

A Work Session Meeting of the City Council was held on Tuesday the 23rd day of May 2017.

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

Warm Up Items

Councilman McGrath thanked staff for fixing the pothole in the road at Fox Park; Councilman Montgomery reported calls that he had received regarding leased parking in Lot F, and specifically, the signage specifying times. Administrator Napier reported that the company came forward to notify the City that they would no longer be holding leased parking in Lot F. Those spaces have been leased to others and, therefore, the signage was placed to reflect the leased parking times.

Crestview Annexation Discussion

Board Members Allen Heinrich and Anna Marie Nebel brought forth ideas they had in the event of annexation. Mr. Heinrich stated that he has been informed that the City would waive the water and sewer tap fees, pay for the sewer connection and water meter upgrades, if needed. He noted that what Crestview brings to the City, is good streets, sewer and water system. He then stated that the residents of Crestview want to keep their own water system; however, the Board sees issues with that. The Board would like to keep the water system but turn the system over to the City, allowing the City to run the water system and charge for usage until it is not feasible to do it any longer. He then stated that another concern is that the sewer lagoon will need to be re-claimed. He understands that the City is not interested in re-claiming the lagoon, but it would be a large expense for them to re-claim the lagoon. The Crestview Board doesn't feel as if they should have to "foot" that entire bill; if the City is interested in annexing Crestview, then the City should assist with re-claiming the lagoon. He added that the Board could take care of the rehabilitation of the lagoon and the City could commit a certain dollar amount, up to a point, to assist with the costs associated with the rehabilitation. They're in the process of finding out how much that cost would be, so the Board does not have a dollar amount to report at this time. Anna Marie Nebel stated that the Board is aware of concerns regarding EPA standards and wants to be prepared in the event that annexation occurs. In order to be prepared, these concerns need to be addressed for the residents of Crestview. She went on to say there are strong opinions that Crestview does not want to be annexed at this time. Councilman Barks stated that the downfall for Crestview, if you are not annexed at this time, is that when your water and sewer systems fail, then the City's offer to pay for the water and sewer taps are off the table and Crestview residents will be responsible for those expenses. That's the risk the Crestview Homeowners are taking. Mr. Heinrich responded that some of the homeowners are thinking about that, and do understand the concern. Mayor Carter-King asked how many "no" responses have been received. Administrator Napier replied that the majority are not in favor of annexing; he believes that there are 76 responses that are not in favor of annexation and 22 responses that are in favor of annexation. At this point he would say that Crestview is opting out of being annexed into the City. Discussion of the cost associated with reclaiming the lagoon took place. Mr. Heinrich stated that Duane Foss is looking into this cost. Mr. Napier added that to connect to City sewer would be approximately \$100,000; the lagoon system, at this point in time, is permitted, and the opportunity to connect onto City sewer is a minimal impact. Mayor Carter-King stated, with 76 responses not in favor, Crestview has made their preference known. Further discussion regarding the water system took place. Mr. Heinrich offered one more idea. Behind the lagoon there is a piece of land, where the County currently has a park. There is a greenway that he would like to offer as a donation, after the lagoon is re-claimed, to expand the park.

Snow Debrief

Director Wilde provided information regarding snow plowing efforts during the past season, and is requesting Council's direction for the upcoming FY18 snow plowing efforts, and specifically the materials used. After the presentation and discussion, it was the consensus of the Council to continue with the 50/50 mix of scoria and ice slice materials.

