 6:00 p.m., to be held on Gillette Avenue for the 2013 Parade of Lights. 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, Carter-King, Kuntz, and Council President Opseth. The Presiding Officer declared the motion carried.

RESOLUTION 2442

A RESOLUTION SUPPORTING GOVERNOR MEAD'S UNIFIED NETWORK PHASES I AND II PROPOSAL

It was moved by Councilman McGrath and seconded by Councilman Rothleutner to approve the foregoing Resolution supporting Governor Mead's Unified Network Phase I and II proposal. Council President Opseth asked for an explanation of the request. Acting City Administrator Glover explained that Governor Mead supports the advancement of technology and broadband continuity for the entire state of Wyoming, and this Resolution shows the support from the City of Gillette. After the explanation, 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.

It was moved by Councilman Rothleutner and seconded by Councilman McGrath to approve a revised easement to the Campbell County District for a water tank site. Council President Opseth asked for an explanation of the request. Acting City Administrator Glover explained this is an extension of a previous agreement that Council had approved on December 3, 2012. The intention of the Cemetery Board is to install an additional water tank which will improve the effectiveness of their irrigation. The bids for the project were received, and were higher than anticipated; therefore, the Cemetery District is requesting additional time to construct the water tank. 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.

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve a quitclaim deed to the Campbell County Cemetery District to resolve discrepancies in the boundary of the Mount Pisgah Cemetery. 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.

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to accept subdivision improvements for the Westover Hills Subdivision, Phase IV, installed by Mountain Peak Builders, LLC, on behalf of the developers, Gary and Trana Johnson. Council President Opseth asked for an explanation of the request. Acting City Administrator Glover explained that the request involves 158 linear feet of 8" PVC water main, 945 square yards of 6" concrete paving, and 326 linear feet of concrete curb and gutter. After the explanation, 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 Councilman Jerred and seconded by Councilman Rothleutner to approve a bid award for the material procurement of storm sewer box culvert associated with the Gillette Avenue Improvement Project to Cretex Concrete Products in the amount of \$239,356. Council President Opseth asked for discussion. Councilman Jerred asked if the bid award is being considered at this time so there will be no waiting on these materials when the Gillette Avenue project begins. Acting City Administrator Glover confirmed that was correct. Councilman Jerred asked if the staging area had been determined. Development Services Hamilton stated they were

currently working with the Fire Department to possibly use the north end of Fire Station 1 since this is in close proximity to the site. After the discussion, 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.

RESOLUTION 2443

A RESOLUTION APPROVING AND AUTHORIZING
THE FINAL PLAT FOR THE RESUBDIVISION OF LOT 2D, EAST
LAKEWAY SUBDIVISION 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 the re-subdivision of Lot 2D, East Lakeway Subdivision to the City of Gillette, Wyoming, subject to all Planning requirements. 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.

Administrator's Report

Council President Opseth asked for an Administrator's report. Acting City Administrator Glover 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 Business Ready Community Planning Grant for the Gillette Broadband Study by the City of Gillette to the Wyoming Business Council. Acting City Administrator Glover explained that this is a broadband study within the city limits and the county, to ensure that we can facilitate all commercial growth needs; it will allow for the hiring of a consultant to determine what the local business needs are, what the interests from the local residential market may be, and to have a master plan that will sync well with the State's efforts to provide faster speeds and larger broadband opportunities. Mark Hines, DOWL HKM, reported that his company is in support of the grant application. No further comments were made and Council President Opseth closed the public hearing.

RESOLUTION 2444

WHEREAS, the City of Gillette wishes to ready the community for new business development through economic or educational development projects which may include telecommunications services, such as the availability of significant fiber optic bandwidth infrastructure to serve the needs of modern business; and,

WHEREAS, the City of Gillette Broadband Study will provide recommendations to the Gillette City Council to most efficiently encourage and promote fiber optic bandwidth development to support local business technology; and,

WHEREAS, the City of Gillette intends to submit an application to the Wyoming Business Council for a Business Ready Community Planning Grant for the Gillette Broadband Study;

NOW, THEREFORE, BE IT RESOLVED by the City of Gillette, to approve an application to the Wyoming Business Council for a \$50,000 Business

Ready Community Planning Grant for the Gillette Broadband Study. The Total project is for \$85,000 and the Campbell County Economic Development Corporation is partnering with the City to provide the \$35,000 local match. The Mayor and the City Administrator are authorized to execute project related documents on behalf of Gillette.

It was moved by Councilman McGrath and seconded by Councilman Jerred to approve the foregoing Resolution regarding a Business Ready Community Planning Grant for the Gillette Broadband Study by the City of Gillette to the Wyoming Business Council. Council President Opseth asked for further discussion. There was none. 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.

Executive Session

It was moved by Councilman McGrath and seconded by Councilman Jerred to move into an Executive Session to discuss personnel. 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.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:21 p.m. The next regularly scheduled meeting will be Tuesday, December 3, 2013.

John Opseth, Council President

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk

Publication date: November 27, 2013