

A meeting of the City Council was held on Tuesday, the 6th day of December 2016. Reverend Susan Reichenberg of First Presbyterian Church gave the Invocation and the Pledge of Allegiance was led by Councilman McGrath.

Present were Councilmen Barks, Carsrud, Jerred, Kuntz, McGrath, Montgomery, and Mayor Carter-King; City Administrator Napier; Attorneys Anderson and Davidson; Directors Glover, Hamilton, Pitlick and Wilde; Managers Palazzari and Davidsmeier; and City Clerk Abelseth.

Also present was Councilman Elect Lundvall.

**Approval of General Agenda**

Councilman Kuntz moved to approve the General Agenda; seconded by Councilman McGrath. All voted aye. The motion carried.

**Approval of Consent Agenda**

Minutes:

Executive Session – October 18, 2016

Executive Session – October 25, 2016

Work Session – November 8, 2016

Pre-Meeting – November 15, 2016

Regular Meeting – November 15, 2016

**Ordinance 3rd Reading**

**ORDINANCE 3904**

AN ORDINANCE PROVIDING FOR THE VACATION OF A 35 FOOT WIDE PUBLIC RIGHT-OF-WAY KNOWN AS CARSON AVENUE ADJACENT TO THE WEST LOT LINE OF LOT 1, BLOCK 1, HOMCO SUBDIVISION AS SHOWN ON THE EXHIBIT “A” MAP, IN THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

**ORDINANCE 3905**

AN ORDINANCE PROVIDING FOR THE VACATION OF SEWER RIGHT-OF-WAY ADJACENT TO THE SOUTH LOT LINE OF LOT 1, BLOCK 10, ROLLING HILLS SUBDIVISION AND THE VACATION OF THE EAST HALF OF PUBLIC RIGHT-OF-WAY KNOWN AS ELON AVENUE ADJACENT TO THE WEST LOT LINE OF LOT 1, BLOCK 10, ROLLING HILLS SUBDIVISION AS SHOWN ON THE EXHIBIT “A” MAP, IN THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

**Bills and Claims - Consent**

ACTION DIRECT LLC	84,616.70
ADECCO EMPLOYMENT SERVICES	277.76
ALLBAUGH, LUCY	136.28
ALSCO	1,928.67
AMERICAN WELDING & GAS INC	25.38
ANDREANNA PIERCE	50.00
ANIMAL MEDICAL CENTER OF WYOMING LLC	1,373.50
ANIXTER POWER SOLUTIONS	12,675.73
ASSURE CO RISK MANAGEMENT & REGULATOR COMPLIANCE	350.00
AT & T MOBILITY NATIONAL ACCOUNTS	8,333.59
AVP CONSULTING LLC	67.12
BALDERRAMA IV, ANTHONY	147.95
BALMER, ROBERT	158.51
BENNETT WEBER & HERMSTAD LLP	15,250.00
BIG HORN TIRE INC	752.00
BLACK CAT CONSTRUCTION LLC	41,659.99
BLACK HILLS POWER & LIGHT	439,692.35
BLACK HILLS WYOMING LLC	229,142.32
BLUE CROSS BLUE SHIELD OF WYOMING	163,320.23
BRAND, CATHY	42.86
BREANNA'S BAKERY	42.00
BROWN, RYAN	106.46
BURNS AND MCDONNELL CORPORATION	350,791.98
CALIBRATION TECHNICIANS & SUPPLY INC	181.60
CAMEL TOWING LLC	160.00
CAMPBELL COUNTY COORDINATED BENEFITS TRUST	3,047.40
CAMPBELL COUNTY ENGINEERS	69,131.25

