

A meeting of the City Council was held on Tuesday the 20th day of February 2018.

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

The Invocation was given by Pastor Ron Merritt with Corner Stone Church. The National Anthem was performed by Thunder Basin High School Choir.

Approval of General Agenda

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

Approval of Consent Agenda

Minutes

Pre-Meeting – February 6, 2018; Executive Session – February 6, 2018; Regular Meeting – February 6, 2018.

Ordinance 2nd Reading

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

Bills and Claims

Advance Auto Parts, 470.70; AlSCO, 934.41; American Water Works, 1,927.00; American Welding & Gas Inc, 28.31; Anixter Power Solutions, 5,567.78; Arrow Printing And Graphics Inc, 90.00; Assure Co Risk Management & Regulator Compliance, 350.00; Bear's Naturally Clean, 15.00; Beau Hendricks, 100.00; Bennett, Cecilia, 13.64; Big Horn Tire Inc, 112.00; Black Cat Construction LLC, 3,126.27; Black Hills Power & Light, 89,205.81; Black Hills Wyoming LLC, 390,266.91; BLM Companies LLC, 139.76; Blue Cross Blue Shield Of Wyoming, 153,811.31; Callahan, Katherine, 24.50; Campbell County Coordinated Benefits Trust, 1,090.00; Campbell County Engineers, 861.00; Campbell County Hospital District, 2,492.00; Campbell County Juvenile, 19,166.50; Campbell County Master Gardeners, 125.00; Campbell County Public Health, 75.00; Carothers, Whitney, 194.92; Chen, Feng, 244.91; City Of Gillette - Petty Cash, 63.00; Collins Communications Inc, 4,391.00; Cuentas, Andrew, 87.33; Cues Inc, 929.05; Dana Kepner Company Inc, 48,664.70; David Geer, 7.00; Delarosa, Fabian, 162.16; Delta Dental Of Wyoming, 20,415.80; Desert Mountain Corporation, 17,025.22; Donmyer, Robert, 167.17; Dougherty, Justin, 75.44; Dowl LLC, 18,713.21; DPC Industries Inc, 5,815.20; DRM Inc, 11,362.91; Dykman Electrical Inc, 2,896.00; E Z Towing & Recovery Inc, 65.00; Emerson, Anthony, 41.65; Employment Testing Services Inc, 68.00; Energy Laboratories Inc, 3,435.50; Estell, Crystal, 63.98; Express Scripts Inc, 25,576.68; Farmer Brothers Company, 226.85; Farmer Co-Op, 125.00; Firemaster Dept 1019, 50.00; First Interstate Bank Of Gillette, 128.95; Flexsystems, 151.00; Fraser, Daniel, 67.25; Fremont Motor Sheridan Inc, 2,439.64; Frontier Precision Inc, 2,064.00; Galls, An Aramark Company, 93.50; Gillette Contractors Supply Inc, 383.80; Gillette Winnelson Company, 2,272.50; Govolution, LLC, 1,481.90; Grenvik, Cheri, 206.48; GW Construction, LLC, 10,030.00; Hawkins Inc, 151.00; HDR Inc - US Engineering Accounts Receivable, 52,158.33; Hillcrest Spring Water Inc, 180.00; Homax Oil, 25,620.36; Home Fire Foods, 403.25; HUB International Mountain States Limited, 20.00; Hyles, Trampus, 66.08; Icma, 1,400.00; Inter-Mountain Labs Inc, 156.00; Intermountain Sales Inc, 9,393.00; Interstate Companies Inc, 338.64; IT Outlet Inc, 1,585.00; Itron Inc, 2,119.41; Jack's Truck Center Inc, 3,244.00; Jason Materi, 25.00; JLC Sign Systems Inc, 73.50; Johnson Controls Inc, 3,638.83; Julian, Terrie, 79.59; Kadrmas Lee & Jackson Inc, 19,594.45; Kayla Leingang, 50.00; Kelley, Deanna, 45.35; Khan, Mohammad T, 312.54; Kone Inc, 1,630.11; Legend Communications Of Wyoming, 500.00; Long, Sarah, 33.79; Louise Carter King, 23.73; Marshall Jewelry, 999.00; Matt Betts Trucking, 110.88; Mccoin, Katie, 17.36; McNeilus Truck & Manufacturing, 553.60; Michael Averett, 50.00; Michael Tiefenthaler, 25.00; Mills, Mason, 179.36; Morel, Gerald, 102.06; Morrison Maierle Inc, 33,983.65; Motel 6, 100.00; Newman Signs Inc, 575.25; News Record, 4,627.89; Nielsen, Warren, 152.62; Norco Inc, 536.06; Nord, Finn, 100.85; Online Information Services Inc, 300.01; Optum Health Financial Services, 74.25; Osborne, Jonathan, 200.82; PCA Engineering Inc, 14,511.73; PCMG, Inc, 352.00; Pizza Carrello, 120.00; Powder River Heating & Conditioning Corporation, 5,869.75; Powder River Office Supply, 2.99; Proelectric Inc, 199.77; Ranch Creek Prop Inc, 30.61; Reyna, Ray, 164.04; River

