

A Special Meeting of the City Council was held on Tuesday the 13th day of June 2017.

Present were Councilmen Barks, Carsrud, Lundvall, McGrath, Montgomery, and Mayor Carter-King; Administrator Napier; Attorneys Davidson and Reyes; Directors Aguirre, Boger, Cole, Hamilton, Hloucal, Pitlick, and Wilde; Managers Davidsmeier and Harder; Deputy City Clerk Staskiewicz; and additional City Staff.

Warm Up Items

Councilman Montgomery reported that volunteers are needed for the upcoming National High School Rodeo Finals. He also expressed thanks to the Mayor and City Staff for coordinating the 10th Annual Children's Memorial Ceremony.

Councilman Lundvall notified Council that Kevin Couch would like to request that the disc golf course at Dalbey Park be named the "Matt Sorenson Memorial Disc Golf Course". Mr. Couch explained that the course expansion was funded by the Gillette Disc Golf Association. In addition to the naming of the course, the Association is also requesting that the City provide signage, including small signs and flags for each of the course baskets. City Administrator Napier stated that a formal Resolution would need to be drafted for Council's approval. Councilman Barks commented that the approval of the Parks and Beautification Board should precede Council's decision. Mr. Couch commented that he would contact the Parks and Beautification Board. Mayor Carter-King advised Staff to draft a Resolution.

Councilman Carsrud expressed concern regarding abandoned garage sale signage displayed all over town. Administrator Napier stated that enforcement actions would be taken. Councilman McGrath suggested a public service announcement to remind citizens about signage.

Action Item #1:

ORDINANCE 17-16

AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATION OF MONEY FOR THE MAINTENANCE OF THE CITY OF GILLETTE, WYOMING, FOR THE COMING FISCAL YEAR.

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

Action Item #2:

ORDINANCE 17-17

AN ORDINANCE TO RECODIFY AND GENERALLY REVISE CHAPTER 3 OF THE GILLETTE CITY CODE TO REVISE THE LICENSING AND REGULATION OF ALCOHOLIC BEVERAGES

Councilman Carsrud made a motion to approve the foregoing Ordinance on second reading; seconded by Councilman McGrath. Mayor Carter-King asked for discussion. City Attorney Davidson addressed the four (4) proposed Ordinance amendments based on the public comments made during the June 6, 2017 public hearing. **1) Allowance of minors within a microbrewery/winery:** Proposed amendment for 3-32(a), 3-33(a), 3-34(a) & 3-35(a), ***"After proper notice and public hearing, and with the approval of the Governing Body, persons under the age of twenty-one (21) years may enter or remain in the licensed building until the hour of 12:00 A.M. (Midnight)"***. Sam Clikeman, Big Lost Meadery, stated that the proposed amendment was acceptable for his business. Attorney Davidson explained that the proposed Ordinance would entail an annual public hearing at the time of renewal, which would allow Council the control of modifying the decision of allowing minors within a microbrewery/winery. Attorney Davidson explained that because breweries and meaderies have no other source of business other than alcohol, they cannot be classified in the same category as bowling alleys, hotels, coffee shops, theaters, civic/event centers, family entertainment centers, etc., which have exceptions to the ruling of minors in their establishments. Mr. Clikeman requested that this year's public hearing take place at the June 20, 2017 Council meeting to ensure that his business would not be affected by having to wait until the first Council meeting in July. Mayor Carter-King agreed to the request, if all public notice requirements and legalities for the public hearing could be met. **2) Extended hours for recreational facilities (bowling alleys, etc.):** Proposed amendment to 3-24(a)(7), ***"Employees of the licensee under the age of twenty-one (21) may be permitted in the course of their employment to work in the licensed building until the hour of 2:00 A.M."*** Mike Divis, Camelanes, asked Council to consider allowing both minor employees and minor patrons to remain in bowling alleys until 2:00 a.m., citing that it would be unfair to ask minor patrons and employees to leave at midnight if they were in the middle of a jackpot bowling tournament. He assured Council that he would continue the practice of not allowing minors in

the established lounge area, minors would only be allowed in the bowling alley. Chief Hloucal stated that an Operations Plan had been submitted to the Police Department, and he foresaw no issues with extending the time to 2:00 a.m. In accommodation to the request, City Attorney Davidson recommended the following proposed fifth amendment to 3-24(a)(4): ***“Any other establishment approved by the governing body, including but not limited to: Bowling alleys, hotels, coffee shops, theaters civic/event centers, family entertainment centers persons under the age of twenty-one (21) years may enter or remain in the licensed building until the hour of 2:00 A.M.*** 3) Specific language regarding minors within liquor stores: Proposed Amendment to 3-24(a)(6)(A), ***“Persons under the age of twenty-one (21) years may enter or remain in the licensed building only when accompanied by his parent or guardian who is at least twenty-one (21) years of age and the licensed building is for the sale of alcoholic or malt beverages for off-premises consumption and separate from any licensed building for on-premises consumption”***. Councilman McGrath requested that the amendment limit minors in package liquor stores ***“only*** for off-premises consumption”; he expressed concern for minors in a package liquor store during wine or beer tasting events and requested that the word “only” precede “for off-premises consumption”. 4) The fee structure for club licenses: Proposed amendment, 3-15, ***“Change the rate charged for Limited Retail (Club) licenses from the proposed seven hundred fifty dollars (\$750.00) to four hundred twenty-five dollars (\$425.00)”***. Councilman Barks made a motion to approve all five amendments as discussed; seconded by Councilman McGrath. All voted aye. Councilman Barks asked if there were any further concerns brought forth regarding the use of a retail liquor license as collateral. Attorney Davidson stated that he has not been notified of concerns. Councilman Barks clarified that with the proposed ordinance, retail liquor licenses will not be considered collateral. Attorney Davidson concurred that Council would not be in a position of having to recognize any license renewal or transfer of a license that was used as collateral. All voted aye on the original motion as amended for the 2nd reading of the ordinance.

