

A meeting of the City Council was held on Tuesday the 6th day of February 2018.

Present were Councilmen Barks, Carsrud, Kuntz, Lundvall, Montgomery, and Mayor Carter-King; City Administrator Davidson; City Attorney Reyes; Directors Aguirre, Cole, and Henderson; Managers Palazzari and Toscana; and City Clerk Abelseth.

The Invocation was given by Pastor Dan Knust of High Plains Community Church. The Pledge of Allegiance led by Boy Scout Troops 166, 266, 366 & 466.

Approval of General Agenda

Councilman Barks made a motion to approve the General Agenda; seconded by Councilman Carsrud. All voted aye. The motion carried.

Approval of Consent Agenda

Minutes

Executive Session – January 5, 2018; Executive Session – January 9, 2018; Pre-Meeting – January 16, 2018; Executive Session – January 16, 2018; Regular Meeting – January 16, 2018; Work Session – January 30, 2018; Executive Session – January 30, 2018.

Bills and Claims

Absolute Auto LLC, 214.84; Adecco Employment Services, 1,312.85; Advance Auto Parts, 939.34; Air Tech Inc, 1,925.06; Airgas Intermountain, 661.54; Alan Stuber, 1,394.00; Albertsons, 1.50; Alco Mobile Storage, 318.00; AlSCO, 1,069.58; Alyshia Vigil, 20.00; Anixter Power Solutions, 32,727.65; Archibald, Terri, 38.71; Architectural Specialties LLC, 933.00; Arrow Printing And Graphics Inc, 481.00; Aschenbrenner, Chandler, 167.22; Assure Co Risk Management & Regulator Compliance, 350.00; AT & T Mobility National Accounts, 5,153.84; AVP Consulting LLC, 107.01; Big Horn Tire Inc, 1,582.84; BJ Nelson Inc/Nelson Auto Glass, 75.00; Black Cat Construction LLC, 24,812.69; Black Hills Energy, 18,448.13; Black Hills Power & Light, 859,785.09; Black Hills Wyoming LLC, 445,585.94; Blakeman, Wyatt, 173.28; Blue Cross Blue Shield Of Wyoming, 359,185.45; Border States Electric, 3,581.72; Bosch, Michael, 82.18; Buffalo Federal Bank, 72,947.21; Bunes, Chris, 96.75; Burlington Northern Santa Fe, 6,566.00; Burns And McDonnell Corporation, 200,511.70; Camel Towing LLC, 80.00; Campbell County Chamber Of Commerce, 700.00; Campbell County Coordinated Benefits Trust, 7,151.32; Campbell County Engineers, 62,597.25; Campbell County Hospital District, 975.50; Campbell County Public Land Board Campplex, 157,901.50; Campbell County Sheriff, 3,400.00; Centurylink, 2,949.07; Charter Media, 405.60; City Of Gillette, 106.76; City Of Gillette-Health Plan, 200,000.00; Collection Professionals Gillette, 169.72; College Park III LLC, 43.20; Collins Communications Inc, 4,291.00; Compasstools, Inc, 3,963.00; Cop Wyoming LLC, 603,143.35; Cottonwood Apartments, 25.80; Craig Furman, 150.00; Cuentas, Andrew, 114.13; Cues Inc, 1,866.31; Cummins Rocky Mountain Inc, 227.52; Dana Kepner Company Inc, 2,514.95; Dawn Allen, 200.00; Delta Dental Of Wyoming, 19,893.45; Department Of Energy, 61,304.71; Derric Culey, 50.00; Desert Mountain Corporation, 75,495.25; Desert Run Apartments I, 89.79; Dickey, Rob & Tina, 119.34; Dickey's BBQ, 208.23; Dobitz, Maikyla, 179.06; Donkey Creek Festival, 35,000.00; DOWL, LLC, 4,252.50; Dunlap Photography, 184.00; Dykman Electrical Inc, 297.30; E Z Towing & Recovery Inc, 192.50; Earthchannel Communications Inc, 6,985.00; Eby, Paul & Marie, 100.73; Electro-Test And Maintenance Inc, 56,643.75; Emerald Transformer, 5,729.21; Employment Testing Services Inc, 128.00; Empty Sea, 274.05; Energy Capital Economic Development, 500.00; Energy Laboratories Inc, 102.00; Entenmann Rovin Company, 524.00; Express Scripts Inc, 69,221.12; Fairmont Supply Company, 330.15; Fairway LLC, 29.40; Farmer Brothers Company, 465.50; Fastenal Company, 54.34; FedEx, 250.14; First Interstate Bank Of Gillette, 67,015.93; Flagshooter LLC, 142.98; Fogg, Michael, 102.78; Foothills Apartments, 117.18; Foothills View Apts, 23.57; Force America Inc, 709.69; Frandson Safety Inc, 1,109.69; Galls, An Aramark Company, 1,698.84; Garney Wyoming Inc, 48,618.33; Garro, Bert & Katelin, 62.69; Garry Ginn, 100.00; Gillette Contractors Supply Inc, 3,800.48; Gillette Steel Center, 1,331.00; Gillette Winnelson Company, 2,972.79; Greg's Welding Corporation, 1,118.00; Gutermann Inc, 7,066.88; GW Construction, LLC, 1,297.50; HDR, Inc - US Engineering Accounts Receivable, 1,137.51; Hillyard Inc, 361.28; Homax Oil, 31,280.81; Home Fire Foods, 322.50; Hot Iron, 729,064.11; Insight Public Sector, 550.00; Interstate Companies Inc, 222.76; ISC Inc, 5,040.00; It Outlet Inc, 9,510.00; J R Enterprises, 90.00; J&Js Clothing & Bridal LLC, 407.81; Jack's Truck Center Inc, 3,716.47; James J Naramore, MD, PC, 3,026.00; Jennifer Ivory, 50.00; Jim Campbell, 95.00; JLC Sign Systems Inc, 244.00; Kayla Leingang, 50.00; Kois Brothers Equipment Company, 1,304.76; Kwik Shop West, 10.00; Lannan's Supply Company, 162.46; Laura Besler, 1,000.00; Legend Communications Of Wyoming, 500.00; Loman, Tyler, 95.46; Magnet Forensics USA, Inc, 3,000.00; McLaughlin, Brian, 131.04; MCM General Contractors, 129,075.41; McNeilus Truck & Manufacturing, 1,716.76; Mike Porter, 73.30; Miller, Alysse, 75.00; Monument Homebuilders, 126.17; Motel 6, 100.00; Municipal

