

A meeting of the City Council was held on Tuesday the 2nd day of July 2019.

Present were Councilmen Brown, Lundvall, McLeland, Montgomery, Neary, and Mayor Carter-King; City Administrator Davidson; City Attorney Reyes; Directors Cole, Henderson, and Wilde; Managers Lt. Deaton, Schoen, Palazzari, and Toscana; Planner Sanders, Planner Duvall, and Grant Specialist Lenz; City Clerk Staskiewicz and Deputy Clerk Crawford.

Mayor's Statement

"This is certainly another dark day for our community. While there is still a lot of uncertainty surrounding what occurred out at Belle Ayr and Eagle Butte mines, there is one thing that we do know for certain. This community once again is coming together to support our family, friends, and neighbors that have been affected.

I would like to thank the Campbell County Sheriff's Office and Campbell County Fire Department for responding to the mines when called upon. I would also like to thank the Governor and the heads of the state agencies that flew into Gillette today to offer their support and to answer the questions about where we go from here.

Gillette is a community that rallies around its neighbors. This is a fantastic community to live in because of that. We will support each other through these tough times and come back stronger than ever. We've done it before and we will do it again!"

Invocation and Pledge of Allegiance

The Invocation was led by Pastor Regan Pickrel of Gillette Christian Center. The Pledge of Allegiance was led by the children of Police Department Staff.

Approval of General Agenda

Councilman McLeland 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 – June 18, 2019; Regular Meeting – June 18, 2019; Work Session – June 25, 2019

Ordinance 3rd Reading – Consent

ORDINANCE NO. 3966

**AN ORDINANCE PROVIDING FOR THE VACATION OF THE
15-FOOT-WIDE GENERAL UTILITY EASEMENT LOCATED IN
LOT 1, REMINGTON ESTATES PHASE V SUBDIVISION, AS SHOWN
ON EXHIBIT "A" MAP, IN THE CITY OF GILLETTE, WYOMING,
SUBJECT TO ALL PLANNING REQUIREMENTS.**

ORDINANCE NO. 3967

**AN ORDINANCE PROVIDING FOR THE VACATION OF THE
EASTERLY 5' PORTION OF A 10' WIDE UTILITY EASEMENT
LOCATED IN LOT 1, BLOCK 8, RIMROCK ESTATES PHASE II
SUBDIVISION, AS SHOWN ON EXHIBIT "A" MAP, IN THE
CITY OF GILLETTE, WYOMING,
SUBJECT TO ALL PLANNING REQUIREMENTS.**

Bills and Claims

Adecco Employment Services, 145.68; Advance Auto Parts, 235.12; Air Tech Inc, 351.50; Albertson's, 10.00; Alisco, 969.92; Altisource Solutions Inc, 91.21; American Welding & Gas Inc, 32.83; Anixter Power Solutions, 141,312.08; Architectural Specialties LLC, 562.51; Arete Design Group, 8,073.22; Arrow Printing And Graphics Inc, 84.00; Associated Glass Inc, 676.80; AT&T Mobility National Accounts, 4,475.90; Austin Bernard, 75.00; AVP Consulting LLC, 56.63; Baker Hughes, A GE Company, LLC, 790.00; Bank West, 114.14; Barton, Debra, 67.58; Bentley Systems Inc, 8,660.00; Biegler, Austin, 22.10; Billings Gazette, 1,448.00; Black Hills Energy, 9,684.03; Black Hills Power & Light, 163,996.48; Black Hills Power & Light, 1,349,843.95; Black Hills Wyoming LLC, 61,191.81; Blue Cross Blue Shield of Wyoming, 779.81; Blue Cross Blue Shield of Wyoming, 75,701.47; Blue Cross Blue Shield of Wyoming, 84.00; Blue Cross Blue Shield of Wyoming, 80,619.92; Boot Barn, 150.00; Border States Electric, 297.00; Boyd Abelseth, 47.25; Brenntag Pacific Inc, 13,227.73; Britt, Bryan, 151.26; Buffalo Partners, LLC, 6.50; Burns And McDonnell Corporation, 70,892.26; Camacho,

