

COUNCIL PROCEEDINGS

REGULAR

March 1, 2016

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 1st day of March 2016, 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: Kevin McGrath, Robin Kuntz, Dan Barks, Ted Jerred, Billy Montgomery, and Mayor Carter-King.

Council Member absent: Tim Carsrud.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; John Aguirre, Human Resource Director; Pam Boger, Administrative Services Director; Patrick Davidson, Asst. City Attorney; Kendall Glover, Utilities Director; Dustin Hamilton, Development Services Director; Tom Pitlick, Finance Director; Sawley Wilde, Public Works Director; Chuck Deaton, Lieutenant; Geno Palazzari, Communications Manager; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk

Thereupon the following proceedings were had and taken:

Invocation

The Invocation was given by Deacon Kim Carroll of St. Matthew's Catholic Church.

Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop #103.

Approval of General Agenda

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve the General Agenda. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

Approval of Minutes

Work Session - February 9, 2016.

Pre-Meeting - February 16, 2016.

Regular Meeting - February 16, 2016.

Ordinance Third Reading - Consent Agenda

ORDINANCE 3883

AN ORDINANCE PROVIDING FOR THE VACATION
OF TWO 20 FOOT WIDE GENERAL UTILITY EASEMENTS LOCATED WITHIN THE
WYOBIRD ANNEXATION PLAT, AS SHOWN ON THE EXHIBIT "A" MAP, IN THE
CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

Ordinance Second Reading

ORDINANCE 16-03

AN ORDINANCE APPROVING AND AUTHORIZING THE AMENDED CONDOMINIUM
PLAT OF BIG TOY STORAGE OF BUILDING "A" TO THE CITY OF GILLETTE,
WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

ORDINANCE 16-04

AN ORDINANCE PROVIDING FOR THE REPEAL OF ORDINANCE NO. 3711 WHICH
APPROVED AND AUTHORIZED THE CONDOMINIUM PLAT FOR BIG TOY STORAGE,
BUILDING B, LOCATED ON A PORTION OF LOT 2, MOON MEADOW ESTATES
SUBDIVISION #5 TO THE CITY OF GILLETTE, WYOMING,
SUBJECT TO ALL PLANNING REQUIREMENTS

New Business - Consent Agenda

Approval for the interim appointment of Jim Edwards as Municipal
Court Judge for March 8, 2016.

Bills & Claims

WYOMING DEPT OF TRANSPORTATION	4.00
BURLINGTON NORTHERN SANTA FE	4,060.00
ROMERO, ISAIN	202.77
WYOMING DEPT OF TRANSPORTATION	14.00
AGUAYO, JOSE	207.04
AIR TECH INC	558.00
AIRGAS INTERMOUNTAIN	514.79
ALSCO	1,031.17
ALTEC INDUSTRIES INC	68,252.00
AMERICAN RED CROSS OF WYOMING	18,000.00
AMERICAN WELDING & GAS INC	23.45
ANIMAL MEDICAL CENTER OF WYOMING LLC	844.50
ANIXTER POWER SOLUTIONS	5,942.53
ASSURE CO RISK MANAGEMENT & REGULATOR COMPLIANCE	500.00
AT & T MOBILITY NATIONAL ACCOUNTS	3,117.81
AVI SYSTEMS	46,587.14
AVP CONSULTING LLC	662.41
B & H PHOTO VIDEO PRO-AUDIO	799.99
BAINTER, DENISE & JOHN	205.87
BARRIENTOS, ELDER	114.78
BEARDSLEY, SHAYNA	206.67
BIG D SANITATION	1,110.00
BIG D SANITATION CORP	100.00
BLACK CAT CONSTRUCTION LLC	20,732.39
BMI SYSTEMS GROUP	595.00
BORDER STATES ELECTRIC	29,179.48
BRANNAN, AMANDA	205.82
BRENNTAG PACIFIC, INC	9,869.03
BUNESS, CHEYENNE	205.84
BURNS AND MCDONNELL CORPORATION	263,776.09
CALIBRATION TECHNICIANS & SUPPLY INC	94.85
CAMEL TOWING LLC	80.00
CAMPBELL COUNTY PUBLIC LAND BOARD CAMPLEX	58,480.54
CAMPBELL COUNTY HOSPITAL DISTRICT	96.00
CAMPBELL COUNTY ENGINEERS	68,527.28