CAMPBELL COUNTY HOSPITAL DISTRICT	471.50
CAMPBELL COUNTY JUVENILE	25,293.43
CAMPBELL COUNTY PUBLIC HEALTH	45.00
CAMPBELL COUNTY SENIOR CITIZEN CENTER	977.00
CAMPBELL COUNTY SHERIFF	10,275.00
CARQUEST AUTO PARTS	675.44
CATALOGIC SOFTWARE INC	720.00
CATHY BOLTON	148.00
CENTURYLINK	2,829.63
CENTURYLINK BART	7,114.72
CHADIA PATTERSON	100.00
CHARTER MEDIA	405.20
CHILDREN'S HOME SOCIETY	125.00
CHRIS SUPPLY	34.60
CITI MORTGAGE	35.75
CITI MORTGAGE	87.98
CITY OF GILLETTE	523.90
CITY OF GILLETTE - PETTY CASH	61.99
CNA SURETY	100.00
COLLECTION PROFESSIONALS GILLETTE	277.85
COLLINS COMMUNICATIONS INC	2,506.00
COMMUNITY BANK	8,024.08
CPS DISTRIBUTORS	1,551.75
CRAIG FURMAN	250.00
CROELL INC	455.00
CROELL INC	198.00
CRUM ELECTRIC SUPPLY COMPANY	447.30
CUES INC	260.43
CURLEY, MICHAEL	102.49
CURRY, MINDY	117.98
DALE HELSPER	55.00
DANA KEPNER COMPANY INC	25,372.85
DELTA DENTAL OF WYOMING	18,848.30
DEPARTMENT OF ENERGY	65,296.49
DEREK WEINHARDT	89.99
DESIGN CONSTRUCTION LLC	40,451.19
DEWEY, MATTHEW & KELSEY	199.30
DONKEY CREEK FESTIVAL	35,000.00
DOWL LLC	40,096.96
DRM INC	53,732.48
E Z TOWING & RECOVERY INC	65.00
EMPLOYMENT TESTING SERVICES INC	136.00
EMPTY SEA	463.05
ENERGY LABORATORIES INC	553.00
ESC ENGINEERING, INC	210.71
EVERBRIDGE INC	10,995.00
EXPRESS SCRIPTS INC	72,477.21
FAIRMONT SUPPLY COMPANY	94.15
FAIRWAY LLC	28.38
FARMER BROTHERS COMPANY	223.80
FARMER CO-OP	37.49
FEDEX	295.66
FIRST INTERSTATE BANK OF GILLETTE	58,430.93
FIRST NATIONAL BANK OF GILLETTE	503,454.94
FRANDSON SAFETY INC	140.00
GARNEY WYOMING INC	4,683,844.49
GARRY GINN	100.00
GEORGE AND PRISCILLA HIXSON	100.00
GILLETTE COLLEGE	83,750.00
GILLETTE CONTRACTORS SUPPLY INC	2,506.49
GILLETTE MAIN STREET	280.00
GILLETTE PRINTING COMPANY INC	1,057.66
GILLETTE WINNELSON COMPANY	8,662.97
GOVOLUTION, LLC	1,341.50
GREG'S WELDING CORPORATION	8,809.98
GW CONSTRUCTION, LLC	10,414.00
GW INSPECT	1,475.00

