

## COUNCIL PROCEEDINGS

REGULAR

May 3, 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 3rd day of May 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: Ted Jerred, Kevin McGrath, Billy Montgomery, Dan Barks, Tim Carsrud, Robin Kuntz, and Mayor Carter-King.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; Pamela L. Boger, Administrative Services Director; 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; Evan Byrd, Fleet 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 Pastor George Keralis of Christian Church. The Pledge of Allegiance was led by Councilman Barks.

### Approval of General Agenda

It was moved by Councilman Carsrud and seconded by Councilman Jerred 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

Executive Session - April 5, 2016

Pre-Meeting - April 19, 2016

Regular Meeting - April 19, 2016

Work Session - April 26, 2016

### Ordinance 2<sup>nd</sup> Reading - Consent

## 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

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

Bills and Claims - Consent

ADVOCACY FOR VISUAL ARTS	100.00
ALSCO	1,525.19
AMERICAN WELDING & GAS INC	23.45
ANIMAL MEDICAL CENTER OF WYOMING LLC	992.50
ANIXTER POWER SOLUTIONS	21,701.42
ARROW PRINTING AND GRAPHICS INC	85.00
ASSURE CO RISK MANAGEMENT & REGULATOR COMPLIANCE	500.00
AT & T MOBILITY NATIONAL ACCOUNTS	3,431.79
BALFOUR BEATTY INFRASTRUCTURE	217.90
BIG HORN TIRE INC	118.00
BLACK CAT CONSTRUCTION LLC	45,372.74
CENTRAL TRUCK & DIESEL INC	6,375.00
BORDER STATES ELECTRIC	2,314.00
BREANNA'S BAKERY	50.00
BRENNTAG PACIFI INC	9,115.50
BUCHANAN EXCAVATING	1,700.00
BURNS AND MCDONNELL CORPORATION	260,261.17
BUSINESS MAILING SOLUTIONS	385.00
CAMPBELL COUNTY PUBLIC LAND BOARD COMPLEX	160,104.25
CAMPBELL COUNTY HOSPITAL DISTRICT	526.00
CAMPBELL COUNTY CHAMBER OF COMMERCE	365.25
CAMPBELL COUNTY ENGINEERS	82,386.40
CAMPBELL COUNTY JUVENILE PROBATION	151.05
CAMPBELL COUNTY SHERIFF	7,175.00
CENTURYLINK	2,807.90
CHARTER MEDIA	400.00
CITY OF GILLETTE	39.47
CNA SURETY	100.00
COLLINS COMMUNICATIONS INC	4,301.83
COMMUNITY BANK	2,868.80
CONSOLIDATED WATER SOLUTIONS	2,823.06
CONTRACTORS SUPPLY INC	2,110.59
CPS DISTRIBUTORS	479.75
CTA INC	3,975.46
CUMMINS ROCKY MOUNTAIN INC	715.59
DANA KEPNER COMPANY INC	324.00
DEB DAVIS PHOTOGRAPHY	500.00
DELL COMPUTER CORP	34,816.59
DEPARTMENT OF ENERGY	61,751.70
RICHARD DOUGLAS DUMBRILL	7,318.73
DOWL LLC	40,686.50
DPC INDUSTRIES INC	9,856.49
DRM INC	78,541.60
EILEEN BLYTH	12,585.00
EMPLOYMENT TESTING SERVICES INC	242.00
ENERGY CAPITAL ECONOMIC DEVELOPMENT	30,000.00
ENERGY LABORATORIES INC	1,237.00
FAMILY HEALTH	984.00
FARMER BROTHERS COMPANY	103.85
FASTENAL COMPANY	401.42
FIRST INTERSTATE BANK OF GILLETTE	66,506.50
FLYING COLORS	25.50
CRAIG FURMAN	100.00
GAO RFID INC	2,030.00