2nd Street from 4 Lanes to 3 Lanes (Brooks to 4-J) Discussion

Director Hamilton provided information regarding the proposed "road diet" regarding 2nd Street between Brooks Avenue and 4-J Road. Information on 4-lane safety concerns, conflict point comparisons, and safety and operational benefits of road diets were provided. The proposal would begin at Stocktrail, transitioning to a 3-lane roadway, east through downtown to Brooks Avenue and because of the proximity, the transition would need to continue east of Hwy 59. This will reduce the dual left turn lane at Hwy 59 and 2nd Street to a single left turn lane. The signal timing has been looked at, targeting Brooks and 2nd Street to ensure this intersection operates properly. Temporary tape would be used to conduct the test rather than candles and cones, and the test would be conducted for three (3) weeks. There is a cost

associated with this test of approximately, \$30,000 to \$40,000. Mr. Hamilton reported that, in working with WYDOT Planning, and with the support of the WYDOT District Engineer, there may be WYDOT Planning funds available, which would reduce the City's cost. Several downtown merchants spoke to the Council in favor of the proposed reduction in lanes. After the discussion, it was the consensus of the Council to move forward with the test.

Liquor Law Follow-Up Discussion

Attorney Davidson provided a power point presentation regarding the proposed changes to Chapter 3 of Gillette City Code. Highlights of the presentation included the challenge of balancing the issues with the various businesses that hold a retail liquor license, staff's recommendations for updated fees, and security interest in liquor licenses. Discussion ensued. Council had concerns regarding the affect the proposed language would have on package liquor stores next to grocery stores. After some discussion, staff informed the Council a revision to the language could be made. Discussion ensued regarding an increase to liquor license fees, and the additional fee for a drive-up window. After the discussion, it was the consensus of the Council to decrease the proposed fee amount for Bar & Grill Licenses to \$3,000 rather than staff's recommendation of \$5,000, and it was the consensus of Council to go with staff's recommendation of the \$500 additional charge for a drive-up window. Attorney Davidson explained the pros and cons of using a retail liquor license as a security interest. Discussion ensued regarding the practice of pledging a retail liquor license as collateral. John Cosner explained the financial banking aspect of using a retail liquor license as collateral. He expressed his concern towards the language regarding security interest in liquor licenses, and he feels it is the City's responsibility to inform the banks and lending institutions of this proposed language. Attorney Davidson responded with two lines of thought: 1) fundamentally, there are no other licenses issued by the State or a municipality that can be used as a means for borrowing money; and 2) it is the responsibility of the licensee (borrower) to notify the lender regarding changes to the agreement. It is not the City's responsibility to notify the lender. Council asked Mr. Cosner, if a bank holds a liquor license as collateral and that liquor establishment goes under, is it the bank's understanding that the bank then owns the liquor license. Mr. Cosner doesn't believe this is a bank's understanding, but there is an established value tied to that liquor license. His hope would be that there would be a timely sale to the next buyer. Council asked, even knowing that the City still has to approve the transfer of that license? Mr. Cosner stated that's exactly right. Mr. Davidson informed the Council that the first reading of this Ordinance will be June 6th with additional readings on June 13th and June 20th in order for Chapter 3 of Gillette City Code to be in place by July 1, 2017.

Amendment to Section 2-2(a) and (e) to Establish Management of the Assistant City Attorney

Attorney Davidson provided a brief explanation regarding the amendment.

Drive and Drop Debrief

Director Wilde provided a debrief regarding the recent Drive and Drop event. Due to the high volume of participants, actual tipping fee costs totaled \$7,973.60. The County Commissioners waived \$3,000 and therefore, there is balance of \$4,973.60. Discussion ensued regarding where the additional funds would come from. A suggestion was to use 1% funds.

Fire Department Fleet Discussion

Fleet Manager Byrd provided background information regarding the Fire Department's request to replace 3 engines and inquired of Council's intentions regarding the same. Discussion ensued regarding the replacement of the engines. After the discussion, it was the consensus of the Council to approve the purchase of two (2) engines.

Review June 6th Council Agenda

The group discussed the upcoming agenda items.

Adjournment

There being no further business to come before the Council, the meeting adjourned at 9:10 p.m. An audio recording of this meeting is available in the City Clerk's Office.

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk
Publish date: May 31, 2017

Louise Carter-King, Mayor