HD SUPPLY WATERWORKS LTD	759.99
HELENA DANIELSON	100.00
HILL, KODY	88.10
HOMAX OIL	8,587.87
INTELLISYS INC	1,260.00
ISC INC	58,703.85
ISMOND, TERRIE	106.17
ITRON INC	1,959.49
JAIME REYNOLDS	166.25
JAMES J NARAMORE, MD, PC	890.00
JASON MATERI	25.00
JENNIFER IVORY	50.00
JLC SIGN SYSTEMS INC	60.10
JOHNSON CONTROLS INC	1,080.00
JONATHAN OSBORNE	200.00
JONES, KIMALA	152.43
JONES, SAMANTHA M	69.01
JORDAN GLICK	100.00
KIMBALL EQUIPMENT COMPANY	276.83
KISSACK WATER & OIL SERVICE	543.97
K-MART	21.19
KNESS, ZACHERY & MAGGIE	132.93
KRIZ-DAVIS COMPANY	2,500.00
LADD, CLINTON G	149.09
LADONNA HATCH	193.50
LAMB, RHIANNON	57.00
LAYNE CHRISTENSEN COMPANY	524,717.82
LITTLE APPLE REPAIR	82.26
LOUISE CARTER KING	23.73
LYLE SIGNS INC	2,430.00
M G OIL COMPANY	1,698.00
MANNING WRECKER SERVICE LLC	160.00
MARTINSON, DIANA	71.88
MCM GENERAL CONTRACTORS	70,548.44
MCNEILUS TRUCK & MANUFACTURING	705.21
MEDLEY, JOSEPH	121.25
MEDORA CORPORATION	2,660.00
MICHAEL TIEFENTHALER	25.00
MIDLAND IMPLEMENT CO INC	30,073.17
MITCHELL, JAMES R	57.53
MONTANA ASSOCIATION OF HEALTH CARE PURCHASERS	1,362.40
MONTGOMERY, CODY	112.21
MOUNTAIN STATES PIPE & SUPPLY	17,663.17
NEVE'S UNIFORM INC	344.87
NEWMAN SIGNS INC	964.25
NORCO INC	1,218.61
NUZUM, MORGAN	61.94
ONE CALL OF WYOMING COPR	237.75
ONLINE INFORMATION SERVICES INC	316.20
ORTEGEL, RONALD & TERESA	128.37
PAINTBRUSH SEWER & DRAIN	47.14
PAMELA MONDRAGON	40.00
PAULETTE WONDERCHECK	167.07
PCA ENGINEERING INC	11,213.27
PETE LIEN & SONS INC	703.50
PINKERTON CONSULTING & INVESTIGATION	41.80
POSTAL PROS SOUTHWEST INC	11,752.15
POWDER RIVER ENERGY CORPORATION	8,180.91
POWDER RIVER HEATING & CONDITIONING CORPORATION	4,554.00
POWDER RIVER OFFICE SUPPLY INC	625.81
POWDER RIVER POWER	273.07
POWER SCREENING LLC	9,000.00
PROELECTRIC INC	26,392.04
PROTECH COMPUTING SERVICES	63.00
RABE, SARA & CARL	200.97
RAILROAD MANAGEMENT CO LLC	194.55
RAZOR CITY LOCKSMITH LLC	887.55

REGULATORY COMPLIANCE SERVICES INC	948.00
RICHARDSON, TAWNY	92.07
RINGER LAW P.C.	5,260.00
ROBIN KUNTZ	14.98
ROSENAU, COURTNEY	28.53
ROTO ROOTER SEWER SERVICE	185.00
S & S BUILDERS	16,145.00
SAFETY-KLEEN SYSTEMS INC	17.00
SCOTT BROTHERS INC	31.75
SELFE, JAMI	200.04
SHANE SCHULTZ PLUMBING & HEATING	557.00
SHAWNA RYMAN	200.00
SHERWIN WILLIAMS	18.27
SMITH, CINDI	67.93
SOLOMON ELECTRIC SUPPLY	13,120.00
SOURCE OFFICE PRODUCTS	1,126.68
SOUTH FORK APARTMENTS, LLC	76.73
SOUTHERN COMPUTER WAREHOUSE	1,362.24
STUART C IRBY CO	1,988.31
SUNDANCE EQUIPMENT COMPANY	277.76
THAT EMBROIDERY PLACE	35.00
THE NICHOLAS GROUP	56.71
THE PIN CENTER	1,195.00
TIM CARSRUD	21.50
TORREZ,JEREMY	125.16
TOTAL ADMINISTRATION SERVICES CORP.	531.36
TOTER INC	30,410.07
UMB BANK	51,713.51
VARITECH INDUSTRIES INC	1,812.27
VERIZON WIRELESS	1,391.62
VISION TECHNOLOGY SOLUTIONS	9,450.00
WAL-MART	290.70
WASTE CONNECTIONS, INC.	371.95
WELLS FARGO BANK	2,013,766.78
WESCO RECEIVABLES CORP	37,606.19
WRIGHT, BRANDY	103.33
WYOMING LAW ENFORCEMENT ACADEMY	1,616.00
WYOMING MACHINERY CO	29.61
WYOMING PEACE OFFICER ASSOC	570.00
WYOMING STATE REVENUE AND TAX	93,700.20
WYOMING WATER SOLUTIONS	69.00
WYOSTAR	45,944.50
XEROX CORPORATION	5,045.74
ZOETIS INC	144.00

Councilman Jerred moved to approve the Consent Agenda; seconded by Councilman Barks. All voted aye. The motion carried.

