

COUNCIL PROCEEDINGS

REGULAR

September 2, 2014

7:05 p.m.

A meeting of the City Council, of the City of Gillette, County of Campbell, State of Wyoming, was held on Tuesday the 2nd day of August 2014, 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: Tim Carsrud, Louise Carter-King, Ted Jerred, Robin Kuntz, Kevin McGrath, Forrest Rothleutner, and Mayor John Opseth.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; Kendall Glover, Utilities Director; Jim Hloucal, Chief of Police; Larry Manning, Planning Manager; Kurt Siebenaler, City Engineer; Geno Palazzari, PEG Manager; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk.

Invocation

Thereupon the following proceedings were had and taken. Pastor Ron Merritt of Cornerstone Church of God gave the Invocation.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilwoman Carter-King.

Approval of General Agenda

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

Approval of Minutes

Work Session - August 12, 2014.  
Pre-Meeting - August 19, 2014.  
Regular Meeting - August 19, 2014.

Ordinance Third Reading

ORDINANCE 3838

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP  
OF THE CITY OF GILLETTE, WYOMING, FOR UNPLATTED PROPERTY  
GENERALLY LOCATED AT 1500 MOONSHINER LANE, LEGALLY DESCRIBED AS A  
PORTION OF THE SW1/4 SW1/4 SECTION 29, T50N, R72W OF THE SIXTH  
PRINCIPAL MERIDIAN, CAMPBELL COUNTY, WYOMING, FROM R-1, SINGLE  
FAMILY RESIDENTIAL DISTRICT, TO R-S, SUBURBAN RESIDENTIAL  
DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

New Business - Consent Agenda

Bills & Claims

A & B BUSINESS EQUIPMENT	315.82
ADECCO EMPLOYMENT SERVICE	816.96
ADVANCED CUTTING TECHNOLO	1,770.00
AFFORDABLE AUTO	340.00

AIR TECH INC	393.50
AIRGAS INTERMOUNTAIN	41.29
ALSCO	1,497.00
AMANDA MORRISON	50.00
ARROW PRINTING AND GRAPHI	170.00
ASSURE CO RISK MANAGEMENT	500.00
AT & T MOBILITY NATIONAL	3,424.08
B & H PHOTO VIDEO PRO-AUD	3.99
BALFOUR BEATTY INFRASTRUC	266.90
BEAR'S NATURALLY CLEAN	535.25
BENNETT WEBER & HERMSTAD	875.00
BIG HORN HOLDINGS, INC	1,100.00
BLACK HILLS POWER & LIGHT	197,890.28
BLACK HILLS POWER & LIGHT	12,339.00
BLUE CROSS BLUE SHEILD OF	33,888.09
BLUE CROSS BLUE SHEILD OF	183,075.14
BOB DEGEN PLUMBING	360.00
BOMGAARS SUPPLY	399.50
BOYS AND GIRLS CLUB OF CA	33,500.00
BREANNA'S BAKERY	14.25
BRENNA & JASON PRESTIEN	71.98
CAMPBELL COUNTY CHAMBER O	150.75
CAMPBELL COUNTY COORDINAT	940.50
CAMPBELL COUNTY COORDINAT	135.00
CAMPBELL COUNTY HOSPITAL	315.00
CAMPBELL COUNTY PUBLIC HE	255.00
CAMPBELL COUNTY PUBLIC LA	727.00
CAMPBELL COUNTY SENIOR CI	1,207.00
CAMPBELL COUNTY SHERIFF	7,550.00
CATHY BARNEY	100.00
CENTURYLINK	2,774.69
CERTIFIED LABORATORIES	305.40
CHARTER MEDIA	402.95
CHILDREN'S HOME SOCIETY	125.00
CITY OF GILLETTE	250.00
CITY OF GILLETTE	107.88
CITY OF GILLETTE	200.00
CITY OF GILLETTE - PETTY	124.06
CLINTON LADD	247.00
CNA SURETY	100.00
COLLINS COMMUNICATIONS IN	7,692.33
CONTRACTORS SUPPLY INC	4,090.28
CPS DISTRIBUTORS	6,604.17
CRAIG FURMAN	50.00
CRESCENT ELECTRIC SUPPLY	18,350.87
CRUM ELECTRIC SUPPLY COMP	1,531.00
DALTON LATHAM	106.17
DANA KEPNER COMPANY INC	25,675.12
DAVE GROSS	100.00
DELL COMPUTER CORP	545.99
DESERT MOUNTAIN CORPORATI	17,585.66
DPC INDUSTRIES INC	14,775.62
EDGE CONSTRUCTION SUPPLY	853.74
ELECTRICAL SPECIALISTS	81.91
ENERGY LABORATORIES INC	298.00
ERIC BOWMAN	14.61
ERICA MILLS	121.27
EXPRESS SCRIPTS INC	19,436.11
EXPRESS SCRIPTS INC	20,939.74
EXPRESS SCRIPTS INC	9,265.85

