

CITY OF GILLETTE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
City Council Chambers ~ City Hall
October 24, 2017

PRESENT

Commission Members Present: Jim Nielsen, Cindy Reardon, Brenda Green, Trevor Matson, Sheryl Martin, Ted Jerred, Jennifer Tuomela.
Commission Members Absent: None.
Staff Present: Heath VonEye, Interim Development Services Director; Annie Mayfield, Planning and GIS Manager; Clark Sanders, Planner; and Jill McCarty, Administrative Assistant.

CALL TO ORDER

Jim Nielsen called the meeting to order at 7:00 p.m.

APPROVAL OF THE
MINUTES

A motion was made by Trevor Matson and seconded by Cindy Reardon to approve the Pre-Meeting Workshop and Regular Meeting Minutes of the City Planning Commission Meeting of August 8, 2017. Motion carried 7/0.

17.001AP-
ANNEXATION PLAT-
Antelope Valley and
Crestview Estates
Addition Annexation

Clark Sanders presented Case No. 17.001AP.

The City of Gillette is considering a request to Annex 742.48 Acres of land to be known as the Antelope Valley and Crestview Estates Addition Annexation.

The City of Gillette has received prior non-contiguous annexation agreements and annexation petitions executed by landowners within the Antelope Valley and Crestview Estates Addition Annexation area.

A majority of the landowners owning a majority of the land area sought to be annexed and have petitioned the City to annex 742.48 acres into the City limits.

Any future development or construction will be reviewed by the City and shall meet City standards.

The proposed zoning of the area is C-P, Planned Neighborhood Business District, A, Agricultural District, C-1, General Commercial District, I-1, Light Industrial district, R-1, Single Family Residential, R-2 Single & Two Family Residential, R-4, Multiple-Family Residential and R-R, Rural Residential. The proposed zoning meets the intent of the Comprehensive Plan. The existing development pattern is compatible with the proposed zoning. The City Council will make the final zoning determination at the time of annexation.

Water, sewer and electrical services are available for the annexation area, and the annexation area is currently served by various districts, including current City of Gillette utility services.

As per the State of Wyoming Statute 15-1-405, each landowner was provided a letter by certified mail, including the Public Hearing Notice and outlining specific items such as water and sewer services, electrical services as well as a more comprehensive outline of the items

previously mentioned.

Clark said the City Planning Division received between 15 to 20 calls from the public on the case.

Chairman Nielsen asked if there were any questions on the case.

Aron Morgan, 6801 Robin Drive, was present and said he does not want the annexation, nor the extra property tax. Aron said he purchased a house where he did so he would not be in city limits, and wants the proposed annexation stopped.

Megan Nelms, Campbell County Planning and Zoning Administrator, was present and said it was not typical of past annexations for the parklands to still be owned and maintained by the County after an annexation. Megan thought this should be further discussed between the County and City, as the County wants the City to take ownership of the parkland, and not leave it as a responsibility of the County.

Heath VonEye said the City had received a letter today from the County Attorney's Office regarding the parklands, and discussions and negotiations between the City and County will need to continue on the parklands as the annexation process progresses. Commissioner Jerred asked if the ownership of the parklands can be amended by the time the proposed annexation is to be read the third and final time at the City Council Meeting, and Heath VonEye said it was possible for amendments to occur before the third reading, which is scheduled for December 5, 2017.

Laura Jensen, 8591 Ramshorn Avenue, was present and said she had purchased her home a year ago outside of town and liked having more freedom for situations like having vehicles in her yard they were working on. Laura also said in the few years she did live within City limits, in the winter the roads were not maintained as people would like, and had been told the City did not have enough money in their budget for streets to be maintained differently, or plow the side streets properly. Laura also stated the residents where she lives should be able to choose what company their utilities come from as well.

Heath VonEye said the City Public Works Department is currently working closely with Campbell County Road and Bridge, who currently removes snow from streets located in the County, and are putting together a plan for the most efficient route for snow plowing and winter maintenance of the streets of the proposed annexed area.

Commissioner Jerred inquired if residents within the proposed annexed area would maintain their current utilities after an annexation were to happen, and Heath VonEye said that everyone is keeping their current water and sewer utility services, and that there is a draft franchise agreement with PreCorp that would have the residents keep their current electricity with PreCorp for five years, and is a renewable agreement.