CAMPBELL COUNTY SHERIFF	10,875.00
CARLSON, MORGAN	206.45
CCA POWDER BASIN SHOPPING CNTR	342.79
CHARTER MEDIA	400.00
CHILDREN'S HOME SOCIETY	125.00
CHOICE ADVERTISING	985.27
CITY OF GILLETTE - PETTY CASH	3,057.00
CLAW, LLC	413.30
CLINE, KRISTIN A	206.48
COLLECTION PROFESSIONALS GILLETTE	123.65
COLLINS COMMUNICATIONS INC	354.55
COLTRANE, BRAD & MARY	76.06
CONCRETE ASSOCIATION OF WYOMING	175.00
CONSOLIDATED ENGINEERS INC	1,400.60
CONTRACTORS SUPPLY INC	7,090.19
CONTROLSOFT INC	1,900.00
CORONADO, ANDRES	207.22
COSTELLO, SETH	206.37
CRESCENT ELECTRIC SUPPLY	4,353.56
CRETEX CONCRETE PRODUCTS WEST INC	3,891.20
CTA INC	9,370.30
CUES INC	204.69
DALE BUCKINGHAM ARCHITECTS LLC	1,215.00
DANA KEPNER COMPANY INC	296.75
DELL MARKETING LP	36,750.00
DEPARTMENT OF ENERGY	68,181.27
DESERT MOUNTAIN CORPORATION	11,760.00
DIAZ, OCTAVIO	206.36
DOOP, JESSE	206.41
RICHARD DOUGLAS DUMBRILL	4,380.00
DOWL LLC	78,173.20
DOWL	411.68
DPC INDUSTRIES INC	100.00
DRM INC	49,085.38
DXP ENTERPRISES INC	502.80
E A SWEEN/DELI EXPRESS	411.70
E Z TOWING & RECOVERY INC	130.00
EMPLOYMENT TESTING SERVICES INC	468.00
ENERGY LABORATORIES INC	87.50
ENERGY SHARE OF WYOMING	439.74
ESC ENGINEERING, INC	2,140.00
ETERNITY RENTALS	25.22
EVERETT, ROBERT	205.97
FAMILY HEALTH	115.00
FARMER CO-OP	13,707.91
FEDERAL EXPRESS CORPORATION	533.00
FIRST INTERSTATE BANK OF GILLETTE	124,904.20
CRAIG FURMAN	100.00
GARCIA, EMANUAL ZUBIA	206.80
GARCIA, LUIS	207.13
GILLETTE GOLF CLUB CORPORATION	25,000.00
GILLETTE MAIN STREET	20,000.00
GILLETTE WINNELSON COMPANY	1,075.00
GILLIAM CONSTRUCTION	411.73

GOVCONNECTION	521.08
GW CONSTRUCTION, LLC	1,390.00
HALBROOK, TIANNA	206.77
HANSEN, TREY	143.66
HD SUPPLY WATERWORKS LTD	3,082.37
HERNANDEZ, ERIK	206.76
HILAND CRUDE LLC	411.74
HILL, ANGELA	206.67
HOMAX OIL	1,598.00
HOMES & MORE, CLASSIFIEDS & MORE	349.00
HUTTON, LEVI	206.09
ICMA	1,400.00
INTER-MOUNTAIN LABS INC	126.00
ITRON INC	1,959.53
JEWELL, MATTHEW	206.16
JLC SIGN SYSTEMS INC	27.00
JOHNSON CONTROLS INC	9,506.50
JOHNSON, BEN	206.61
KENNEDY, MATTHEW T	206.08
KIRKMAN, TOM	75.44
KONE INC	1,925.76
KRAMER, CLINT	67.86
KRIZ-DAVIS COMPANY	5,692.30
LAYNE CHRISTENSEN COMPANY	397,543.50
LEADER'S EDGE CONSULTING	2,682.49
LETZRING, JIM	414.21
LONG BUILDING TECHNOLOGIES	21,810.00
LOVETT, RENA	176.56
MCM GENERAL CONTRACTORS	18,119.16
MERRITT, DANIEL	92.62
MERRITT, DANIEL	202.79
ALEX SAMKOVICH	100.00
ASHLEY WILSON	375.00
CARTER NAPIER	140.40
CRYSTAL SALMON	65.00
LEVI JENSEN	95.00
LORIE BROWN	100.00
WAL-MART	41.86
CCH	937.74
CHRISSY BUNN	150.72
CINDELIN MCCALLUM-PORTER	50.00
CITY CAB COMPANY	40.00
DIVISION OF VICTIM SERVICES	513.53
FIRST NATIONAL BANK	200.00
GRISWOLD SPRAYING	500.00
HONG KONG	100.00
SCOTT SETTLES	250.00
SHANNON JOURNEAU	200.00
SHAY FOLLUM	350.00
SQUAW VALLEY APARTMENTS	200.00
TONJA SLATER	100.00
UPS	150.00
VALERIE DOUGHERTY	200.00
ODD FELLOWS HALL	598.75