FARMER BROTHERS COMPANY	1,827.93
FASTENAL COMPANY	11.35
FERGUSON ENTERPRISES, INC	9,799.93
FIRST AMERICAN TITLE	125.00
FLAGSHOOTER LLC	681.92
FLORENCE CERVANTES	154.36
FRANDSON SAFETY INC	96.00
FREDERICK DEPRY	200.00
G C S	275.00
GARNEY WYOMING INC	1,085,607.47
GARY MOSS	527.00
GENO PALAZZARI	524.00
GEORGE SUCHOR	40.00
GILLETTE COLLEGE	83,750.00
GILLETTE ENERGY ROTARY CL	192.50
GILLETTE PET VET CLINIC	200.00
GILLETTE PRINTING COMPANY	186.99
GILLETTE WINNELSON COMPAN	37.86
GLENDA BRANDT	100.00
GOOGLE INC	14.58
GOVCONNECTION	1,390.59
GRANITE PEAK BUILDERS	148.81
GW CONSTRUCTION, LLC	6,676.88
HACH COMPANY	1,438.21
HD SUPPLY POWER SOLUTIONS	66,999.41
HELSMAN MANAGEMENT SERVIC	150.00
HIGH GLASS WINDOW CLEANER	2,023.00
HOMAX OIL	61,011.81
INTEGRITY PAINTING	8,100.00
INTERMOUNTAIN CONSTRUCTIO	13,456.50
IT OUTLET INC	2,136.00
JAIME REYNOLDS	886.50
JASON GUO	163.62
JESUS & KARINA ALMARAZ	65.49
JLC SIGN SYSTEMS INC	993.50
JOHN'S WELDING	280.00
KATHRYN JOHNSTON	74.82
KATHY DILLIE	87.05
KATHY HANSON	60.00
KIP JUNKER	177.50
KRIZ-DAVIS COMPANY	433.15
LETICIA RAMIREZ JONES	40.00
LEVI KREHMEYER & LICO SIF	380.00
LISBETH ROGERS	47.64
MARIA LORENA MOSLEY	134.35
MCM GENERAL CONTRACTORS	82,167.53
MINNESOTA MUNICIPAL UTLIT	490.00
MUNICIPAL ENERGY AGENCY O	875,429.85
NANCY STOLPE	150.00
NATHAN & STEPHANIE MUSIAK	62.68
NEVE'S UNIFORM INC	10,645.11
NEWMAN SIGNS INC	1,444.50
NEWS RECORD	337.70
NORCO INC	5,083.96
OCCUPATIONAL TESTING INC	1,751.00
OFFICE OF STATE LANDS AND	617.00
ONE CALL OF WYOMING COPR	409.50
PATTI DAVIDSMEIER	393.62
PC NATION	2,421.00
PCA ENGINEERING INC	1,338.50

PINKERTON CONSULTING & IN	356.95
POWDER RIVER ENERGY CORPO	41,246.60
POWDER RIVER MOWING LLC	1,148.55
POWDER RIVER OFFICE SUPPL	1,353.90
PRIME POWER & COMMUNICATI	12,430.00
PROELECTRIC INC	2,337.50
RAILROAD MANAGEMENT CO LL	530.45
RECREATION SUPPLY COMPANY	334.37
REGULATORY COMPLIANCE SER	395.00
RINGER LAW P.C.	5,060.25
ROCKY MOUNTAIN BUSINESS E	14.34
S D MYERS INC	42.00
SARGENT DRILLING COMPANY	17,021.86
SHAWN LINGO	51.19
SKYLAR MOSER	150.00
SOURCEGAS	5,589.43
SOUTHERN COMPUTER WAREHOU	8,188.75
STUART C IRBY CO	478.69
SUNGARD PUBLIC SECTOR INC	73.98
SUSAN LEMPKA	200.00
TAMARA WEAVER	77.14
THAT EMBROIDERY PLACE	21.60
TRECOBY SERVICES	141.73
TRUGREEN CHEMLAWN	6,505.25
TWO M COMPANY INC	791.45
TYLER TECHNOLOGIES INC	21,702.62
U S POSTAL SERVICE/HASLER	35,000.00
UMB BANK	95,403.19
VERIZON WIRELESS	1,259.22
WAL-MART	490.74
WESCO RECEIVABLES CORP	1,442.10
WYOMING ASSOCIATION MUNIC	15.00
WYOMING DEPT OF EMPLOYMEN	5,647.66
WYOMING RED ROCK	405.00
WYOMING RENTS LLC	363.15
WYOMING WATER SOLUTIONS	155.25
WYOPASS	250.00
WYOSTAR	9,138.00