Aron Morgan asked for clarification if the County would continue to plow the roads if the annexation were to take place, and Heath VonEye said

the County would not be doing the snow removal if the area were annexed into the City.

Aron Morgan asked if Crestview was going to experience problems of not having their secondary streets plowed, and thought the City plow crews would be overwhelmed with the additional work of the proposed annexed area. Aron stated he did see anything positive out of being annexed into City limits; he saw he was losing freedoms such as he would have to get permits to work on his house, could not set off fireworks on his property, and would not be able to have unlicensed vehicles on his property.

Chairman Nielsen asked Megan Nelms to clarify the rules and regulations that the County had for residents and subdivisions located within the County. Megan Nelms stated the County does have a nuisance ordinance, but does not employ staff dedicated to enforcing the ordinance. Megan said the County does investigate complaints received, and is currently considering revising their nuisance ordinance in the future.

Commissioner Jerred inquired if the possible short life and failure of the lagoon located in the Crestview Subdivision was a driving force for annexing the subdivision into City limits. Heath VonEye said that to his knowledge, according to information from the Crestview Improvement and Service District, the life of the lagoon is limited, and is a concern to the District, and that upon annexation, negotiations between the District and the City could take place for connection to the City's sewer system. If not annexed, the cost to abate the existing lagoon is potentially very high, and the Crestview Improvement and Service District would be completely and solely responsible for any sewer improvements to their system, including the lagoon reclamation or replacement.

John Cattles, 2419 Gallery View Drive, was present and stated the sewer lagoon was just inspected and permits renewed for 20 years by DEQ. John said the EPA looked at it and said it was good. John asked why the City included Crestview Estates, whose residents did not sign pre-annexation agreements, together with Antelope Valley, whose residents did sign pre-annexation agreements, as the entire area to be annexed.

Heath VonEye said inclusion of all the areas is based on the majority of the landowners in the land area, owning the majority of the land, that have signed annexation petitions to annex the area.

John Cattles asked if the areas zoned agricultural were a tool in getting Crestview Estates annexed into the City. Heath said the zoning of those parcels were based on their current and future potential uses. John said he does not want to be annexed into the City, and felt, in his opinion, this was a "railroad job" with the large areas being annexed in and keeping their agricultural zoning.

Brent Reynolds, 6809 Robin Drive, was present, and stated he had attended several meetings with no response given if residents would be responsible for their own tap fees. Brent said only after the annexation notice was received was it stated in an email to him from the Crestview

Board that tap fees for water and sewer would be waived. Brent also said he felt negotiations were made behind people's backs of Crestview, with the large landowners surrounding the proposed annexed area. Brent said he does not agree with the way it has been done.

Heath VonEye said he was not familiar with the email the Crestview Board sent out to their residents; however, based on how the current annexation reports are written, Crestview Estates will stay on their current water and sewer system. With possible future issues with the lagoon Crestview Estates has, agreements would need to be made for Crestview's sewer system tying onto City sewer, and the waiver of tap fees has not been finalized as such. The City has applied for a grant for Crestview Estates to be able to tie into the regional water system as a regional customer. Heath said the City's Utilities Director does not believe there would be additional plant investment fees associated with Crestview's Improvement and Service District tying onto the regional water system as a regional customer.

Commissioner Jerred encouraged everyone to attend the upcoming Council Meetings, stating the proposed annexation would need to pass three City Council readings, and the ordinance could be negotiated up to the third and final reading.

Chairman Nielsen thanked those that attended and voiced their opinions, and said they were welcome to also voice their opinions at any of the upcoming three readings of the proposed ordinance at the City Council meetings.

Heath VonEye said the Planning Commission was an advisory committee for the City Council, and were advising City Council on the zoning for the proposed annexation. Heath said the public hearing and first reading of the proposed annexation ordinance would be at the November 7, 2017, City Council meeting.

There being no further discussion, Ted Jerred made a motion to approve said case. Cindy Reardon seconded the motion. Motion carried 7/0.

OLD BUSINESS

None

NEW BUSINESS

Heath VonEye introduced Annie Mayfield as the new Planning and GIS Manager for the City.

Clark Sanders said the next meeting will be on November 14, 2017, and there will not be a meeting on November 28, 2017.

ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Minutes taken and prepared by Jill McCarty, Administrative Assistant.