

A meeting of the City Council was held on Tuesday the 20<sup>th</sup> day of November 2018.

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

### **Approval of General Agenda**

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

### **Approval of Consent Agenda**

City/County Meeting – October 30, 2018; Pre-Meeting – November 6, 2018; Regular Meeting – November 6, 2018; Work Session – November 13, 2018; Executive Session – November 13, 2018.

### **Bills and Claims**

Absolute Auto, LLC, 56.65; Advance Auto Parts, 310.26; Alsco, 977.52; Alyshia Vigil, 20.00; Anderson, Myron, 163.27; Anixter Power Solutions, 6,745.83; Baker Hughes, A GE Company, LLC, 5,174.15; Barlow, Frank, 4.97; Bennett Weber & Hermstad LLP, 24,500.00; Best Best & Krieger LLP, 290.00; Bethanie R Hyatt, 149.50; Big Horn Tire Inc, 242.66; Bks Environmental Associates, 3,619.42; Blue Cross Blue Shield Of Wyoming, 47,521.86; Blue Cross Blue Shield Of Wyoming, 9,241.32; Blue Cross Blue Shield Of Wyoming, 94,152.61; Blue Cross Blue Shield Of Wyoming, 59,666.83; Border States Electric, 928.58; Brantner, Caleb, 137.13; Buffalo Federal Bank, 31,552.68; Burlington Northern Santa Fe, 4,059.13; Campbell County Chamber Of Commerce, 1,503.75; Campbell County Hospital District, 501.00; Campbell County Landfill, 80,459.25; Campbell County Public Health, 54.00; Caren Cambre, 600.00; Carper, Maximillian, 96.57; CBH Co-Op, 126.37; Centurylink, 2,270.25; Chempure Products, 2,217.59; Chris Eischeid, 50.00; Chris Wagner, 68.26; City Of Gillette, 32.22; City Of Gillette, 313.89; City Of Gillette - Petty Cash, 67.80; COP Wyoming LLC, 3,852.63; Crescent Electric Supply, 75,432.30; Crum Electric Supply Company, 1,631.00; Cummins Rocky Mountain Inc, 971.24; Dave Galles, 68.26; Desert Mountain Corporation, 12,759.30; DOWL LLC, 91,998.30; DRM Inc, 941,226.20; Eastside Liquors, 17.85; Edge Construction Supply, 179.40; Employment Testing Services Inc, 507.00; Energy Laboratories Inc, 24.50; Eric Kuenzel, 50.14; Express Scripts Inc, 29,614.99; Express Scripts Inc, 10,269.35; Express Scripts Inc, 55.20; Fairmont Supply Company, 571.14; Falcon Environmental Corporation, 321.27; Fannie Mae, 35.49; Ferguson Enterprises, Inc #1701, 474.85; Fife, Jessica, 147.55; First Class Auto, 6,033.78; First Northern Bank Of Wyoming, 5,988.95; Fischer, Marisa, 55.86; Frandson Safety Inc, 20.00; Franklyn Jude, LLC, 94.86; Funsho Ojebuoboh, 477.00; G And G Landscaping Inc, 82,085.64; Galls, An Aramark Company, 204.85; Garcia, Eric, 79.36; Gary Darlow, 100.00; Gillette College, 125,000.00; Gillette Contractors Supply Inc, 4,416.95; Gillette Printing Company Inc, 54.00; Gillette Winnelson Company, 4,175.88; Global Technology Resources, Inc, 14,141.54; Google Inc, 3,340.00; Govolution, LLC, 1,622.50; Green, Melody, 75.36; Griffin, Alicia, 104.05; Guglielmetti, Breeanna, 137.34; GW Construction, LLC, 38,695.02; Hach Company, 133.45; Hamann, Jake, 149.95; HDR Inc - US Engineering Accounts Receivable, 20,785.79; Hot Iron, 296,733.98; HP Inc, 1,049.00; Hub International Mountain States Limited, 325.00; Inberg Miller Engineers, 28,730.20; Inland Truck Parts, 309.31; Jack's Truck Center Inc, 1,695.89; Jennifer Ivory, 50.00; Kadmas Lee & Jackson Inc, 8,321.55; Karen Johnson, 51.19; Karl Milner, 225.00; Kelvin And Jane Glaser, 95.00; Kois Brothers Equipment Company, 2,395.00; Kruse, Wayne, 143.50; Ladonna Hatch, 165.00; Legend Communications Of Wyoming, 500.00; Line Finders, LLC, 1,182.50; Lisa Thomas, 171.95; Louise Carter King, 23.73; MCM General Contractors, 55,562.75; Mendoza, Juan, 24.96; Michael, Jacob, 148.00; Mid West Pest Management, 6,545.50; Midland Implement Co Inc, 901.96; Midtown Management LLC, 355.00; Milsoft Integrated Solutions, 12,100.00; Morrison Maierle Inc, 13,853.20; News Record, 2,907.75; Norco Inc, 1,599.94; One Call Of Wyoming Corp, 303.00; Online Information Services Inc, 335.10; Outliers Creative, LLC, 650.00; Paintbrush Sewer & Drain, 866.13; Parkside Apts, 7.61; Parrick, Cody, 45.90; Partner Software Inc, 5,250.00; Patrick Totzke, 100.00; Pca Engineering Inc, 34,215.26; Pinkerton Consulting & Investigation, 149.60; Pinnacle Bank, 889.06; Postal Pros Southwest Inc, 4,361.09; Powder River Energy Corporation, 67,347.44; Powder River Office Supply Inc, 858.30; Proelectric Inc, 11,255.60; Professional Dispatch Management, 600.00; Prutch, Andrew, 319.96; Q A Balance Services Inc, 96.00; Ringer Law P.C., 9,750.00; RMEL, 200.00; Robin Kuntz, 14.98; Rubincan, Sarah, 143.69; Ryan Warne, 100.00; Saavedra, Viginia, 71.96; Saenz, Brittney, 161.17; Sandra Cross, 50.00; Schutz Foss Architects PC, 800.00; Silvernell, Gary & Barbara J, 72.39; Simon Contractors, 1,284.91; Singleton, Matt, 141.08; Skvicalo, Nick, 129.99; Source Office Products, 2,492.93; Southards, Norma Jean, 165.40; Sportsmans Warehouse, 199.99; Structural Dynamics LLC, 8,422.83; Stuart C Irby Co, 1,188.03; Tanner Olson, 449.95; That Embroidery Place, 100.00; Tim Carsrud, 21.50; Titan Machinery Inc, 138.38; Valkryrie Resources LLC, 630.33; Wal-Mart, 52.78; Wenig, Brian & Agnes, 89.65; Wenz, Mike, 56.53; Wesco Receivables Corp, 3,673.30; Western

Stationers, 750.13; Western Waste Solutions Inc, 4,105.00; Williams, Autumn, 89.45; Wofford, Tingting & Loyd, 106.21; Wyoming Association Of Permit Technicians, 25.00; Wyoming Dept Of Employment, 33.41; Wyoming Dept Of Transportation, 3,019.32; Wyoming Law Enforcement Academy, 260.00; Wyoming Montana Safety Council, 12,246.00; Wyoming State Revenue And Tax, 90,886.85; Wyoming Supreme Court, 8,531.37; Wyostar, 3,000,000.00; Xerox Corporation, 82.87

Councilman Carsrud made a motion to approve the Consent Agenda; seconded by Councilman Barks. All voted aye. 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, Neary, Lundvall and Mayor Carter-King voted aye. Councilman Carsrud abstained. The motion carried.

Councilman Neary made a motion to approve a conflict claim for Mayor Carter-King in the amount of \$572.53; seconded by Councilman Carsrud. Barks, Carsrud, Lundvall and Neary voted aye. Mayor Carter-King abstained. The motion carried.

### **Comments**

Council – Mayor Carter-King announced that the City will be accepting applications for the Ward III vacancy beginning on November 21<sup>st</sup>; Councilman Barks informed the public of the Rock of Ages show now playing at the Cam-Plex.

Public – Dave Allison spoke against agenda item H.1.a. in regard to outsourcing a classification and compensation study as he feels it should be done locally or in-house.

### **Other - Comments**

The Council recognized Elisabeth Bishop, Buffalo Ridge Elementary School student, as being the 2018 Christmas Pin Contest Winner, and her Art Teacher, Christina Baysinger.

Mayor Carter-King proclaimed November 24, 2018, as “*Small Business Saturday*”. Megan Nelms provided information regarding the proclamation.

Mayor Carter-King proclaimed December 15, 2018, as “*Wreaths Across America Day*”. Toni Brown provided information regarding the proclamation.

### **New Business**

#### **Minute Action**

Councilman Carsrud made a motion for the issuance of a parade permit on December 1<sup>st</sup>, from 1:30 p.m. to 2:30 p.m., on Gillette Avenue beginning at 7<sup>th</sup> Street, north to 1<sup>st</sup> Street, requested by A.B.A.T.E. of NE Wyoming; seconded by Councilman Barks. All voted aye. The motion carried.

Councilman Carsrud made a motion to approve a drive-up window on the north side of the building, for the purpose of selling alcoholic and malt beverages, requested by Absolute, LLC, d.b.a. Legends Lounge, located at 10800 S Douglas Hwy, Ste. 100; seconded by Councilman Lundvall. Administrator Davidson provided an explanation regarding the consideration. Audra Chord, representing Legends Lounge, reported that the drive-up window is ready for use. After the discussion, all voted aye. The motion carried.

Councilman Carsrud made a motion to approve a classification and compensation study for the City of Gillette to Condrey & Associates, Inc.; seconded by Councilman Lundvall. Administrator Davidson provided an explanation regarding the consideration. Dave Allison reported to the Council again of his objection to outsourcing a classification and compensation study. After the discussion, all voted aye. The motion carried.

### **RESOLUTION 2674**

**WHEREAS, the one percent (1%) optional sales tax renewal for Campbell County was on the General Election Ballot on November 6, 2018, and;**

**WHEREAS, the City of Gillette has made more than five hundred twenty-two million dollars (\$522,000,000.00) in improvements to the City, since the inception of the one percent (1%) optional sales tax in 1976; and**

**WHEREAS, the City of Gillette has also utilized the optional one percent (1%) sales tax funds as a local match to bring approximately forty-six million dollars (\$46,000,000.00) of additional grant funds to the local economy; and**

**WHEREAS, consumers that purchase goods, equipment and machinery in Campbell County, including but not limited to tourists and industry, pay the optional one percent (1%) sales tax in proportion to their purchase; and**

**WHEREAS, the optional one percent (1%) sales tax allows the citizens of the City of Gillette, Town of Wright, and Campbell County to remain economically competitive, progressive and responsible in building and maintain essential services, and continue their leadership role in the State of Wyoming; and**

**WHEREAS, the governing bodies of Gillette, Wright and Campbell County have historically used the one percent (1%) sales tax to fund projects and services determined to be high priorities, based on a survey conducted by the Chamber of Commerce 1% Committee in the fall of 2018; and**

**WHEREAS, the governing bodies of Gillette, Wright and Campbell County have made all one percent (1%) optional sales tax information available to the public online, in listening sessions and through regular meetings; and**

**WHEREAS, the governing bodies of Gillette, Wright and Campbell County have held at least seven (7) public meetings to educate the public regarding the benefits of the one percent (1%) optional sales tax.**

**NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council acknowledge the 2018 Chamber of Commerce one percent (1%) survey identified the following projects as priorities:**

- 1. Upgrade & Maintain City Streets**
- 2. Water & Sewer System Maintenance**
- 3. Law Enforcement Equipment**
- 4. Storm Drainage Improvements**
- 5. Upgrade Fire Department Facilities & Equipment**
- 6. Substance Abuse Prevention, Education & Treatment**
- 7. Gillette College Funding**
- 8. Utility System Improvements**
- 9. Public Services (Spring Cleanup, Trash-a-Thon)**
- 10. Sidewalk & Bike Path Improvements**
- 11. Outside/Social Service Agency Funding**
- 12. Splash Park/Pool**
- 13. Park Improvements**
- 14. Landscaping Public Right of Ways**
- 15. Downtown Area & Other Commercial Corridor Improvements**

**PASSED, APPROVED AND ADOPTED THIS 20<sup>th</sup> day of November 2018.**

Councilman Carsrud made a motion to approve the foregoing Resolution acknowledging the 1% Survey Project priorities; seconded by Councilman Lundvall. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

#### **RESOLUTION 2675**

**A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT KNOWN AS THE STEELE SUBDIVISION, A RESUBDIVISION OF LOT 1 FOOTHILLS THEATRE ADDITION & LOT 2 RENEW SUBDIVISION LOCATED IN THE SW1/4NW1/4, SECTION 21, TOWNSHIP 50 NORTH, RANGE 72 WEST OF THE 6<sup>TH</sup> P.M.; TO THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS**

Councilman Neary made a motion to approve the foregoing Resolution approving and authorizing the final plat known as the Steele Subdivision, a resubdivision of Lot 1, Foothills Theatre Addition and Lot 2, Renew Subdivision, to the City of Gillette, Wyoming, subject to all Planning requirements; seconded by Councilman Barks. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Ordinance 1<sup>st</sup> Reading

**ORDINANCE 18-13**

**AN ORDINANCE TO AMEND CHAPTER 13 OF THE GILLETTE CITY CODE TO DELETE AND REPLACE DEFINITIONS AND MODIFY OTHER ASPECTS OF THE CITY'S NUISANCE ORDINANCE.**

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

**ORDINANCE 18-14**

**AN ORDINANCE TO AMEND CHAPTER 14, SECTION 14-39 OF THE GILLETTE CITY CODE TO DELETE AND REPLACE DEFINITIONS AND INCREASE THE FINES AND COSTS FOR MINORS USING NICOTINE .**

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.

**ORDINANCE 18-15**

**AN ORDINANCE TO AMEND CHAPTER SEVENTEEN ARTICLE III OF THE GILLETTE CITY CODE TO DELETE AND REPLACE DEFINITIONS WITHIN §17-40, CROSS-CONNECTIONS AND BACKFLOW PREVENTION**

Councilman Carsrud made a motion to approve the foregoing Ordinance on first reading; seconded by Councilman Lundvall. 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 for the sale of used property to the City of Newcastle, Wyoming. Administrator Davidson provided an explanation regarding the sale of used property. No other comments were made, and the public hearing was closed.

**RESOLUTION 2676**

**A RESOLUTION TO AUTHORIZE THE SALE OF USED PROPERTY TO THE CITY OF NEWCASTLE, WYOMING FOLLOWING A PUBLIC HEARING**

Councilman Barks made a motion to approve the foregoing Resolution authorizing the sale of used property to the City of Newcastle, Wyoming, following a public hearing; seconded by Councilman Carsrud. All voted aye. The motion carried.

**Executive Session**

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

**Adjournment**

There being no further business, the meeting was adjourned at 7:52 p.m. The next scheduled meeting will be held on December 4, 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:

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Louise Carter-King, Mayor

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Karlene Abelseth, City Clerk

Publication Date: November 28, 2018