GILLETTE ENERGY ROTARY CLUB	200.50
GILLETTE STEEL CENTER	2,187.75
GILLETTE WINNELSON COMPANY	971.19
GOURMET ON THE GO LLC	780.00
HACH COMPANY	2,010.39
HERITAGE VILLAGE WATER & SEWER DISTRICT	6,258.40
HILLCREST SPRING WATER INC	180.00
HOMAX OIL	372.51
INTER-MOUNTAIN LABS INC	20.00
INTERMOUNTAIN RECORD CENTER INC	724.08
IT OUTLET INC	26,800.98
JENNIFER IVORY	50.00
JLC SIGN SYSTEMS INC	64.00
JOHN S GUERNSEY	700.00
KADRMAS LEE & JACKSON INC	12,221.53
KASSEBURG CANINE	175.00
KRIZ-DAVIS COMPANY	546.00
LAYNE CHRISTENSEN COMPANY	302,541.30
MACHINE PRODUCTS INC	3,760.92
MCM GENERAL CONTRACTORS	18,728.98
MEYER DANA ORTHODONTICS	401.21
CASEY LAWRENCE	168.00
RONDA GODFREY	50.00
GARRY GIN	100.00
HELMSMAN MANAGEMENT SERVICES	150.00
HONG KONG	100.00
MICHAEL CASPER	120.00
NEIL INGRAM	100.00
SHAY FOLLUM	350.00
SQUAW VALLEY APARTMENTS	200.00
TONJA SLATER	100.00
ANDERSON, BRENDA	198.18
BALZER, JACQUELINE	108.57
BERGQUIST, ERIK	107.42
BLM COMPANIES LLC	35.02
BLM COMPANIES LLC	154.58
BUNN, CHRISSY	101.67
CADA, MICHAEL	93.34
CALDWELL, DAVID & AMY	39.19
CARTER, BETH & STEVEN	21.72
COMPASS INDIAN HILLS LLC	12.49
COMPASS INDIAN HILLS LLC	22.31
COMPASS INDIAN HILLS LLC	25.18
COMPASS INDIAN HILLS LLC	26.79
DALY, LAWRENCE	11.22
DECLERMONT, DANIELLE	70.90
DETAMBLE, WILLIAM	18.46
DUNDAS, GREG	46.38
DYE, SHANNON	8.01
EDWARDS, RENITA	51.82
ESPINOSA, ULYSSES	43.47
FRANK, JAYMIE	165.52
FRITZLER, CHANCE	124.99
FULMER, GAIL & BILL	15.93
GILLETTE ROOFING INV	235.24
GRIFFIN, INEZ	8.65
HACKMAN, GLEN	100.21
HACKMAN, GLEN L	143.49
HALE, MARLENA	137.12
HENDREN, BECKY & RICK	196.18
JARMUSZ, ANTHONY	93.44
JONES, BARRY & SARAH	102.67
KLYM, JESSICA	262.62
KOFORD, JASON	153.57
MARKER, MARGARET	22.39

MERRILL, DELORES	184.73
NEDVED, JARON	367.33
NESS, SARA & MIKE	47.02
NESS, SARA & MIKE	162.91
OFFT, CASEY	41.07
OROZCO, ALEJANDRO	70.58
ORTA, JULIA	20.20
PARKSIDE APTS	42.29
PRUDENTIAL PROPERTIES	169.57
REMMICK, CHUCK	154.88
SHIELDS, DALE	66.51
SMITH, JAMES JR	169.66
STEWART, LACEY	209.57
SYNERGY HEATING	86.35
WARNE, RYAN & SARAH	133.79
WETZLER, JAY	573.29
WILSON, PATRICK	166.67
BJ NELSON INC/NELSON AUTO GLASS	139.40
NEWMAN SIGNS INC	35.28
NORCO INC	1,795.07
NORMONT EQUIPMENT COMPANY	2,738.70
ONE CALL OF WYOMING COPR	221.25
OVERHEAD DOOR CO OF GILLETTE	112.60
PCA ENGINEERING INC	2,167.05
POWDER RIVER ENERGY CORPORATION	6,881.12
POWDER RIVER SHREDDERS LLC	812.00
POWDER RIVER OFFICE SUPPLY INC	2,640.00
PRO BUILT HOMES INC	1,500.00
PROELECTRIC INC	13,118.65
QUALITY AGG AND CONSTRUCTION INC	2,207.49
RECORD STEEL AND CONSTRUCTION, INC	296,017.20
RYAN SANITATION	506.25
SARAH FERGUSON	250.00
SCHUTZ FOSS ARCHITECTS PC	1,134.00
SKIP TO MY LOU CATERING	115.00
SOURCE OFFICE PRODUCTS	2,240.27
CARL A. THEUSEN	2,269.75
SUSAN JERKE	625.00
JAIME REYNOLDS	220.00
TEAM LABORATORY CHEMICAL CORPORATION	2,512.50
TEMPERATURE TECHNOLGY, INC	693.24
EMPTY SEA	115.50
THOMSON WEST	396.00
TRI-CITY EXCAVATION INC	945.00
TRUGREEN CHEMLAWN	63.25
TYLER TECHNOLOGIES INC	15,389.50
WALKER INSPECTION	2,475.00
WBI ENERGY CORROSION SERVICES	34,111.20
WESCO RECEIVABLES CORP	35,364.65
WESTERN MICROSCOPE	130.00
WESTERN SERVICES LLC	3,900.00
WYOMING DEPARTMENT OF HEALTH	912.00
WYOMING WATER SOLUTIONS	55.00
WYOPASS	495.00
YOUTH EMERGENCY SERVICES INC	37,500.00
BLACK HILLS POWER & LIGHT	167,266.96
BLACK HILLS POWER & LIGHT	235,717.48
BLACK HILLS POWER & LIGHT	9,834.56
BLACK HILLS POWER & LIGHT	575,853.00
BLACK HILLS WYOMING LLC	176,572.06
BLACK HILLS WYOMING LLC	121,434.00
BLACK HILLS WYOMING LLC	3,395.00
COP WYOMING LLC	245,745.25
ACTION DIRECT LLC	71,891.20
TOTAL ADMINISTRATION SERVICES CORP.	585.48