Solar Eclipse Festival Update

City Administrator Napier reminded Council that the grant funding for the Solar Eclipse Festival was denied, the festival committee is seeking funding for their shortfall. Mary Silvernell and Terri Sjolín, Campbell County Convention & Visitors Bureau, expressed their disappointment in not receiving the funding. Ms. Silvernell stated that they have been selling sponsorships to raise funding for the event along with in-kind sponsorships. They are asking Council for a sponsorship of \$5,000 to \$7,000 to help offset their shortfall of approximately \$10,950. Mayor Carter-King asked about the in-kind sponsorships. Ms. Silvernell outlined a few of the sponsorships including the donation of the use of 3 County shuttle vehicles and drivers for transporting people to Casper for the main eclipse event, and GIS mapping for the event provided by the County; she stated that Campbell County provided no cash funding. Ms. Silvernell stated that the City’s funding would help to provide adequate advertising to promote a successful event. Mayor Carter-King asked about City funding possibilities. Administrator Napier outlined two funding options. One option would be from left-over dollars regarding the donations and sponsorships from the WAM convention that could potentially be available. The City also received a portion of the convention registration fees that are returned to the host community in the amount of approximately \$3,000 that could be potential funding for the eclipse event. Another option is that there is an anticipation of unexpected extra lottery money that would be more closely aligned with the spirit of the Resolution recently passed by Council for use in funding economic development activities or promotional activities. Ms. Silvernell and Ms. Sjolín reported that local hotels are not yet fully booked, but air traffic tickets are increasing; additional advertising and promotion would increase out of town participation in the event. Councilman Lundvall asked if there were any in-kind donations that the City could offer. Ms. Silvernell stated that they need advertising, and they would also like to have coupon cards printed for the promotion of local businesses while visitors are in town. In short, they are mostly in need of cash to pay for the advertising and printing costs. Councilman McGrath asked for the dollar amount of anticipated lottery funds. Administrator Napier reported that they are expecting less than \$10,000 in surplus lottery funds. Council agreed that \$5,000 would be funded from the excess lottery funds. Administrator Napier requested an invoice from the Convention & Visitor’s Bureau and stated that the funding would be included in the budget amendment for approval on the June 20, 2017 Council agenda. Ms. Silvernell and Ms. Sjolín expressed their gratitude and announced that the City of Gillette would be their largest event sponsor. Councilman Barks requested a provision that \$5,000 would be provided, as needed, and that any unused funds be returned to the City.

2nd Quarter Updates

Fire Chief Shank and Cory Bryngelson reported the outcome of the 2016 wildfire season presented a much better financial outcome than expected. The total wild fire cost was approximately \$1.2 million. In accordance with a cost share agreement with the Bureau of Land Management and the State Forestry Department, the fires were determined to be on land owned by multiple jurisdictions, so costs were divided by percentage of land responsibility; most of the fires were on private property rather than public lands. BLM agreed to pay the firefighting aviation costs. The City of Gillette’s portion, based on last

year's funding formula, is \$51,063.13. Administrator Napier reported that the dollar amount is included in the upcoming budget amendment and noted that the total dollar amount may experience a reduction in cost and will be paid accordingly. Mayor Carter-King inquired about the \$5,000 funding from the City for a tank. Fire Chief Shank stated that the deadline for the tank was not met, they are looking at other options, which will be far less than \$10,000 but something in writing is needed to be able to see where the revenues generated from the SEATBASE are going to go. The intent is to make the program at the airport self-sustaining and a commitment is needed that any revenues generated will be used strictly for SEATBASE operations for the purchase of new equipment for buying pumps, fire hoses and things of that nature. Mayor Carter-King asked for clarification on whether they are purchasing the tank. Chief Shank said that they will not be purchasing the \$10,000 tank, but are hoping to have something else in place. Cory Bryngelson stated that at a previous meeting, Council was informed that the fire department needed to replace 3 trucks at a cost of approximately \$400,000 each. Since that meeting, the price of the trucks has increased. Preliminary specifications have been prepared and the prices received from vendors are approximately \$500,000 to \$600,000 per truck, which would create an increase in cost to the City of \$200,000 to \$300,000 per truck. Councilman Barks requested time to think about how to proceed. Mr. Bryngelson informed Council that research has been done into purchasing refurbished apparatus, but it didn't seem cost effective to pursue. Councilman Carsrud requested to review the refurbished apparatus research.