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

#### Approval of Conflict Claims

It was moved by Councilman Jerred and seconded by Councilman Carsrud to approve a conflict claim for Councilwoman Carter-King in the amount of \$1,353.90 to Powder River Office Supply. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Carsrud, and Mayor 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 \$405 to Wyoming Red Rock. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following result. Council Members voting aye: McGrath, Rothleutner,

Carsrud, Carter-King, Jerred, and Mayor Opseth. Councilman Kuntz abstained. The Presiding Officer declared the motion carried.

#### Oral Comments

The Mayor and Council recognized Ryan Warne for his promotion to Corporal on June 22, 2014.

The Mayor and Council recognized Officer Traverse, Officer Parker, and Officer Foutch as recipients of the Gillette Police Department's Life Saving Award.

Mayor Opseth proclaimed the week of September 8 - 14, 2014, as National Suicide Prevention Week.

#### For the Good of the Community

PEG Manager Palazzari gave a video presentation of past and upcoming events around the community.

#### Public Comments

Mayor Opseth asked for public comments. There were none.

#### Council Reports

Mayor Opseth asked for Council reports. There were none.

#### Written Comments

Mayor Opseth asked for written comments. There were none.

#### Ordinance Third Reading

##### ORDINANCE 14-25

##### AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GILLETTE, WYOMING, TO ADD SECTION 7 c. (9), RECREATIONAL VEHICLES IN A MOBILE HOME PARK

It was moved by Councilwoman Carter-King and seconded by Councilman Kuntz to approve the foregoing Ordinance on third and final reading. Mayor Opseth asked for discussion. Ginger Peet, Crazy Woman Campground, and Olin McIntosh, All Seasons RV Park, both spoke to the Council of their opposition to the foregoing Ordinance. After the discussion, Councilman Kuntz moved to table the Ordinance until the September 16, 2014, meeting to give Council additional time to review the information that was presented. Councilman McGrath seconded the motion to table. Roll was called on the motion to table with the following results. Council Members voting aye: Rothleutner, Carsrud, Carter-King, Jerred, Kuntz, McGrath, and Mayor Opseth. The Presiding Officer declared the motion carried and the Ordinance tabled until the September 16, 2014 meeting.

#### Ordinance Second Reading

##### ORDINANCE 14-27

##### AN ORDINANCE TO RECODIFY AND GENERALLY REVISE CHAPTER 9 OF THE GILLETTE CITY CODE TO REVISE THE PROCEDURES AND FEES GOVERNING THE COLLECTION OF GARBAGE, REFUSE, AND OTHER WASTE MATERIAL

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the foregoing Ordinance on second reading.

Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, McGrath, Rothleutner, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### New Business - General Agenda

It was moved by Councilwoman Carter-King and seconded by Councilman Carsrud to approve a street closure on Gillette Avenue between Second Street and Fourth Street, and on Third Street from Kendrick Avenue west to the alley between Gillette Avenue and Warren Avenue, on September 20th from 1:00 p.m. to 9:00 p.m. for Gillette Brewfest 2014, requested by the Gillette Main Street Committee. Mayor Opseth asked for discussion. Tara Stoneking, Board Member of the Gillette Main Street Committee, requested that the time of the street closure begin at 9:00 a.m. After the discussion, Councilman McGrath moved to amend the time of the street closure to reflect a beginning time of 9:00 a.m. Councilman Rothleutner seconded the motion. Roll was called on the amendment with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Carsrud, Carter-King and Mayor Opseth. The Presiding Officer declared the motion to amend carried. Roll was called on the original motion with the following results. Council Members voting aye: Carter-King, Jerred, Kuntz, McGrath, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Office declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve a malt beverage permit requested by the Gillette Main Street Committee for Gillette Brewfest 2014 to be held on September 20th from 1:00 p.m. to 7:00 p.m., which will include outdoor music. Mayor Opseth asked for discussion. Tara Stoneking explained the upcoming brewfest activities. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Rothleutner, Carsrud, Carter-King, Jerred, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman McGrath to approve a professional services agreement for design and bidding services associated with the WWTF Aeration Basin and Final Clarifier Painting Project with Morrison-Maierle in the amount of \$27,718. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Rothleutner, Carsrud, Carter-King, Jerred, Kuntz, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### RESOLUTION 2480