#### **Conflict Claim**

Councilman Barks moved to approve a conflict claim for Councilman Carsrud in the amount of \$8,684.47; seconded by Councilman Kuntz. Barks, Jerred, Kuntz, McGrath, Montgomery and Mayor Carter-King voted aye. Councilman Carsrud abstained. The motion carried.

Councilman McGrath moved to approve a conflict claim for Mayor Carter-King in the amount of \$649.54; seconded by Councilman Carsrud. Barks, Carsrud, Jerred, Kuntz, McGrath and Montgomery voted aye. Mayor Carter-King abstained. The motion carried.

Councilman Barks moved to approve a conflict claim for Councilman Kuntz in the amount of \$14.98; seconded by Councilman Jerred. Barks, Carsrud, Jerred, McGrath, Montgomery and Mayor Carter-King voted aye. Councilman Kuntz abstained. The motion carried.

#### **Comments**

**Council:** Councilman Barks thanked City and County crews for putting up all the lights around the community and at the Cam-Plex. He also reminded the public that before the recycling program can begin, 900 household signatures are needed.

Other: Communications Manager Palazzari gave a presentation of past and upcoming events around the community; the Mayor and Council recognized the 2016 Fall Parks Photo Contest winners; Mayor Carter-King proclaimed December 17, 2016 as Wreaths Across America Day.

### **Unfinished Business – Ordinance 2nd Reading**

#### **ORDINANCE 16-26**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GILLETTE, WYOMING, TO ALLOW COMMERCIAL RECREATION AS A PERMITTED USE WITH THE CITY'S I-1, LIGHT INDUSTRIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Jerred moved to approve the foregoing Ordinance on second reading; seconded by Councilman McGrath. All voted aye. The motion carried.

### **Unfinished Business – Ordinance 3<sup>rd</sup> Reading**

#### **ORDINANCE 3906**

AN ORDINANCE TO AMEND SECTION 4-9 OF THE GILLETTE CITY CODE TO REQUIRE THAT ANIMALS WITHIN MOUNT PISGAH CEMETERY BE LEASHED

Councilman Bark moved to approve the foregoing Ordinance on second reading; seconded by Councilman Jerred. All voted aye. The motion carried.

### **New Business – Minute Action**

#### **RESOLUTION 2589**

RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE RESUBDIVISION OF LOT 1, BLOCK 10, ROLLING HILLS SUBDIVISION AND A PORTION OF THE VACATED ELON STREET RIGHT-OF-WAY AND VACATED SEWER RIGHT-OF-WAY, TO THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Jerred moved to approve the foregoing Resolution; seconded by Councilman Barks. Administrator Napier provided an explanation of the request. All voted aye. The motion carried.

#### **RESOLUTION 2590**

A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE RESUBDIVISION OF LOT 1, BLOCK 1 OF THE HOMCO SUBDIVISION AND VACATED THIRTY-FIVE FOOT RIGHT OF WAY TO THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Jerred moved to approve the foregoing Resolution; seconded by Councilman McGrath. Administrator Napier provided an explanation of the request. All voted aye. The motion carried.

Councilman Jerred moved to accept the Residential Curbside Collection and Recycling Agreement (formerly known as the "Blue Bag" Program) with Western Waste Solutions, Inc.; seconded by Councilman Carsrud. Administrator Napier provided an explanation of the request and added that the agreement is contingent upon the City obtaining at least 900 participants. All voted aye. The motion carried.

Councilman McGrath moved to approve a Resolution by the City of Gillette in opposition to the legalization of marijuana in the State of Wyoming; seconded by Councilman Montgomery. Several citizens in favor of medical marijuana spoke to the Council. After a lengthy discussion, Councilman Carsrud moved to amend the Resolution by changing the title to read: "A Resolution by the City of Gillette in Opposition to the Legalization of Recreational Marijuana in the State of Wyoming" and in the operative clause of the Resolution to read: "Now Therefore, be it Resolved by the Governing Body of the City of Gillette, Wyoming, that the City of Gillette strongly opposes the legalization of recreational marijuana in the State of Wyoming"; seconded by Councilman Barks. Further discussion ensued. Council then voted on the amendment and the vote was recorded as follows: Jerred, Barks, Carsrud and Mayor Carter-King voting aye. Councilmen Montgomery, McGrath and Kuntz voting nay. The motion to amend carried. Discussion ensued on the amended Resolution. After the discussion, Councilman Jerred moved to table the Resolution until the December 20<sup>th</sup> regular meeting; seconded by Councilman McGrath. Councilmen Jerred, Carsrud, Montgomery and McGrath voting aye. Councilmen Barks, Kuntz, and Mayor Carter-King voting nay. The motion to table the Resolution until December 20<sup>th</sup> carried.