Phil Christopherson, Energy Capital Economic Development, gave a quarterly update on economic development activities. Mr. Christopherson presented information on NEW Growth Alliance; the Energy Capital Enterprise Center; the Atlas Carbon Large Loan Capital Expansion Assistance; the Advanced Carbon Products Innovation Center (ACPIC); the ENDOW Initiative; and Higher Education Task Force and STEM Center at the Gillette College. Mr. Christopherson invited Council to attend the Higher Education Task Force meeting when Mr. Gilbert is in town and a presentation can be arranged.

Safety Presentation

Randy Milliron, Safety Manager, gave a presentation on the City's non-preventable and preventable incidents and Worker's Compensation medical costs and premium rates.

Madison Discussion and Operational Update

Diane Monahan, Water Services Manager, gave a presentation on the Pine Ridge Disinfection Facility operations for the Madison Pipeline Project.

Regional Water Connections Cap Tax Funding

Levi Jensen, Project Manager, gave an update presentation on the Madison Pipeline Project regional water connections Cap Tax funding.

Leadership Training Services Funding

Administrator Napier informed Council that in the 1990's the City of Gillette contributed to a Wyoming Association of Municipalities sponsored endowment program for leadership training services. To date, the endowment has not been accessed or spent. WAM is asking cities to support a contract to continue the endowment. If individual communities do not want to continue the endowment, the funds will be refunded to the contributing communities. The City of Gillette contributed \$23,400 over the course of time. Council can choose to have the dues returned and the funds credited to the City's annual WAM dues, which total \$30,228, or Council can choose to sign a new contract and continue the endowment. It was the decision of Council to discontinue the City's contribution to the endowment fund and not renew the contract. City Attorney Davidson recommended that a letter be submitted from the Mayor to WAM, requesting that the City's share of the endowment fund be applied to the City's annual WAM dues.

Highway 50 Widening (Lakeway to Southern Drive) Cooperative Agreement

Administrator Napier explained that the Wyoming Department of Transportation is notifying Council of the possibility of a Cooperative Agreement to commit to a 2019 project, to double the width of the sidewalk, creating a 10' pathway along Highway 50 from Lakeway Road to Southern Drive in association with the project to widen Highway 50.

Development Services Director Hamilton commented that the approximate cost would be \$290,000 for almost 2 miles of pathway. He stated that this is the same type of agreement used for the pathway in the first phase of the project from I90 to Lakeway Road and would complete the master plan; the property for the pathway is included in the State right-of-way. Director Hamilton stated that a letter from the Mayor to request the cooperative agreement would be submitted to WYDOT and they would prepare a formal estimate of cost and submit the cooperative agreement for Council's approval. WYDOT would obtain bids for the project, if the bids are 20% higher than the estimate of cost, Council would be asked for approval to proceed with the project. Councilman Lundvall asked if this would be a 1% project.

Director Hamilton stated that it would most likely be proposed to fund the project from 1% funds, as has been done in the past. Mayor Carter-King asked how the budgeting process would work. Director Hamilton advised that since the close of the fiscal year is approaching, total project cost savings could be assessed, and when the amendment for carryover is addressed, the savings could be rolled over and targeted for this project. Administrator Napier stated that Council could then stick to their cash basis of funding projects. Councilman McGrath questioned if there is a need for the pathway in this location and if it would be utilized. Councilman Lundvall asked what kind of lighting would be along the pathway. He also stated that there is a running group that utilizes the pathway and they have mentioned the need for lighting. Director Hamilton stated that there is a meeting scheduled with WYDOT regarding the utilities, but he thinks the lighting would most likely be limited to the intersections, the City could choose to fund additional lighting through the City's utility department. Director Hamilton stated that the City would realize savings for grading the area, 5 foot of concrete for the length of the pathway and land charges, basically, the City would get a 10-foot pathway for the cost of a 5-foot sidewalk. Administrator Napier advised that Council could also submit a variation of specifications for the pathway if they don't want the full width of the pathway for the duration of the nearly 2-mile project.

Budget Amendment Review

Administrator Napier gave a summary of the upcoming budget amendment. The amendment will include funding for both the 2016 firefighting incurred costs and for funding the upcoming eclipse event from the excess lottery funds. Administrator Napier explained that the amendment also addresses the move of funds from the FY18 CIP budget to the FY17 CIP budget to accommodate Council's request to start the Boxelder "S" Curve straightening project in FY 17. The amendment will allow for a payment to PRECORP that has come due, for the change of service area from PRECORP into the City's service territory due to the Southern Industrial annexation.

Review June 20th Agenda

The group reviewed the upcoming agenda items.

Adjournment

There being no further business to come before the Council, the meeting adjourned at 9:05 p.m. An audio recording of this meeting is available in the City Clerk's Office.

(S E A L)

ATTEST:

Cindy Staskiewicz, Deputy City Clerk
Publish date: June 21, 2017

Louise Carter-King, Mayor