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION  
TO THE BUSINESS READY COMMUNITY GRANT AND LOAN  
PROGRAM FOR A COMMUNITY READINESS GRANT, IN THE AMOUNT OF  
\$2,000,000 ON BEHALF OF THE GOVERNING BODY FOR THE CITY  
OF GILLETTE, WYOMING

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the foregoing Resolution authorizing submission of an application to the Business Ready Community Grant and Loan Program for a community readiness grant, in the amount of \$2,000,000 on behalf of the Governing Body for the City of Gillette, Wyoming. Mayor Opseth asked for an explanation of the request. City Administrator Napier explained that the City is hoping to receive a \$2,000,000 grant with regard to this project. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Rothleutner,

Carsrud, Carter-King, Jerred, Kuntz, McGrath, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### RESOLUTION 2481

A RESOLUTION INITIATING ANNEXATION OF A TRACT OF LAND  
CONTIGUOUS TO THE CITY OF GILLETTE, WYOMING, PURSUANT TO  
W.S. 15-1-403 AND 15-1-405, KNOWN AS THE BILLY BOB  
ANNEXATION AND ESTABLISHING A PUBLIC HEARING DATE OF  
OCTOBER 7, 2014 FOR THE ANNEXATION PUBLIC HEARING

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the foregoing Resolution initiating annexation of a tract of land contiguous to the City of Gillette, Wyoming, pursuant to W.S. 15-1-403 and 15-1-405, known as the Billy Bob Annexation, and establishing a public hearing date of October 7, 2014 for the annexation public hearing. Mayor Opseth asked for discussion. Councilman McGrath asked that a street address be a part of the legal description within the notices in regard to annexations. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, McGrath, Rothleutner, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Carsrud to approve a bid award for the Maple Avenue Culvert Replacement Project to S&S Builders, LLC, in the amount of \$414,445.50 (1% Project). Mayor Opseth pointed out that this is a 1% project and then asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Carter-King, Jerred, Kuntz, McGrath, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve a professional services agreement for design and bidding services associated with the PMS 2015 Schedule B Project with PCA Engineering, Inc., in the amount of \$65,600 (1% Project). Mayor Opseth pointed out this is a 1% project and asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Carsrud, Carter-King, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### Administrator's Report

Mayor Opseth asked for an Administrator's report. City Administrator Napier reported he had nothing to report.

#### Special Orders of the Day

Mayor Opseth opened into a public hearing for the consideration of a restaurant liquor license requested by IBLA, LLC, d.b.a. I Siciliani Italian Restaurant located at 2700 S. Douglas Hwy. No comments were made and the public hearing closed.

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve a restaurant liquor license requested by IBLA, LLC, d.b.a. I Siciliani Italian Restaurant located at 2700 S. Douglas Hwy. Mayor Opseth asked for discussion. Councilman Jerred asked when the restaurant would be open for business. Luis A. Robles, owner of IBLA, LLC, stated that the restaurant would be open at the end of October. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Rothleutner, Carsrud, Carter-King, Jerred, and Mayor Opseth. The Presiding Officer declared the motion carried.

Mayor Opseth opened into a public hearing for the final plat for the Rolling Hills P.U.D. (Planned Unit Development), in the City of Gillette, Wyoming, by changing the zoning classification from R-4, Multi-family Residential District, to P.U.D., Planned Unit Development District. No comments were made and Mayor Opseth closed the public hearing.

ORDINANCE 14-28

AN ORDINANCE TO APPROVE THE FINAL PLAT  
OF THE ROLLING HILLS P.U.D. (PLANNED UNIT DEVELOPMENT),  
IN THE CITY OF GILLETTE, WYOMING, BY CHANGING  
THE ZONING CLASSIFICATION FROM R-4, MULTI-FAMILY RESIDENTIAL  
DISTRICT, TO P.U.D., PLANNED UNIT DEVELOPMENT ZONING DISTRICT

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

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:55 p.m. The next regularly scheduled meeting will be Tuesday, September 16, 2014.

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John Opseth, Mayor

(S E A L)

ATTEST:

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Karlene Abelseth, City Clerk  
Publication Date: September 10, 2014