MITTLIEDER, TIFFANY	137.69
MUNICIPAL TREATMENT EQUIPMENT	750.69
MURCIA, ANA	66.96
NEVE'S UNIFORM INC	894.38
NEWMAN SIGNS INC	2,007.65
NEWS RECORD	2,682.19
NORCO INC	227.11
NORTHWEST LINEMAN COLLEGE	560.00
ONE CALL OF WYOMING COPR	163.75
ONLINE INFORMATION SERVICES INC	297.24
ORTEGA, JESUS	206.28
PAINTBRUSH SEWER & DRAIN	120.00
PARKSIDE APTS	171.65
PC NATION	2,363.34
PCA ENGINEERING INC	7,245.40
PEEK TRAFFIC CORPORATION	66.28
PERISCOPE HOLDINGS, INC	1,895.00
POKEYS BBQ	475.50
PORTER, JOSH & AMY	207.03
POWDER RIVER ENERGY CORPORATION	6,297.60
POWDER RIVER OFFICE SUPPLY INC	312.84
PRO BUILT HOMES INC	375.00
PROELECTRIC INC	10,245.11
PULS, WENDY & COLTER	207.19
QUALITY LAND HOLDINGS LLC	110.64
QUEZADA, KEVIN	206.49
REAM, DONALD	39.64
RECORD STEEL AND CONSTRUCTION, INC	507,240.00
RED HILLS VETERINARY HOSPITAL	977.00
RED HILLS VETERINARY HOSPITAL	411.84
RESOURCE SOFTWARE INTERNATIONAL LTD	600.00
RINGER LAW P.C.	4,360.00
RMEL	200.00
ROCKY MOUNTAIN BUSINESS EQUIPMENT LLC	585.00
RODRIQUEZ, KANDY	207.02
SA WAT DEE GROUP	67.32
SAFEGUARD PROPERTIES	156.86
SAFETY SOLUTIONS	1,135.00
SCANTLIN, DAVID	205.95
SCHIMMEL, CRISTINA	205.81
SCHRINER, SHAWN	31.73
SEALES, CHRISTOPHER	206.49
SIMON CONTRACTORS	8,926.75
SIMPSON'S PRINTING	2,224.00
SINDELAR, MIKE	206.08
SKIP TO MY LOU CATERING	537.00
SOLOMON ELECTRIC SUPPLY	45.00
SORICK, DAVID	150.22
STANDLEY, DAVID & DOLORES	207.05
STANLEY, MORIAH	205.86
STEVENS, CRAIG & KATHLEEN	86.78
STRONG, STEPHANIE	16.28
SUNDANCE EQUIPMENT COMPANY	118.69
SWARTFAGER, LISA & CHRIS	206.82

TAYLOR, LISA	66.76
TEAM PROPERTIES	15.95
THAT EMBROIDERY PLACE	130.00
THUNDER ROCK LP	62.00
TIGERTREE, INC	3,901.00
TISHCER, TAEZIA	207.04
TITAN MACHINERY INC	494.40
TOMLINSON, TIM	206.14
TRUONG, KIMANH	9.85
UNITY	411.59
URQUIDEZ, JOHN	206.38
VARGAS, SANDRA	205.99
VERIZON WIRELESS	2,131.78
WANNER, MATT	48.95
WBI ENERGY CORROSION SERVICES	89,512.54
WESCO RECEIVABLES CORP	3,308.82
WILLIAMS, JOSIE & TRAVIS	206.97
WILSON WELDING INC	280.00
WYOMING DEPT OF EMPLOYMENT	7,635.66
WYOMING MACHINERY CO	900.63
WYOMING WATER SOLUTIONS	48.00
BIG HORN TIRE INC	4.00
COP WYOMING LLC	219,354.28
ACTION DIRECT LLC	346,270.40
S J LOUIS CONSTRUCTION, INC	172,845.83
TOTAL ADMINISTRATION SERVICES CORP.	24.00
TOTAL ADMINISTRATION SERVICES CORP.	24.00
TOTAL ADMINISTRATION SERVICES CORP.	24.00
TOTAL ADMINISTRATION SERVICES CORP.	24.00
TOTAL ADMINISTRATION SERVICES CORP.	575.64
UMB BANK	77,186.76
CAMPBELL COUNTY COORDINATED BENEFITS TRUST	2,957.35
CAMPBELL COUNTY COORDINATED BENEFITS TRUST	298.75
CAMPBELL COUNTY HOSPITAL DISTRICT	1,635.00
DELTA DENTAL OF WYOMING	26,179.60
BLUE CROSS BLUE SHIELD OF WYOMING	41,589.26
BLUE CROSS BLUE SHIELD OF WYOMING	49,336.45
EXPRESS SCRIPTS INC	30,958.90
EXPRESS SCRIPTS INC	12,771.19

It was moved by Councilman Barks and seconded by Councilman Montgomery to approve the Consent Agenda. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carries.

Approval of Conflict Claims - General Agenda

It was moved by Councilman McGrath and seconded by Councilman Barks to approve a conflict claim for Mayor Carter-King in the amount of \$1,546.92 to Powder River Office Supply. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath and Kuntz voting aye. Mayor Carter-King abstained. The motion carried.

Oral Comments

Communications Manager Palazzari provided a video presentation of past and upcoming events around the community. Councilman Barks complimented the Street's Division for the exceptional job of street sweeping.

Councilman Kuntz thanked GPA for a fine job regarding the video presentation; the Boy Scout Troup 103 for leading the Pledge of Allegiance; and commented on the seniors who stood, showing their patriotism, while singing the National Anthem during the last senior luncheon.

Public Comments

Mayor Carter-King asked for public comments. There were none.

Council Reports

Mayor Carter-King asked for Council reports. There were none.

Written Comments

Mayor Carter-King asked for written comments. City Clerk Abelseth reported there were none.

New Business - General Agenda

RESOLUTION 2557

A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR RESUBDIVISION OF LOT 1 VISTA GRANDE SUBDIVISION, TO THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman Jerred and seconded by Councilman Barks to approve the foregoing Resolution approving and authorizing the final plat for the resubdivision of Lot 1 Vista Grande Subdivision, to the City of Gillette, Wyoming, subject to all Planning requirements. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Barks and seconded by Councilman McGrath to approve a bid award as adjusted per the revised scope of work, for the installation of a temporary traffic signal at the Boxelder Road/K-Mart approach to Windcreek Services, Inc., in the amount of \$98,895 (1% project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this request is for the temporary traffic signal installation, not the permanent installation of a traffic signal, on Boxelder Road at the K-Mart approach that would likely occur for the re-construction of Boxelder Road at some point in the future. This would be a pole and span wire installation. The engineer's estimate is significantly lower at \$73,728. Council inquired if they were to vote against this request due to the engineer's estimate being lower than the requested amount, what the process would be. Mr. Napier replied that the process would be to continue with the project, likely diverting much of the work internally. After further discussion, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting nay. The motion failed.

It was moved by Councilman Barks and seconded by Councilman McGrath to approve a professional services agreement for construction management associated with the Boxelder Road utilities from Overdale Drive to Highway 50, with DOWL Engineering, in the amount of \$60,095 (1% project). Mayor Carter-King asked for discussion. City Administrator Napier explained that this is effectively, the last connection on Boxelder Road from Overdale Drive to the Cam-Plex. The City's responsibility is the utilities under Boxelder Road, once constructed. Staff is recommending for the approval of the request. Council inquired if they were to vote against this request what would be the process. City Administrator Napier explained that staff would recommend that the oversight continue as to not hamper or slow down the project; or in a worst case scenario, prevent the project from proceeding. As explained during the previous discussions, if Council were to vote this request down, staff resources would be re-allocated to assist with the oversight where we have the capacity to do so, and effectively, reduce the scope to DOWL for services staff does not have the capacity to provide, at this point in time. That would likely mean, the value of the services needed from DOWL would fall beneath the Council's oversight for approval, and staff would enter into a smaller contract that would be signed at the staff level. If this request is not approved by the Council, it would not slow down the project, giving staff time to make appropriate arrangements made, from a re-allocation standpoint, internally and with DOWL. Council inquired of the savings if this request is not approved. Mr. Napier reported, minus the overtime that would incur to provide limited oversight services, there would be a savings of approximately, \$30,000. Mr. Napier added that this is a partnership with the Urban Systems program and it is a 90/10 split; the State is paying for the construction of the road and the City is responsible for the utilities. After the discussion, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting nay. The motion failed.