Joel, 107.50; Campbell County Chamber of Commerce, 1,002.50; Campbell County Community Public, 9,248.80; Campbell County Coordinated Benefits Trust, 943.20; Campbell County Coordinated Benefits Trust, 137.50; Campbell County Hospital District, 5,987.50; Campbell County Hospital District, 1,090.00; Campbell County Landfill, 99,327.25; Campbell County Treasurer, 880.31; Campbell County Treasurer, 307.25; Campbell County Treasurer, 4,824.69; Campbell County Treasurer, 95,032.79; Campbell County Treasurer, 140,014.06; Campbell County Weed and Pest, 9,792.56; Cassandra Nelson, 110.50; CBH Co-Op, 155.00; CenturyLink, 176.06; City of Gillette, 13.20; City of Gillette, 24.86; City of Gillette - Petty Cash, 103.88; Clark Real Estate, 60.00; Collins Communications Inc, 279.95; Concrete Conservation Inc, 39,550.00; Connie Anderson, 50.00; Cooke, John & Kara, 139.43; CPS Distributors, 1,266.00; Croell Inc, 300.50; Cummins Rocky Mountain Inc, 402.59; Delta Dental of Wyoming, 25,187.20; Department of Energy, 50,990.62; Design Construction LLC, 117,788.49; Ditch Witch of South Dakota, 267.92; DLT Solutions LLC, 8,682.80; Double Broken Arrow Contracting, LLC, 131.47; DOWL LLC, 5,172.50; DRM Inc, 11,128.16; Dvorak, Haley, 88.35; Edwards, Denise, 27.71; Employment Testing Services Inc, 1,022.00; Energy Laboratories Inc, 146.00; Fairmont Supply Company, 83.52; Farmer Brothers Company, 567.86; Ferguson Enterprises, Inc #1701, 167.25; Firemaster Dept 1019, 154.50; First Interstate Bank of Gillette, 31.06; Fort Collins Wholesale Nursery Inc, 7,236.00; Garrett Neufeld, 25.00; Gillette College, 125,000.00; Gillette Contractors Supply Inc, 5,624.05; Gillette Steel Center, 975.00; Gillette Winnelson Company, 411.44; Goodtimes Liquor, 50.00; Grimes, Maurice, 86.42; GW Construction, LLC, 14,516.50; H & H Safety, 900.00; Hardman, Stephen & Barbara, 182.57; Harold Linke, 1,000.00; Harris, Crysta, 105.01; Hawkins Inc, 5,270.71; HDR Inc - US Engineering Accounts Receivable, 3,050.74; Hill Gallery And Sculpture Park, 1,000.00; Hill, Laci, 171.05; Hillcrest Spring Water Inc, 171.00; Holly Campbell, 125.00; Honnen Equipment Company, 37.81; Hotline Electrical Sales & Service LLC, 500.00; Houston-Alliant Insurance Services Inc, 10,917.89; Hub International Mountain States Limited, 50.00; John S Guernsey, 1,000.00; JS Foster Corporation, 9,565.00; Karibett Enriguez Gonzalez, 50.00; Kitch, Hayden, 129.00; Layne Christensen Company, 590.19; Leah & Brandon Crabtree, 115.00; Lowe Roofing Inc, 227.50; Mallak, Tanner, 205.96; Manz, Wesley, 71.72; Marin, Ricardo, 25.54; Martinez, Michael J, 186.73; Mary Ostrom, 500.00; MCM General Contractors, 111,157.61; Michael Hofer, 480.00; Michael Stulken, 540.00; MII Life Insurance, Incorporated, 3,635.55; MII Life Insurance, Incorporated, 5,268.51; MII Life Insurance, Incorporated, 369.00; Mike Dwyer Sculptures, 1,000.00; Mike Porter, 146.17; Montana Association of Health Care Purchasers, 2,718.30; Monument Homebuilders, 118.92; Morrison Maierle Inc, 3,875.25; Motorola, 14,983.34; Motorola Government Markets Sales, 12,743.41; Mountain Peaks Diagnostics, LLC, 16.60; Nathanel Wright, 25.00; Norco Inc, 1,767.72; Optum Bank Inc, 104.50; Optum Health Financial Services, 145.75; PCA Engineering Inc, 1,694.40; Pilot Investments, 39.27; Pinkerton Consulting & Investigation, 2,711.80; Powder River Energy Corporation, 8,681.95; Pro Force Law Enforcement, 5,929.95; ProElectric Inc, 15,809.77; Quality AGG And Construction Inc, 1,077.19; Record Supply Inc NAPA, 1,047.79; Red Tiger Well Service, 144,991.25; Reed, Carrie, 25.95; RFC, LLC, 15.72; RFC, LLC, 36.42; Robert G Rosenberg, 788.00; Sandra Cross, 50.00; Santoyo, Eric, 39.21; Sarah Knoll, 100.00; Schulte TA Inc, 54,960.00; Schutz Foss Architects PC, 2,835.00; Shay Folum, 81.50; Shea Tinnin, 400.00; Simon Contractors, 693.00; Simpson's Printing, 1,590.00; Source Office Products, 73.11; Southern Computer Warehouse, 577.79; Steven Titus And Associates, PC, 804.95; Stuart C Irby Co, 611.44; T & R Electric Supply Co Inc, 20.00; Tavi Dowling, 75.00; Teacher's Corner, 4.19; Team Laboratory Chemical Corporation, 160.00; That Embroidery Place, 40.00; Traffic Parts Inc, 991.50; Tri-City Excavation Inc, 703.50; TW Enterprises Inc, 2,800.00; UMB Bank, 88,452.15; United Rentals Inc, 6,147.00; Untamed Design LLC, 1,000.00; Verizon Wireless, 1,863.56; Vincent Russo, 1,000.00; Virginia Dean, 20.00; Vision Service Plan (WY), 3,881.47; Wal-Mart, 18.82; Warne Chemical & Equipment Co, 1,581.00; Waste Connections, Inc., 19,200.00; Waylon Rader, 18.00; Wesco Receivables Corp, 3,909.45; Western Services LLC, 3,500.00; Western Waste Solutions Inc, 80.00; Wheelhouse, Ron, 24.52; Williams, Jade, 15.90; WYODAK Resources Development Corp, 59,318.99; Wyoming Law Enforcement Academy, 235.00; Wyoming Marine, 26.99; Wyostar, 500,000.00; Xerox Corporation, 93.89; Zivaro Inc, 39,396.38