Councilman Jerred moved to authorize City Administrator Napier to sign the State Small Business Credit Initiative Allocation Agreement Amendment with the amount allocated to the Collateral Support Program of \$58,561 for a total allocation to the Credit Guarantee Program of

\$12,776,080.17 and the Seed Capital Network Program of \$451,830.83; seconded by Councilman McGrath. Administrator Napier provided an explanation of the request. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing for the annexation of territory solely owned by the City of Gillette to be known as the Butler Spaeth Right-of-Way Annexation to the City of Gillette, Wyoming, in accordance with W.S 15-1-407, subject to all Planning requirement. Administrator Napier provided an explanation of the request. The public hearing was closed.

**RESOLUTION 2591**

A RESOLUTION CERTIFYING COMPLIANCE AND THE PROCEDURE OUTLINED IN W.S. 15-1-405 AND 15-1-406 FOR THE ANNEXATION OF TERRITORY SOLELY OWNED BY THE CITY OF GILLETTE TO BE KNOWN AS THE BUTLER SPAETH RIGHT OF WAY ANNEXATION, TO THE CITY OF GILLETTE, WYOMING, IN ACCORDANCE WITH W.S. 15-1-407 SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Barks moved to approve the foregoing Resolution; seconded by Councilman McGrath. All voted aye. The motion carried.

**ORDINANCE 16-27**

AN ORDINANCE APPROVING AND AUTHORIZING THE EXTENSION OF THE BOUNDARIES OF THE CITY OF GILLETTE, WYOMING, AND ANNEXATION OF TERRITORY SOLELY OWNED BY THE CITY OF GILLETTE TO BE KNOWN AS THE BUTLER SPAETH RIGHT OF WAY ANNEXATION TO THE CITY OF GILLETTE, WYOMING, IN ACCORDANCE WITH W.S. 15-1-407, CONTIGUOUS AND ADJOINING THE PRESENT BOUNDARIES AND ESTABLISHING AN I-1, LIGHT INDUSTRIAL ZONING DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Jerred moved to approve the foregoing Ordinance on first reading; seconded by Councilman Barks. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing to consider amendments to the Gillette City Budget for FY2016/2017. Administrator Napier provided an explanation of the request. The public hearing was closed.

**RESOLUTION 2592**

A RESOLUTION AMENDING THE GILLETTE CITY BUDGET FOR THE 2016-17 FISCAL YEAR PURSUANT TO W.S. 16-4-113

Councilman Barks moved to approve the foregoing Resolution; seconded by Councilman McGrath. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing to take public comment on an Ordinance to amend Chapter 9 of the Gillette City Code to prohibit mixing yard waste and refuse and rubbish and providing new regulations for recycling. Several citizens spoke in regard to their concerns with the proposed changes to the Ordinance. The public hearing was closed.

**ORDINANCE 16-28**

AN ORDINANCE TO AMEND CHAPTER 9 OF THE GILLETTE CITY CODE TO PROHIBIT MIXING YARD WASTE AND REFUSE AND RUBBISH AND PROVIDING NEW REGULATIONS FOR RECYCLING

Councilman Carsrud moved to approve the foregoing Ordinance on first reading; seconded by Councilman McGrath. Councilman Barks moved to table the Ordinance until January 2017 with the meeting date to be determined; seconded by Councilman McGrath. All voted aye. The motion carried and the Ordinance tabled until January 2017 with the meeting date to be determined.

**Adjournment**

There being no further business, the meeting was adjourned at 9:35 p.m. The next scheduled meeting will be held on December 20, 2016, Council Chambers, City Hall. This meeting can be viewed in its entirety at <http://www.gillettewy.gov/CityCouncilVideos.html>. Minutes can be viewed at <http://www.gillettewy.gov/CityCouncilMinutes.html>.

(S E A L)  
ATTEST: