

COUNCIL PROCEEDINGS

REGULAR

April 19, 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 19th day of April 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: Robin Kuntz, Ted Jerred, Kevin McGrath, Billy Montgomery, Dan Barks, Tim Carsrud, and Mayor Carter-King.

Staff present: J. Carter Napier, City Administrator; John Aguirre, Human Resource Director; Charlie Anderson, City Attorney; Patrick Davidson, Asst. City Attorney; Kendall Glover, Utilities Director; Jim Hloucal, Chief of Police; Tom Pitlick, Finance Director; Sawley Wilde, Public Works Director; Heath VonEye, City Engineer; Dan Bridges, Electrical Manager; Geno Palazzari, Communications Manager; Jeremy Harder, GPA Manager; and Karlene Abelseth, City Clerk

Thereupon the following proceedings were had and taken:

Invocation and Pledge of Allegiance

The Invocation was given by Reverend Ed Sisti of Open Door Church. The Pledge of Allegiance was led by Councilman McGrath.

Approval of General Agenda

It was moved by Councilman McGrath and seconded by Councilman Carsrud 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

Approval of Consent Agenda

Minutes

Special Meeting - March 29, 2016

Special Meeting - April 5, 2016

Regular Meeting - April 5, 2016

Special Meeting - April 12, 2016

Bills & Claims

CAMPBELL COUNTY TREASURER	100,000.00
ADECCO EMPLOYMENT SERVICES	208.32
ALLISON FABRICATION INC	411.68
ALSCO	1,120.93
ANDREANNA PIERCE	50.00
ANIMAL MEDICAL CENTER OF WYOMING LLC	54.50
ANIXTER POWER SOLUTIONS	57,970.42
ARROW PRINTING AND GRAPHICS INC	85.00
AT ARCHITECTURE	35,747.53
BARRERA, ALEJANDRO & MONICA	205.98
BETTS, BOBBI & DAVID	154.32

BIG D SANITATION	1,010.00
BIG HORN TIRE INC	200.00
JENNIFER JOHNSON JARRELL	1,000.00
BLACK CAT CONSTRUCTION LLC	53,602.95
BLAKEMAN PROPANE INC	474.09
BORDER STATES ELECTRIC	4,439.50
BRUCE ENGINEERING SERVICES CORP	4,531.50
CAMPBELL COUNTY PARKS AND RECREATION DEPT	4,000.00
CAMPBELL COUNTY HOSPITAL DISTRICT	8,288.50
CAMPBELL COUNTY CLERK OFFICE	6.00
CAMPBELL COUNTY PUBLIC HEALTH	163.00
CHILDREN'S HOME SOCIETY	125.00
SIOUX FALLS CHILDREN'S HOME SOCIETY	125.00
CHRISTIENSEN, LEE R	213.86
CITY OF BUFFALO	3,800.00
CITY OF GILLETTE - PETTY CASH	73.00
COLLINS COMMUNICATIONS INC	20,063.05
AGRICULTURAL CONSULTANTS INC	2,125.00
CONSOLIDATED ENGINEERS INC	4,134.14
CONTRACTORS SUPPLY INC	4,516.70
CRUM ELECTRIC SUPPLY COMPANY	445.00
CURRY GARAGE DOOR COMPANY	590.00
DANA KEPNER COMPANY INC	35,971.25
DELL COMPUTER CORP	7,737.02
DEVEY, MIKE	205.99
DISPLAY SALES	492.00
DOWL LLC	54,569.52
DRM INC	79,632.79
DYKMAN ELECTRICAL INC	143,360.80
E Z TOWING & RECOVERY INC	65.00
EARTH WORK SOLUTIONS	74,064.58
EDGE CONSTRUCTION SUPPLY	22.84
EMPLOYMENT TESTING SERVICES INC	1,051.00
ENERGY LABORATORIES INC	45.00
ENERGY SHARE OF WYOMING	147.48
ENGLUND, ERIC	205.91
ESC ENGINEERING, INC	3,980.00
FALCON PUMP AND SUPPLY	14,310.53
FARMER BROTHERS COMPANY	689.90
FARMER CO-OP	72.98
FEDEX	503.64
FIRST AMERICAN TITLE	483.00
FIRST INTERSTATE BANK OF GILLETTE	12,350.00
FIRST NATIONAL BANK OF GILLETTE	40,530.09
FLEXSYSTEMS	2,100.00
FRANDSON SAFETY INC	140.00
CRAIG FURMAN	150.00
GILLETTE MAIN STREET	127.50
GILLETTE PET VET CLINIC	100.00
GILLETTE WINNELSON COMPANY	13.80
GILMORE, HALEY & JAMES	205.87
GOURMET ON THE GO LLC	249.60
GOVOLUTION, LLC	1,376.10
GROUPWARE TECHNOLOGY INC	142,285.48
JANICE HAMILTON	1,250.00

HD SUPPLY WATERWORKS LTD	475.20
HDR INC - US ENGINEERING ACCOUNTS RECEIVABLE	23,069.40
HOMAX OIL	22,165.19
HOMES & MORE, CLASSIFIEDS & MORE	349.00
TRESSA HORNING	150.00
JLC SIGN SYSTEMS INC	749.70
JOHNSON CONTROLS INC	1,045.40
KADRMAS LEE & JACKSON INC	2,770.88
KRIZ-DAVIS COMPANY	1,602.00
ROBIN KUNTZ	14.98
LONG BUILDING TECHNOLOGIES	7,270.00
LOUISE CARTER KING	23.73
MCM GENERAL CONTRACTORS	96,137.93
MUNICIPAL ENERGY AGENCY OF NEBRASKA	8,633.93
MENDOZA, MARTIN	205.92
MIKE GARNER	82.35
NICK BOESE	80.00
ALYSHIA VIGIL	50.00
JIM'S WATER SERVICE	75.00
MISTY HENAGHAN	150.00
SCOTT SETTLES	222.10
TINA JACKSON	17.23
TONJA SLATER	100.00
YES HOUSE	278.00
AUNG, WAI	45.20
AVENUE MALL	183.07
BARTOW, FAWNA & JOSEPH	141.89
CADY, SCOTT & MELISSA	145.15
CHASTEEN INVESTMENTS LLC	77.54
COLLINS SIDING	63.41
COTTONWOOD APARTMENTS	47.20
CUDD ENERGY SERVICES	155.30
DIAZ, LIZBETH	56.59
DUVALL, STACY	79.69
ERICKSON, JAMES	14.41
GLEDHILL, AMBER L	87.18
GRISHAM, JEFFREY	121.31
GSTOHL, GARY	14.99
HERRING, CAITLIN & JONATHAN	128.64
JONES, JOHN	45.06
K-JAM INVESTMENTS LLC	90.14
LEBLANC, TIMMOTHY & BONNIE	49.61
LUCAS, BARB & PAUL	110.64
MAYS, KELLIE	128.34
MCMANUS, GINA	52.98
MEANS, CLAYTON J	88.90
MILLER, VIRGIL	35.67
MILLS, BRITTNEY	64.71
MT VIEW APTS, 2-0091	77.06
NICHOLS, TYLER	64.33
PARSONS, BRIAN	78.54
PARTRIDGE, NATASHA	82.39
POLLOCK, CHRISTINA	14.33
POLNOW, JENISE	28.44
RIOS, ALEXIE & MISAEAL	12.39

ROGGE, CHRIS & ANGELINE	172.29
ROMERO, MARISSA	25.09
SANCHER, AMIR	98.32
SCEPTER SUPPLY LLC	372.38
SOWDER, TIFFANY	121.79
TERRELL, MICHAEL & NATASHA	51.84
THOMPSON, MCKAYLA	161.55
THORPE, CHELSEA	95.02
THUNDER ROCK LP	89.28
WALKER, THOMAS & LOISANN	58.91
ZEBROSKI, MELVIN	76.17
MOA WYOMING INC	26,797.13
AMANDA MORRISON	50.00
MORRISON MAIERLE INC	19,201.68
NEVE'S UNIFORM INC	271.19
NEWS RECORD	7,764.03
NORCO INC	6,575.51
NORTON CONSTRUCTION	111,150.00
ONLINE INFORMATION SERVICES INC	118.59
PCA ENGINEERING INC	67,434.58
PEGMEDIA INC	100.00
PITNEY BOWES INC	100.28
POWDER RIVER ENERGY CORPORATION	10,797.59
POWDER RIVER OFFICE SUPPLY INC	3,191.93
PRBSHRM	35.00
PROELECTRIC INC	27,841.66
RAILROAD MANAGEMENT CO LLC	7,268.61
RED HILLS VETERINARY HOSPITAL	851.70
RESOURCE ACTION PROGRAMS	448.50
RINGER LAW P.C.	3,490.00
ROCKY MOUNTAIN BUSINESS EQUIPMENT LLC	718.34
RODRIGUEZ, MARCOS & GUADALUPE	205.96
S & S BUILDERS	2,220.00
SAFETY SOLUTIONS	1,135.00
SCHUTZ FOSS ARCHITECTS PC	2,618.75
SHANE SCHULTZ PLUMBING & HEATING	397.84
SHERRODD, JENNIFER	205.87
SHERWIN WILLIAMS	39.24
SKILLPATH SEMINARS	139.00
SKIP TO MY LOU CATERING	285.00
SOLOMON ELECTRIC SUPPLY	210.00
SOURCE EQUIPMENT	2,171.99
SOURCE OFFICE PRODUCTS	882.06
SPRING CREEK DESIGNS	94.99
STRANSKY, CHRISTY	206.02
STRATA INC	961.75
STURDEVANT, JON	213.58
JAIME REYNOLDS	215.00
TIM CARSRUD	21.50
TRAFFIC SIGNAL CONTROLS INC	920.00
TURN KEY TECHNOLOGIES LLC	796.62
TYLER TECHNOLOGIES INC	637.50
UNIVERSAL ATHLETIC SERVICE	116.00
U S POSTAL SERVICE	885.00
VAN EWING CONSTRUCTION	290,706.28

VERIZON WIRELESS	1,183.31
VISIONARY COMMUNICATIONS	969.14
WALKER INSPECTION	8,256.70
WASTE CONNECTIONS, INC.	740.70
WESCO RECEIVABLES CORP	480.00
WEST, CORY R	205.89
WESTERN PLAINS CHIROPRACTIC	411.83
WESTERN SERVICES LLC	605.00
WESTERN WASTE SOLUTIONS INC	10,520.05
WHITE'S FRONTIER MOTORS	5,757.49
WILLIAMS, NANCY	205.83
WIRELESS ADVANCE COMMUNICATION	900.00
WIREMAN, PATRICIA & DONNIE	205.98
WYOMING DEPT OF EMPLOYMENT	5.09
WYOMING ASSOCIATION MUNICIPALITIES	260.00
WYOMING DEPT OF TRANSPORTATION	17,659.65
WYOMING SECRETARY OF STATE	30.00
WYOMING SUPREME COURT	6,980.92
WYOMING STATE BOARD PHARMACY	80.00
XEROX CORPORATION	2,666.50
YOUNG, KELSIE & JACOB	205.87
BLACK HILLS POWER & LIGHT	619,262.00
BLACK HILLS POWER & LIGHT	181,313.06
BLACK HILLS WYOMING LLC	116,270.00
BLACK HILLS WYOMING LLC	3,395.00
WYOMING STATE REVENUE AND TAX	102,720.06
WYOSTAR	2,519,159.71
BLUE CROSS BLUE SHIELD OF WYOMING	12,206.70
CAMPBELL COUNTY HOSPITAL DISTRICT	673.00
DELTA DENTAL OF WYOMING	25,258.30
RYAN WARNE	85.71
CAMPBELL COUNTY COORDINATED BENEFITS TRUST	3,983.67
CAMPBELL COUNTY COORDINATED BENEFITS TRUST	158.75
BLUE CROSS BLUE SHIELD OF WYOMING	47,892.14
EXPRESS SCRIPTS INC	20,060.11
BLUE CROSS BLUE SHIELD OF WYOMING	53,168.31
EXPRESS SCRIPTS INC	27,480.92

Other - Consent

RESOLUTION 2560

A RESOLUTION TO ESTABLISH SALARIES FOR MUNICIPAL JUDGES

Approval of the foregoing Resolution to establish salaries for Municipal Judges.

It was moved by Councilman Barks and seconded by Councilman Carsrud 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

Approval of Conflict Claims - General Agenda

It was moved by Councilman McGrath and seconded by Councilman Barks to approve a conflict claim for Councilman Carsrud in the amount of \$21.50 for internet reimbursement. 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. Councilman Carsrud abstained. The motion carried.

It was moved by Councilman Jerred and seconded by Councilman Kuntz to approve a conflict claim for Mayor Carter-King in the amount of \$3,215.66 (\$23.73 for internet reimbursement and \$3,191.93 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, Carsrud, Montgomery, McGrath, and Kuntz. Mayor Carter-King abstained. The motion carried.

It was moved by Councilman McGrath and seconded by Councilman Barks to approve a conflict claim for Councilman Kuntz in the amount of \$14.98 for internet reimbursement. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath and Mayor Carter-King voting aye. Councilman Kuntz abstained. The motion carried.

Written Comments

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

Public Comments

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

Other Comments

The Mayor and Council recognized Jim Hloucal for 25 years of service to the City of Gillette.

The Mayor and Council recognized Officers Sprague and Norlander as recipients of the Life Saving Award.

Mayor Carter-King proclaimed Friday, April 29, 2016, as the City of Gillette's official Arbor Day. Wendy Clements explained the proclamation.

The Mayor and Council recognized Kimberly Roesser as the 125th Anniversary (Quasiquicentennial) Logo Contest winner.

The Mayor and Council recognized Garrett Rogers, Kristine Bauer, Polly Raymond, Paige Michael and Quentin Rogers as photo contest winners of the City Parks Photo Contest.

New Business - Appointments

It was moved by Council President Carsrud and seconded by Councilman McGrath to appoint R. Douglas Dumbrell as Senior Municipal Judge for the remainder of 2016. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

It was moved by Council President Carsrud and seconded by Councilman Jerred to appoint Mathew R. Sorenson as Municipal Court Judge, to begin on May 1, 2016, for the remainder of 2016. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

Judge Tharp performed the Swearing in Ceremony for the newly appointed judges.

Unfinished Business - Ordinance Third Reading

ORDINANCE 3887

AN ORDINANCE AMENDING SECTIONS 7-17 AND 17-19 OF THE GILLETTE CITY CODE TO REVISE RATES FOR PLANT INVESTMENT FEES AND SYSTEM DEVELOPMENT CHARGES

It was moved by Councilman Barks and seconded by Councilman McGrath to approve the foregoing Ordinance on third and final 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 3888

AN ORDINANCE TO AMEND SECTION 17-14 (C), 17-14 (F) 1, AND 17-14 (F) 2, AND TO ENACT 17-14 (J) OF THE GILLETTE CITY CODE TO REVISE RATES FOR WASTEWATER SERVICE FURNISHED BY THE CITY OF GILLETTE

It was moved by Councilman Carsrud and seconded by Councilman McGrath to approve the foregoing Ordinance on third and final 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 3889

AN ORDINANCE AMENDING GILLETTE CITY CODE SECTIONS 17-6.A.1, 17-6.B.1, 17-6.C.1, 17-6.D.1, 17-6.E.1, 17-6.F.5(a), REPEALING SECTION 17-6.G, RENUMBERING SECTIONS 17-6.H THROUGH K -6.G THROUGH J, AMENDING 17-6.G.3 AND ENACTING 17-6. K, TO REVISE RATES FOR ELECTRICAL SERVICE SUPPLIED BY THE CITY OF GILLETTE

It was moved by Councilman Jerred and seconded by Councilman Barks to approve the foregoing Ordinance on third and final 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 3890

AN ORDINANCE AMENDING SECTION 17-47 OF THE GILLETTE CITY CODE TO REVISE RATES FOR WATER FURNISHED BY THE CITY OF GILLETTE

It was moved by Councilman Jerred and seconded by Councilman Carsrud to approve the foregoing Ordinance on third and final 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 3891

AN ORDINANCE AMENDING CHAPTER SEVEN OF THE GILLETTE CITY CODE REGULATING STORMWATER RUNOFF AND DRAINAGE WITHIN THE CITY OF GILLETTE

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve the foregoing Ordinance on third and final 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

New Business - Minute Action

It was moved by Councilman Barks and seconded by Councilman Jerred to accept subdivision improvements for the Legacy Ridge Subdivision, Phase III, installed by DRM, Inc., on behalf of the developer, Quantum Partners, LLC. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that the consideration consists of water, sewer, storm drainage, and street improvements installed pursuant to City standards for the Legacy Ridge Subdivision, Phase III. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

Ordinance 1st Reading

ORDINANCE 16-11

AN ORDINANCE PROVIDING FOR THE VACATION
OF THE 10 FOOT WIDE PORTION OF THE 20 FOOT WIDE UTILITY
EASEMENT THAT IS CONTAINED ENTIRELY WITHIN LOT 150 OF THE
SIERRA GLEN ADDITION, AS SHOWN ON THE EXHIBIT "A" MAP, IN THE
CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING
REQUIREMENTS

It was moved by Councilman Barks and seconded by Councilman Carsrud to approve the foregoing Ordinance on first reading. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that the petitioner is seeking vacation of this particular easement so that construction can occur. He added that the City does not have utilities in the easement. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 16-12

AN ORDINANCE PROVIDING FOR THE REPEAL OF ORDINANCE NO. 3260
WHICH APPROVED AND AUTHORIZED THE CONDOMINIUM PLAT FOR WYOMING
ORTHOPAEDIC & REHABILITATION INSTITUTE LOCATED ON LOT 1A OF
STOCKTRAIL PARK SUBDIVISION IN THE CITY OF GILLETTE, WYOMING,
SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman Jerred 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, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 16-13

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-5(b) (1) OF THE
GILLETTE CITY CODE TO INCLUDE SUBSECTION (K) and (L) PROHIBITING
THE DELIVERY OF ALCOHOLIC OR MALT BEVERAGES

It was moved by Councilman McGrath and seconded by Councilman Montgomery to approve the foregoing Ordinance on first reading.

Mayor Carter-King reported that Council has been provided results of a survey conducted by Riley Hunter and Grant Edmunds, Creative Beverages, regarding liquor delivery service in Gillette. Mr. Hunter and Mr. Edmunds explained that the survey was conducted on April 18th, which polled citizens regarding a proposed alcohol delivery service. Councilman Jerred suggested re-doing the survey, specifically asking those who live in the city, rather than Campbell County, the same questions as this would be an Ordinance enforced by the City, not the County. Discussions on how the survey was conducted, as well as wine, spirits, and malt beverages being delivered through the postal service took place. Council inquired if this type of delivery is allowed through the postal service. City Attorney Anderson explained that there are provisions in Wyoming Statute that addresses mailing wine, and added that this is not an area regulated under Wyoming Statute. Mr. Hunter and Mr. Edmunds reported that there are 43 cities throughout the US that allow this service, however, none in Wyoming that they are aware of. After the discussion, Council asked Mr. Hunter and Mr. Edmunds to continue with the survey, and education regarding this type of service, and suggested that other liquor license holders, as well as citizens attend the upcoming meetings for the second and third reading of the ordinance to provide additional comments pertaining to the alcohol delivery service. Other concerns addressed were ensuring that the recipient of the alcohol is of age; other businesses wanting to provide the same service; possible sting operations; and how other police departments feel about this type of service. Tom Simons, Razor City Discount Liquor, informed the Council that he is in favor of this type of service. After further discussion, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Montgomery, McGrath, Kuntz, and Mayor Carter-King voting aye. Councilmen Barks and Carsrud voting nay. The motion carried.

Executive Session

It was moved by Councilman McGrath and seconded by Councilman Kuntz to move into an Executive Session to discuss confidential matters. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, 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 8:09 p.m. The next regularly scheduled meeting will be held on May 3, 2016.

Louise Carter-King, Mayor

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk
Publication Date: April 27, 2016