

A teleconference meeting of the City Council was held on Tuesday the 7th day of April 2020.

Present were Councilmen Brown, Carsrud, Lundvall, McLeland, Montgomery, Neary, and Mayor Carter-King; City Administrator Davidson and City Attorney Reyes; Communications Manager Palazzari; City Clerk Staskiewicz.

### **Approval of General Agenda**

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

### **Approval of Consent Agenda**

#### **Minutes**

Special Meeting – March 17, 2020; Work Session – March 31, 2020; Executive Session – March 31, 2020;

#### **Bills and Claims**

Adamson Police Products, 1,406.25; Advance Auto Parts, 796.79; Albertsons, 100.84; Alsco, 1,037.19; American Welding & Gas Inc, 31.96; Anixter Power Solutions, 112,786.90; Anna Land, 150.00; Anne Zollinger, 207.00; AT&T Mobility National Accounts, 3,119.90; Avolve Software Corporation, 12,755.95; Badger Daylighting Corp, 1,324.50; Baker, Dave, 127.85; Bear's Naturally Clean, 26.38; Benjamin, Stephen, 177.00; Benner, Tristen, 48.53; Big Horn Tire Inc, 1,120.97; BJ Nelson Inc/Nelson Auto Glass, 383.15; Black Hills Energy, 20,242.08; Black Hills Power & Light, 197,285.18; Black Hills Power & Light, 2,336.62; Blades Group, LLC, 1,116.00; Bloomer's The Flower Shop, 46.93; Blue Cross Blue Shield of Wyoming, 82,792.84; Blue Cross Blue Shield of Wyoming, 50,981.67; Blue Cross Blue Shield of Wyoming, 176,458.55; Bojan, John, 175.58; Bomgaars Supply, 171.00; Boothill, 1,099.00; Border States Electric, 4,535.25; Bowles, Kennedy, 71.40; Brenntag Pacific, Inc, 13,023.40; Burns and McDonnell Corporation, 15,982.00; Callahan, Davie, 128.32; Campbell County Hospital District, 930.00; Campbell County Landfill, 62,362.50; Campbell County Public Land Board Complex, 205,472.42; Campbell County Sheriff, 5,500.00; CBH Co-Op, 37,141.38; Central Truck & Diesel Inc, 455.48; CenturyLink, 187.01; Charter Media, 899.00; City of Gillette - Petty Cash, 58.33; Clement Communications Inc, 228.28; Collection Professionals Gillette, 251.47; Collins Communications Inc, 1,240.64; Convergeone Inc, 162,472.64; Craig Belecky, 300.00; Craig Furman, 50.00; Crestview Improvement & Service District, 6.50; Cross Match Technologies Inc, 2,874.41; Crum Electric Supply Company, 644.21; Cummins Rocky Mountain Inc, 62.66; Dana Kepner Company Inc, 1,334.75; Daniel Kluver, 300.00; Dave Lueras, 144.00; Delbert Parks, 192.96; Delta Dental of Wyoming, 26,477.93; Department of Energy, 44,328.35; Desert Mountain Corporation, 106,832.80; DOWL LLC, 14,888.13; Eastview Estates LLC, 168.98; Employment Testing Services Inc, 508.00; Energy Capital Economic Development, 10,000.00; Energy Laboratories Inc, 2,636.25; Equipment Company of the Rockies, LLC, 772.54; Eric Weltner, 300.00; Fannie Mae, 190.95; Farmer Brothers Company, 278.70; Fastenal Company, 161.84; FedEx, 428.42; Ferguson Enterprises, Inc #1701, 642.80; First Class Auto, 27,985.19; Force America Inc, 1,001.09; Frandson Safety Inc, 154.00; Gades Sales Company Inc, 3,200.00; Gallagher Benefit Services, Inc, 141.25; Galls, An Aramark Company, 3,023.54; Gillette Apts, 12.37; Gillette Contractors Supply Inc, 99.36; Gillette Steel Center, 40.00; Gillette Winnelson Company, 108.64; Global Knowledge Training LLC, 7,200.00; Goodman, Justin, 102.69; Government Finance Office Association, 530.00; Grimm's Pump And Industrial Supply, 208.06; Grossenburg Implement Incorporated, 94.74; GW Construction, LLC, 3,840.00; Hach Company, 468.38; Hand Therapy of Wyoming, 365.00; Hanson, Tira, 150.64; Hart, Cristyn, 184.99; HDR Inc - US Engineering Accounts Receivable, 63,942.77; Homax Oil, 6,877.42; Home Fire Foods, 617.50; Hot Iron, 137,142.66; Inberg Miller Engineers, 3,152.50; Inland Truck Parts, 1,166.84; Innotion Enterprises Inc, 171.16; Interstate Companies Inc, 1,443.65; IT Outlet Inc, 118,094.86; Jack Blomberg, 100.00; Jack's Truck Center Inc, 2,778.60; Jason Hall, 50.00; Jason Materi, 30.00; Jeff Connor, 300.00; Jerry Dexter, 85.00; John's Welding and Fabrication LLC, 4,031.82; Kathi Cates, 50.00; Kendall Wigger, 300.00; Lange, Shane & Anna, 127.11; Leclaire, Amanda, 53.24; Leeann Allen, 100.00; Lopez, Miquelynn, 89.44; Machine Products Inc, 198.00; Mad Transportation and Towing LLC, 290.00; Marcus, Chris, 125.01; Mark Christensen, 1,325.00; McLaurie, Timothy, 144.04; MCM General Contractors, 85,543.77; McNeilus Truck & Manufacturing, 208.61; Michael Stulken, 30.00; Midland Implement Co Inc, 2,044.57; MII Life Insurance, Incorporated, 4,088.38; MII Life Insurance, Incorporated, 4,443.34; MII Life Insurance, Incorporated, 3,641.01; MII Life Insurance, Incorporated, 266.50; Montoya, Paulina, 39.90; Morrison Maierle Inc, 6,688.75; Mountain Peaks Diagnostics, LLC, 46.80; Mountain States Employers Council Inc, 3,000.00; Municipal Energy Agency of Nebraska, 500.00; Municipal Treatment Equipment, 39.79; Nathan Lauer, 100.00; National Turbine Corp, 20,186.00; Norco Inc, 6,210.10; Northrop Boiler Works, LLC, 6,543.59; One Call of Wyoming Corp, 91.50; Optum Health Financial Services, 145.75; Osborne, Jerry, 5.31; Park Plaza MHC LLC, 149.52; Pedersen, Shawn, 172.41; Pete