Energy Agency Of Nebraska, 5,375.00; National Band & Tag Co, 842.83; Norco Inc, 3,213.79; Nycole Miller, 150.00; One Call Of Wyoming Corp, 93.00; Pamela Mondragon, 40.00; Paul Gerrits, 112.05; PCA Engineering Inc, 2,507.41; PCMG, Inc, 4,640.97; Pete Lien & Sons Inc, 300.75; Pinkerton Consulting & Investigation, 161.60; Pokeys BBQ, 127.00; Postal Pros Southwest Inc, 14,021.05; Powder River Construction, 2,209.10; Powder River Energy Corporation, 8,528.54; Powder River Office Supply Inc, 20.00; Pro Force Law Enforcement, 3,786.93; Proelectric Inc, 77,434.55; Ralph Kingan Enterprise, 25.70; Razor City Realty, 358.42; Rebecca Bradford, 983.11; Record Supply Inc Napa, 280.32; Regina Shipley, 1,150.00; Rmel, 200.00; Robert C Moore, 58,434.00; Ryley Constable, 50.00; Safety-Kleen Systems Inc, 171.77; Schiller, Anthony, 185.03; Schulte Ta Inc, 5,065.00; Shay Follum, 250.00; Silvernell, Laurie, 60.27; Source Office Products, 3,519.59; South Fork Apartments LLC, 45.20; Sportsman Warehouse, 48.20; Sterling Albers, 200.00; Stuart C Irby Co, 1,558.47; Sundial Heating & Refrigeration Inc, 180.00; The Great Escape, 133.13; Timm, Karla, 144.30; Total Administration Services Corp., 1,572.30; Traffic Parts Inc, 156.00; Traffic Signal Controls Inc, 575.00; Tromble, Chance, 92.60; Tucker Electric Inc, 391.95; Tyler Technologies Inc, 1,000.00; UMB Bank, 60,572.05; Walton, Tabitha, 106.95; Waste Connections, Inc., 6,78.50; Wesco Receivables Corp, 15,918.62; Western Waste Solutions Inc, 75.00; White's Frontier Motors, 22.62; WWQ & PCA Assoc, 720.00; Wyodak Resources Development Corp, 133,938.55; Wyoming Department Of Health, 936.00; Wyoming Dept Of Transportation, 68.73; Wyoming Engineering Society, 360.00; Wyoming Law Enforcement Academy, 550.00; Wyoming Machinery Co, 448.29; Wyoming Secretary Of State, 30.00; Wyostar, 41,836.56; Xerox Corporation, 101.43; Xylem Water Solutions USA Inc, 3,335.63; Zions Bank, 117,738.00