Other – Consent

Approval of payment for temporary construction easements and a permanent access and utility easement for the Gillette Regional Water Supply Project with four (4) separate property owners for a total amount of \$14,721.57.

Approval of a Rail Spur Agreement between Mountain Mud Services and Supply, Inc., and the City of Gillette.

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

Comments

Other – Comments – The Mayor and Council recognized Kris Jones, Customer Service, and Bob Molder, Wastewater, for their 30 years of service to the City of Gillette.

The Mayor and Council recognized Rollo Williams, Parks & Beautification Board, and Dorie Beck and Kris Jones, Mayor's Art Council, for their service on Citizen Advisory Boards.

New Business

Minute Action

Councilman Brown made a motion to amend the street closure time for the previously approved 4th of July parade permit, to 9:00 a.m., requested by Campbell County Parks & Recreation; seconded by Councilman Lundvall. Darla Cotton, Event Coordinator, explained that the Wyoming Department of Transportation approved the closure of 2nd Street at 9:00 a.m. to provide a safer environment for the parade. Ms. Cotton also announced that this is the 38th year for the parade and the 39th year for the 4th of July event, and reminded that next year the celebration will be for the 40th anniversary. Ms. Cotton thanked the City for all the help provided for the parade. Mayor Carter-King commended the committee for their great job in planning and providing an amazing 4th of July celebration each year. All voted aye. The motion carried.

Councilman Montgomery made a motion to approve a catering permit for the Class of '99 High School Reunion on July 12, 2019, from 4:00 p.m. to 11:00 p.m., located in the Rail Yard Restaurant parking lot, which will include outdoor music; seconded by Councilman Neary. All voted aye. The motion carried.

Councilman Montgomery made a motion to approve three (3) street closures on Gillette Avenue, between 5th Street and 6th Street, on July 9th, July 16th, and July 23rd, from 5:45 p.m. to 8:15 p.m., for outdoor family fun events, requested by First Baptist Church; seconded by Councilman Brown. Robin Voight, Event Coordinator, gave a brief overview of the events. All voted aye. The motion carried.

Councilman Lundvall made a motion to approve street closures on the 3rd Street Plaza for Tuesdays, July 16th, July 23rd, July 30th, August 6th, and August 13th, from 7:00 a.m. to 3:30 p.m., for the Farmer's market, requested by Gillette Main Street; seconded by Councilman Neary. Josh Pierce, President of the Gillette Main Street Board, gave a brief overview of the events. All voted aye. The motion carried.

Councilman Neary made a motion to approve the acceptance of public improvements for the 2018 Sanitary Sewer Main Replacement Project, installed by Mountain View Building, Inc., in the amount of \$456,015.88 (1% Project); seconded by Councilman McLeland. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Lundvall made a motion to authorize the Mayor to sign an amendment to the 2012 Tyler Software License Agreement to purchase additional licenses for the Tyler EnerGov Software, in the amount of \$367,180; seconded by Councilman McLeland. Administrator Davidson provided an explanation regarding the consideration. All voted aye. The motion carried.

Councilman Montgomery made a motion to approve the acceptance of public improvements for the Animal Control Temporary Facility Project, installed by Skyline Builders, in the amount of \$76,600; seconded by Councilman Lundvall. All voted aye. The motion carried.

Council President Montgomery made a motion to appoint Joe Case to the Campbell County Joint Powers Fire Board for a term expiring on June 30, 2022; Skyler Pownall to the Campbell County Public Land Board for one a term expiring on June 30, 2022; Don McKillop to the Regional Water Panel Joint Powers Board for a term expiring on June 30, 2022; Charlie Anderson to the Board of Adjustment for a term, expiring on June 30, 2022; Trevor Matson and Ryan Conklin to the Planning Commission for terms expiring on June 30, 2022; Robin Voight, Megan McManamen, and Angi Klamm to the Parks & Beautification Board for terms expiring on June 30, 2022; Wes Johnson to the Parks and Beautification Board for a partial term expiring on June 30, 2020; Sandy Lenz and Richard Mansheim to the Personnel Review Board for terms expiring on June 30, 2022; Ryan Gross to the Investment Advisory Committee for a term expiring on June 30, 2022; and Rosanna Knight-Parker and Jason Linduska to the Mayor's Art Council for terms expiring on June 30, 2022; seconded by Councilman Neary. Mayor Carter-King thanked the appointees for volunteering to serve on the boards. All voted aye. The motion carried.

Public Hearings and Considerations

Mayor Carter-King opened a public hearing to discuss the transfer of ownership of retail liquor license RTL-26 from Sapporo Wyoming, Inc., d.b.a. Sapporo Japanese Steakhouse, located at 1000 E Boxelder

Road, to Sappor Gillette, Inc., d.b.a. Sappor Sushi Hibachi. City Attorney Reyes explained that the applicant requested to postpone the consideration of the transfer of the license to allow more time to acquire required documentation to meet statutory requirements. Attorney Reyes recommended that Council postpone the consideration until the August 6, 2019 Council Meeting. No further comments were made and the public hearing was closed.

Council President Montgomery made a motion to postpone the transfer of liquor license RTL-26 from Sapporo Wyoming, Inc., d.b.a. Sapporo Japanese Steakhouse, located at 1000 E Boxelder Road, to Sappor Gillette, Inc., d.b.a. Sappor Sushi Hibachi until August 6, 2019; seconded by Councilman Brown. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing to discuss submission of an application to the Wyoming Business Council for a retrofit lighting grant under the Local Government Energy Improvement Grant Program for the governing body of the City of Gillette, Wyoming, for the purpose of a City of Gillette Roadway Lighting LED Upgrades Project. Administrator Davidson provided an explanation of the project. No further comments were made and the public hearing was closed.