UMB BANK	73,985.55
WYODAK RESOURCES DEVELOPMENT CORP	34,204.98
WYODAK RESOURCES DEVELOPMENT CORP	113,136.85
BLUE CROSS BLUE SHIELD OF WYOMING	49,689.10
BLUE CROSS BLUE SHIELD OF WYOMING	133,781.70
EXPRESS SCRIPTS INC	15,304.21
EXPRESS SCRIPTS INC	7,941.02

It was moved by Councilman McGrath 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, 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 Jerred to approve a conflict claim for Councilman Carsrud in the amount of \$986.93 to Gillette Winnelson. 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 Barks and seconded by Councilman Montgomery to approve a conflict claim for Mayor Carter-King in the amount of \$4,366.29 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.

#### Written Comments

Mayor Carter-King asked for written comments. City Clerk Abelseth reported that three (3) comments were received regarding concerns of alcohol deliveries to private residences.

#### Public Comments

Mayor Carter-King asked for public comments. Dave Allison provided revenue generating suggestions regarding recycling.

#### Other Comments

The Mayor and Council recognized Danny Kluver for 25 years of service to the City of Gillette.

Mayor Carter-King proclaimed the month of May 2016 as Building Safety Month. Chief Building Official Rogers explained the proclamation.

Mayor Carter-King proclaimed May 1 - 7, 2016 as National Travel and Tourism Week in Gillette, Wyoming. Mary Silvernell explained the proclamation.

Mayor Carter-King proclaimed May 5, 2016 as National Day of Prayer. Pastor George Keralis explained the proclamation.

GPA Manager Hardy gave a video presentation of past and upcoming events around the community.

Councilman Barks reported the upcoming Trash-a-thon and encouraged the public to participate.

## Unfinished Business - Ordinance 2nd Reading

### 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 Carsrud and seconded by Councilman McGrath to approve the foregoing Ordinance on second reading. Mayor Carter-King asked for discussion. Members of Personal Frontiers and the community voiced their concerns regarding the delivery of alcoholic and malt beverages to private residences. Riley Hunter and Grant Edmonds addressed the Council with additional information regarding a survey they conducted regarding the delivery of alcohol and malt beverages, and an example of an Operational Plan that could be put into place if the Ordinance was approved. 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. Councilman Carsrud voted nay. The motion carried.

### New Business - Minute Action

It was moved by Councilman Carsrud and seconded by Councilman McGrath to approve a street closure permit located on Ross Avenue between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street on May 21<sup>st</sup>, from 10:00 a.m. to 8:00 p.m., requested by Frontier Auto Museum for their grand opening. 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 Councilman Jerred and seconded by Councilman Montgomery to approve a carnival permit for June 6<sup>th</sup> - June 13, to be located at the Campbell County Aquatic Center, requested by North Star Amusements and American Legion Baseball. 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 Councilman Montgomery and seconded by Councilman Barks to approve a bid award for the Downtown Facility Enhancement Project (restroom structure) to Hladky Construction, in the amount of \$194,274 (partial 1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the project and emphasized that paving the parking lot is not included in this project and will be bid at a later date. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, Kuntz, and Mayor Carter-King. Councilman McGrath voted nay. The motion carried.

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve a professional services agreement for an electrical utility cost of service study with Nebraska Municipal Power Pool (NMPP) in the amount of \$10,750. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained this is an opportunity to take advantage of the expertise that NMPP has access to, to obtain technical services with relation to a rate analysis for the City's power utility fund. Dave Allison expressed his objection to the request, he feels that this study could be conducted in-house and asked if the City purchases power from NMPP. Utilities Director Glover answered no, the City does not purchase power

from NMPP. After further discussion, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, Kuntz, and Mayor Carter-King. The motion carried.

#### Public Hearings and Considerations

Mayor Carter-King opened into a public hearing to consider an application for a restaurant liquor license requested by La Catrina, LLC, d.b.a. La Catrina Mexican Restaurant, located at 2610 S. Douglas Hwy #220. No comments were made and the public hearing was closed.

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve an application for a restaurant liquor license requested by La Catrina, LLC, d.b.a. La Catrina Mexican Restaurant, located at 2610 S. Douglas Hwy #220. 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. The motion carried.

#### Adjournment

There being no further business to come before the Council, the meeting was adjourned at 8:03 p.m., and Council relocated to the third floor conference room to continue the Pre-Meeting. The next regularly scheduled meeting will be held on May 17, 2016.

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Louise Carter-King, Mayor

(S E A L)

ATTEST:

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Karlene Abelseth, City Clerk  
Publication Date: May 11, 2016