Councilman Carsrud made a motion to approve the Consent Agenda; seconded by Councilman Kuntz. All voted aye. The motion carried.

Approval of Conflict Claims

Councilman Barks made a motion to approve a conflict claim for Mayor Carter-King in the amount of \$641.21; seconded by Councilman Montgomery. Barks, Montgomery, Kuntz, Carsrud and Lundvall voted aye. Mayor Carter-King abstained. The motion carried.

Comments

Council – Councilman Kuntz informed the public that there will be an informational meeting regarding the One Percent tax on February 27th in the Council Chambers.

Public – Bill Fortner inquired of issues with the Madison project.

Other – The Mayor and Council recognized the City of Gillette's 4th Quarter P.R.I.D.E. recipient, Police Officer Julianne Witham; Mayor Carter-King proclaimed the week of February 11-17, 2018 as *Wyoming Random Acts of Kindness Week*; and Communications Manager Palazzari provided a video presentation of past and upcoming events around the community.

Unfinished Business

Ordinance 2nd Reading

ORDINANCE 18-01

AN ORDINANCE TO REPEAL CHAPTER 10, ARTICLE VI, SECTIONS 10-27 A-I OF THE GILLETTE CITY CODE TO ELIMINATE LICENSE REQUIREMENT FOR PRIVATE SECURITY PERSONNEL

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

New Business

Minute Action

Councilman Barks made a motion to authorize the Mayor to sign a Telecommunications Raceway Lease Agreement between the City of Gillette and Visionary Communications, Inc.; seconded by Councilman Kuntz. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Carsrud made a motion to authorize the Mayor to sign a Pipeline Lease Agreement with BNSF Railroad for a 12" water main right-of-way crossing for the 2018 Water Main Replacement Project (1% Project); seconded by Councilman Barks. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Barks made a motion to authorize the Mayor to sign the FY 2018 Transportation Alternatives Program Grant Agreement between Wyoming Department of Transportation and the City of Gillette for the Dalbey Park to Gillette College Pathway, Phase 2 (1% Project); seconded by

Councilman Kuntz. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Barks made a motion to approve a professional services agreement for construction management associated with the 2018 Alley Pavement Management System Project, with PCA Engineering, Inc., in the amount of \$41,848 (1% Project); seconded by Councilman Carsrud. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Kuntz made a motion to approve a professional services agreement for design and bidding services associated with the Gurley Overpass Deck Rehabilitation Project, with Structural Dynamics, LLC, in the amount of \$24,186 (1% Project); seconded by Councilman Carsrud. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

RESOLUTION 2649

A RESOLUTION TO AUTHORIZE AND APPROVE THE GRANT AGREEMENT BETWEEN THE STATE OF WYOMING, DEPARTMENT OF STATE PARKS AND CULTURAL RESOURCES STATE HISTORIC PRESERVATION OFFICE AND GILLETTE HISTORIC PRESERVATION COMMISSION

Councilman Barks made a motion to approve the foregoing Resolution to authorize and approve the grant agreement between the State of Wyoming, Department of State Parks and Cultural Resources State Historic Preservation Office and Gillette Historic Preservation Commission; seconded by Councilman Montgomery. All voted aye. The motion carried.

Councilman Carsrud made a motion to approve the sale of a parcel of land, with a value less than \$500, to Lang Homes, Inc., for \$300; seconded by Councilman Barks. All voted aye. The motion carried.