RESOLUTION NO. 2700

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE WYOMING BUSINESS COUNCIL LOCAL GOVERNMENT ENERGY IMPROVEMENT GRANT PROGRAM FOR A RETROFIT LIGHTING GRANT ON BEHALF OF THE GOVERNING BODY OF THE CITY OF GILLETTE FOR THE PURPOSE OF THE CITY OF GILLETTE ROADWAY LIGHTING LED UPGRADES PROJECT

Councilman McLeland made a motion to approve the foregoing Resolution authorizing submission of an application to the Wyoming Business Council Local Government Energy Improvement Grant Program for a retrofit lighting grant on behalf of the governing body of the City of Gillette for the purpose of the City of Gillette Roadway Lighting LED Upgrades Project; seconded by Councilman Brown. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing to discuss submission of an Abandoned Mine Land Public Facilities Grant Application to the Wyoming Department of Environmental Quality, Abandoned Mine Land Division on behalf of the governing body for the City of Gillette, Wyoming, for the purpose of the City of Gillette Wastewater Treatment Facility Headworks Improvement Project. Administrator Davidson provided an explanation of the project. City Engineer Schoen provided details of the grant process and schedule. No further comments were made and the public hearing was closed.

RESOLUTION NO 2701

A RESOLUTION AUTHORIZING SUBMISSION OF AN ABANDONED MINE LAND PUBLIC FACILITIES GRANT APPLICATION TO THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY, ABANDONED MINE LAND DIVISION ON BEHALF OF THE GOVERNING BODY FOR THE CITY OF GILLETTE, WYOMING FOR THE PURPOSE OF THE CITY OF GILLETTE WASTEWATER TREATMENT FACILITY HEADWORKS IMPROVEMENT PROJECT.

Councilman Montgomery made a motion to approve the foregoing resolution authorizing submission of an Abandoned Mine Land Public Facilities Grant Application to the Wyoming Department of Environmental Quality, Abandoned Mine Land Division on behalf of the governing body for the City of Gillette, Wyoming, for the purpose of the City of Gillette Wastewater Treatment Facility Headworks Improvement Project; seconded by Councilman Neary. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing to discuss submission of an application to the Wyoming Department of Environmental Quality, Abandoned Mine Land Division, by the governing body of the City of Gillette, for the purpose of the City of Gillette Wastewater Treatment Facility Roadway Access Safety Improvement Project. Administrator Davidson provided an explanation of the project. Utilities Director Cole informed Council of the road conditions and continual issues with mud and dust, related to the current condition of the road; the ideal solution would be to pave the road with either asphalt or concrete. No further comments were made and the public hearing was closed.

RESOLUTION NO 2702

A RESOLUTION AUTHORIZING SUBMISSION OF AN ABANDONED MINE LAND PUBLIC FACILITIES GRANT APPLICATION TO THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY, ABANDONED MINE LAND DIVISION ON BEHALF OF THE GOVERNING BODY FOR THE CITY OF GILLETTE, WYOMING FOR THE PURPOSE OF THE CITY OF GILLETTE WASTEWATER TREATMENT FACILITY ROADWAY ACCESS SAFETY IMPROVEMENT PROJECT.

Councilman Montgomery made a motion to approve the foregoing Resolution authorizing submission of an Abandoned Mine Land Public Facilities Grant Application to the Wyoming Department of Environmental Quality, Abandoned Mine Land Division on behalf of the governing body for the City of Gillette, Wyoming, for the purpose of the City of Gillette Wastewater Treatment Facility Roadway Access Safety Improvement Project; seconded by Councilman McLeland. All voted aye. The motion carried.

Adjournment

There being no further business to come before the Council, the meeting adjourned at 7:53 p.m. The next regularly scheduled meeting will be held on July 16, 2019, 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)

Louise Carter-King, Mayor

ATTEST:

Cindy Staskiewicz, City Clerk

Publication Date: July 10, 2019