It was moved by Councilman Barks and seconded by Councilman Kuntz to approve a professional services agreement for Phase I of the implementation of PAVER Software for overall management of the City's roadway system infrastructure, with PERTAN, Inc., in the amount of \$100,028 (1% project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this is not a software that can be replicated internally. We have reached the extent with the current software and its abilities to provide efficiencies for mapping and planning future projects, such as pavement management. This software will create efficiencies for staff to insource from a design and management standpoint. Staff is recommending the approval for the purchase of the software. These dollars are within this year's budget figures and this will be the first phase; staff is expecting a smaller phase of implementation, for Council's consideration, later in the construction season to complete the implementation. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Jerred and seconded by Councilman McGrath to authorize City staff to volunteer to work at the National High School Finals Rodeo (NHSFR) using up to four (4) hours of personal time and up to four (4) hours of employer paid time. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this has been done for a number of years in order to help the rodeo be a

success. There are approximately, 6 - 10 employees who have used the program in the past, and added, that there are those employees who volunteer their time without the compensation of employer paid time. Councilman McGrath suggested that Council lead by example and volunteer some time as well, and added even though Council is not reimbursed for their time. After the discussion, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

Special Orders of the Day

Mayor Carter-King opened a public hearing for a zoning map amendment for property generally located at 1490 Harvest Moon Drive and legally described as a portion of Lot 2A Moon Meadow Estates No.5, a resubdivision of Lots 1 and 2 of Moon Meadow Estates No. 5, a resubdivision of Tract R of Moon Meadow Estates No. 3, from R-4, Multi-Family Residential District, to C-1, General Commercial District. Council inquired if this will complete what is needed in this area. Development Services Director Hamilton stated that this is the final step. It will be heard on March 8th on second reading and on March 15th for third and final reading in order to catch up with other projects relating to this item. After the discussion, Mayor Carter-King closed the public hearing.

ORDINANCE 16-05

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 1490 HARVEST MOON DRIVE AND LEGALLY DESCRIBED AS A PORTION OF LOT 2A MOON MEADOW ESTATES NO. 5, A RESUBDIVISION OF LOTS 1 & 2 OF MOON MEADOW ESTATES NO. 5, A RESUBDIVISION OF TRACT R OF MOON MEADOW ESTATES NO. 3, FROM R-4, MULTI-FAMILY RESIDENTIAL DISTRICT TO C-1, GENERAL COMMERCIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman Barks and seconded by Councilman McGrath to approve the foregoing Ordinance on first reading. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King. The motion carried.

Mayor Carter-King opened into a public hearing to consider amendments to the Gillette City Budget for FY2015-2016. City Administrator Napier explained the budget. The largest portion of the amendment is the financing to construct the college dormitories. He went on to explain the other items that included \$267,000 dedicated to the Gillette Golf & Country Club due to a commitment made approximately a year ago. Council added, because of the perception within the community, wanted to clarify that the City of Gillette does not own the Gillette Golf & Country Club. After the explanation, Mayor Carter-King closed the public hearing.

RESOLUTION 2558

A RESOLUTION AMENDING THE GILLETTE CITY BUDGET FOR THE 2015-16 FISCAL YEAR PURSUANT TO W.S. 16-4-113

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve the foregoing Resolution to approve amendments to the Gillette City Budget for FY2015-2016. It was moved by Councilman Barks and seconded by Councilman Kuntz to amend the

resolution by removing the Council of Community Services funding request and placing the request on the March 8th Special Meeting Agenda for further discussion. Mayor Carter-King asked for discussion on the amendment. There was none. Council was asked to cast their vote on the amendment. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried and the resolution was amended and the Council of Community Services' funding request removed. Council was asked to cast their vote on the amended Resolution. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:37 p.m. The next regularly scheduled meeting will be held on March 15, 2016.

Louise Carter-King, Mayor

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk
Publication Date: March 8, 2016