Oaks Communications Corporation, 2,276.25; Robin Kuntz, 14.98; RT Communications Inc, 128,800.00; Ryley Constable, 50.00; S & S Builders, 147,372.00; SD Myers, LLC, 4,150.00; Serio-Us Industries, 865.84; Shawn Leair, 500.00; Sorenson, Lindy, 348.74; Source Office Products, 1,079.16; Spencer Fluid Power, 378.56; State Of Wyoming, 394.77; Structural Dynamics LLC, 12,146.62; Sundance Equipment Company, 173.96; Sunni Linse, 86.82; T & R Electric Supply Co Inc, 5,500.00; Team Laboratory Chemical Corporation, 1,695.00; Tennant, Brean, 182.61; That Embroidery Place, 1,304.00; The Lab Depot Inc, 6,760.70; Tim Carsrud, 21.50; Toohey, Pamela, 144.34; Total Administration Services Corp., 534.10; Traffic & Parking Control Company, 179.80; UMB Bank, 42,602.36; Universal Athletic Service, 144.00; Vanpelt, Falen, 140.97; Verizon Wireless, 2,786.50; Visionary Communications, 969.14; Wal-Mart, 88.01; Waste Connections, Inc., 438.35; Wesco Receivables Corp, 1,134.81; Wesley Munson, 50.00; Western Services LLC, 202.08; Western Stationers, 487.71; Western Waste Solutions Inc, 4,180.00; Win-911 Software, 495.00; Wyodak Resources Development Corp, 113,933.04; Wyoming Association Municipalities, 1,075.00; Wyoming Dept Of Employment, 4,956.09; Wyoming Marine, 30.06; Wyoming Rents LLC, 4,233.00; Xerox Corporation, 89.60; Zoetis Inc, 114.00

Councilman Carsrud made a motion to approve the Consent Agenda; seconded by Councilman Barks. Councilman Kuntz made a motion to amend the Consent Agenda by moving D.5.a., *Council Consideration of a Resolution to Accept Changes to the City Employee Handbook*, to New Business – Minute Action, H.1.h; seconded by Councilman Barks. All voted aye and the motion to amend the Consent Agenda, carried. All voted aye on the amended Consent Agenda. The motion carried.

Approval of Conflict Claims

Councilman Barks made a motion to approve a conflict claim for Councilman Carsrud in the amount of \$21.50; seconded by Councilman Lundvall. Barks, Montgomery, Kuntz, Neary, Lundvall and Mayor Carter-King voted aye. Councilman Carsrud abstained. The motion carried.

Councilman Carsrud made a motion to approve a conflict claim for Mayor Carter-King in the amount of \$1,368.61; seconded by Councilman Montgomery. Barks, Montgomery, Kuntz, Neary, Carsrud and Lundvall voted aye. Mayor Carter-King abstained. The motion carried.

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

Comments

Council – Councilman Carsrud thanked the Public Works Department for their snow plowing efforts over the weekend; Councilman Montgomery reported on the success of the Ice Fest; Councilman Kuntz informed the public of the upcoming 1% Tax Informational Meeting to be held in the Council Chambers on February 27th at 6:00 p.m., and invited the public to attend.

Unfinished Business

Ordinance 2nd 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 second reading; seconded by Councilman Carsrud. All voted aye. The motion carried.

Ordinance 3rd Reading

ORDINANCE 3942

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 Kuntz made a motion to approve the foregoing Ordinance on third and final reading; seconded by Councilman Carsrud. All voted aye. The motion carried.

New Business

Minute Action

RESOLUTION 2651

A RESOLUTION FOR THE BID AWARD OF THE SPECIAL IMPROVEMENT DISTRICT #52 PROJECT, ENTITLED INTERSTATE INDUSTRIAL PARK L.I.D. AND STREET IMPROVEMENTS

Councilman Kuntz made a motion to approve the foregoing Resolution for the bid award of the Special Improvement District #52 Project, entitled Interstate Industrial Park L.I.D. and Street Improvements, to

DRM, Inc., in the amount of \$3,739,673.57 (1% Project); seconded by Councilman Carsrud. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Carsrud made a motion to approve a professional services agreement for construction management services associated with the Interstate Industrial Park L.I.D. and Street Improvements Project, with DOWL, in the amount of \$505,262 (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 bid award for the Pavement Management System 2018 Schedule A Project to Van Ewing Construction, Inc., in the amount of \$579,117.34 (1% Project); seconded by Councilman Lundvall. 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 Pavement Management System 2018 Schedule A Project, with Morrison Maierle, Inc., in the amount of \$106,748 (1% Project); seconded by Councilman Montgomery. Administrator Davidson provided an explanation regarding the consideration. Councilman Kuntz questioned the percentage for the construction management costs and stated that he could not support the dollar amount being requested. Director VonEye explained the construction management costs and feels the costs are justified due to what the project entails. Barks, Montgomery, Neary, Carsrud, Lundvall and Mayor Carter-King voted aye. Councilman Kuntz voted nay. The motion carried.