Councilman Carsrud made a motion to approve the sale of a parcel of land, with a value less than \$500, to Michael P. Ieronimo for \$300; seconded by Councilman Kuntz. Administrator Davidson provided an explanation regarding both considerations for land sales. All voted aye. The motion carried.

Ordinance 1st Reading

ORDINANCE 18-02

AN ORDINANCE TO AMEND SECTION 9-2(G) OF THE GILLETTE CITY CODE TO REQUIRE TRANSPORTATION OF REFUSE TO BE COVERED

Councilman Barks made a motion to approve the foregoing Ordinance on first reading; seconded by Councilman Carsrud. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Public Hearings and Considerations

Mayor Carter-King opened a public hearing to amend the Zoning Ordinance of the City of Gillette, Wyoming, to amend Section 16, definitions (sss)(1); Section 10, Sign Regulations 10.f.(1), 10.f.(1).(g), and Exhibit 10-2, subject to all Planning requirements. Administrator Davidson provided background information regarding the request to amend the Zoning Ordinance, stating that the request is for the expansion of square footage for tri-face billboards. He added that action was taken to limit the square footage of the tri-face billboard to 680 square feet. In this case, plans were submitted proposing 900 square feet; the request is an expansion of 220 square feet to what has been permitted. Council inquired as to how long the 680 square feet limitation has been in place. Planner Sanders stated that the 680 square feet has been a standard of the City's for quite some time, as well as in other cities. Mr. Sanders stated that the sign was erected and then the owner came to the City to request the change. General discussion ensued. Mayor Carter-King asked if the owner of the sign knew, before he built the 900-square foot sign, that there's a 680-square foot limitation. Mr. Sanders replied that he believes the owner knew the sign restrictions. As part of the application, it was stated in the zoning permit that the owner could only use 680 square feet of advertising space. The owner noted on the application that he had the right to appeal the 680 square feet and build it larger. Based on the City's zoning regulations, there is no appeal process because there was no denial of the application. Councilman Barks asked if the owner of the sign knew that there was going to be a public hearing regarding this matter. Mr. Sanders reported that the owner was aware of the public hearing. After the discussion, the public hearing was closed.

ORDINANCE 18-03

AN ORDINANCE APPROVING AND AUTHORIZING A ZONING TEXT AMENDMENT TO AMEND THE ZONING ORDINANCE OF THE CITY OF GILLETTE, WYOMING, TO AMEND SECTION 16, DEFINITIONS (sss) (1); SECTION 10, SIGN REGULATIONS 10.f.(1), SECTION 10.f.(1).(g), AND EXHIBIT 10-2, SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Kuntz made a motion to approve the foregoing Ordinance on first reading; seconded by Councilman Carsrud. Councilmen Barks, Montgomery, Carsrud, and Lundvall voted nay. Mayor Carter-King and Councilman Kuntz voted aye. The motion failed.

Mayor Carter King opened into a public hearing to amend the district zoning map of the City of Gillette, Wyoming, for property generally located at 2700 Westover Road and legally described as Lot 4C, Block 1, Westover Hills Subdivision Phase I, from C-1, General Commercial District to R-4, Multi-Family Residential District, subject to all Planning requirements. Administrator Davidson provided an explanation regarding the consideration. No further comments were made and the public hearing was closed.

ORDINANCE 18-04

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 2700 WESTOVER ROAD AND LEGALLY DESCRIBED AS LOT 4C, BLOCK 1, WESTOVER HILLS SUBDIVISION PHASE I, FROM C-1 GENERAL COMMERCIAL DISTRICT, TO R-4 MULTI FAMILY RESIDENTIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Carsrud made a motion to approve the foregoing Ordinance on first reading; seconded by Councilman Montgomery. All voted aye. The motion carried.

Executive Session

Councilman Barks made a motion to move into an Executive Session to discuss litigation and personnel; seconded by Councilman Kuntz. All voted aye. The motion carried.

Adjournment

There being no further business, the meeting was adjourned at 7:54 p.m. The next scheduled meeting will be held on February 20, 2018, 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:

Karlene Abelseth, City Clerk
Publication Date: February 14, 2018

Louise Carter-King, Mayor