RESOLUTION 2652

A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT KNOWN AS THE ROCKY BUTTE INDUSTRIAL PARK SUBDIVISION LOCATED IN CAMPBELL COUNTY, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

Councilman Carsrud made a motion to approve the foregoing Resolution approving and authorizing the final plat known as the Rocky Butte Industrial Park Subdivision located in Campbell County, Wyoming, subject to all planning requirements; seconded by Councilman Kuntz. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Kuntz made a motion to accept public improvements for the Gillette Madison Pipeline Project, Contract 4e, installed by Garney Companies, Inc., in the amount of \$19,261,088.33; seconded by Councilman Barks. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

RESOLUTION 2653

A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN REPRESENTATION AGREEMENT WITH BEST BEST & KRIEGER

Councilman Carsrud made a motion to approve the foregoing Resolution authorizing the Mayor to sign representation agreement with Best Best & Krieger; seconded by Councilman Montgomery. All voted aye. The motion carried.

RESOLUTION 2654

A RESOLUTION APPROVING THE CITY'S EMPLOYEE HANDBOOK CHANGES EFFECTIVE MARCH 1, 2018

Councilman Carsrud made a motion to approve the foregoing Resolution approving changes to the City's Employee Handbook; seconded by Councilman Montgomery. All voted aye. The motion carried.

Appointments

Councilman Kuntz made a motion to appoint Councilman Billy Montgomery as Council Liaison on the Campbell County Prevention Council; seconded by Councilman Barks. Barks, Kuntz, Neary, Carsrud, Lundvall and Mayor Carter-King voted aye. Councilman Montgomery abstained. The motion carried.

Councilman Kuntz made a motion to appoint Mayor Louise Carter-King to a three (3) year term on the Air Service Enhancement Committee; seconded by Councilman Carsrud. Barks, Montgomery, Kuntz, Neary, Carsrud and Lundvall voted aye. Mayor Carter-King abstained. The motion carried.

Councilman Kuntz made a motion to appoint Mayor Louise Carter-King and City Administrator Patrick G. Davidson to three (3) year terms on the Energy Capital Economic Development Board; seconded by Councilman Barks. Barks, Montgomery, Kuntz, Neary, Carsrud and Lundvall voted aye. Mayor Carter-King abstained. The motion carried.

Councilman Kuntz made a motion to appoint Councilman Dan Barks to a three (3) year term on the Gillette College Higher Education Task Force; seconded by Councilman Neary. Montgomery, Kuntz, Neary, Carsrud, Lundvall and Mayor Carter-King voted aye. Councilman Barks abstained. The motion carried.

Councilman Kuntz made a motion to appoint Tim Carsrud to a partial term, expiring June 30, 2020, on the Community Juvenile Services Board; seconded by Councilman Lundvall. Barks, Montgomery, Kuntz, Neary, Lundvall and Mayor Carter-King voted aye. Councilman Carsrud abstained. The motion carried.

Public Hearings and Considerations

Mayor Carter-King opened into a public hearing to consider the renewal of retail, restaurant, bar & grill, limited club, microbrewery, winery, winery satellite, resort and special malt beverage permits and liquor licenses for the 2018-2019 liquor licensing period. Administrator Davidson provided an explanation regarding the consideration. No further comments were made and the Mayor closed the public hearing.

Councilman Carsrud made a motion to approve the renewal of retail, restaurant, bar & grill, limited club, microbrewery, winery, winery satellite, resort, and special malt beverage permits and liquor licenses for the 2018-2019 liquor licensing period; seconded by Councilman Kuntz. All voted aye. The motion carried.

Mayor Carter-King opened into a public hearing to consider allowing persons under the age of twenty-one (21) years to enter or remain in a microbrewery, winery or winery satellite licensed building for the liquor licensing period April 1, 2018 to March 31, 2019. Administrator Davidson provided an explanation regarding the consideration. No further comments were made and the Mayor closed the public hearing.

Councilman Carsrud made a motion to allow persons under the age of twenty-one (21) years to enter or remain in a microbrewery, winery or winery satellite licensed building for the liquor licensing period April 1, 2018 to March 31, 2019; seconded by Councilman Montgomery. All voted aye. The motion carried.

Mayor Carter-King opened into a public hearing to consider a bar & grill liquor license requested by Rodel, LLC, d.b.a. Las Margaritas, located at 2107 S Douglas Hwy, with an operational date beginning on April 1, 2018. Administrator Davidson provided an explanation regarding the consideration. No further comments were made and the Mayor closed the public hearing.

Councilman Barks made a motion to approve a bar & grill liquor license requested by Rodel, LLC, d.b.a. Las Margaritas, located at 2107 S Douglas Hwy, with an operational date beginning on April 1, 2018; seconded by Councilman Montgomery. All voted aye. The motion carried.

Executive Session

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

Adjournment

There being no further business, the meeting was adjourned at 7:46 p.m. The next scheduled meeting will be held on March 6, 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 28, 2018

Louise Carter-King, Mayor