Lien & Sons Inc, 1,732.00; Pilot Investments, 39.43; Pinkerton C&I, 162.60; Postal Pros Southwest Inc, 8,727.48; Powder River Construction, 1,325.42; Powder River Energy Corporation, 8,636.79; Powder River Heating & Conditioning Corporation, 21,202.18; Prime Rib Restaurant, 490.93; ProElectric Inc, 17,499.52; Pronghorn Properties, 29.86; Purvis Industries, LLC, 156.72; Railroad Management Co LLC, 4,362.10; Razor City Realty, 141.99; Razor City Rental, 98.92; Record Supply Inc NAPA, 2,778.79; Red Tiger Well Service, 9,071.19; Reile, Steve, 48.49; Reynoso, Maria, 299.20; Ringer Law P.C., 6,210.00; Runyon, Josh, 60.46; Sawtooth Materials, 13,000.00; Security State Bank, 4,273.12; Shepperson Enterprises LLC, 54.20; Simon Contractors, 666.30; Singer, Jeffery, 18.24; Sioux Falls Children's Home Society, 150.00; Smith, Hobart, 133.06; Source Office Products, 2,223.09; Stuart C Irby Co, 359.32; Suzi's Trophies & Awards, 3.35; Tami Waldner, 140.00; Tantalus Systems Inc, 1,000.00; Target Sign Company Inc, 1,000.00; Terry Sjolín, 373.75; The Estate of Lisa Kay Deherrera, 100.00; Thunder Basin Ford LLC, 841.67; Titan Machinery Inc, 6,917.22; Traffic Signal Controls Inc, 256.00; US Postal Service, 725.00; Verizon Wireless, 7,473.83; Vision Service Plan (WY), 3,963.12; Walker, Claire, 89.66; Wal-Mart, 100.00; Wastequip LLC, 2,094.50; Wesco Receivables Corp, 17,118.07; Western Waste Solutions Inc, 3,760.00; White's Frontier Motors, 666.24; Wineteer, Tori, 47.81; Wyoming Dept of Transportation, 338.73; Wyoming Law Enforcement Academy, 3,944.00; Wyoming Machinery Co, 397.46; Xerox Corporation, 43.65

#### Other – Consent

#### **RESOLUTION NO. 2721**

#### **A RESOLUTION DECLARING CITY OF GILLETTE STATE OF EMERGENCY**

Council approval of the foregoing Resolution declaring City of Gillette state of emergency.

#### **RESOLUTION NO. 2722**

#### **A RESOLUTION TO AUTHORIZE THE CITY OF GILLETTE TO HOLD PUBLIC MEETINGS BY ELECTRONIC MEANS**

Council approval of the foregoing Resolution authorizing the City of Gillette to hold public meetings by electronic means.

Council authorization for the Mayor to sign Amendment No. 1 of the Telecommunications Raceway Lease between the City of Gillette and Advanced Communications Technology, Inc.

Council authorization for the Mayor to sign a Telecommunications Indefeasible Right of Use Agreement (IRU) between the City of Gillette and Advanced Communications Technology, Inc.

Council approval of a parade permit for the 4th of July parade on 2nd Street between Osborne Avenue and Burma Avenue, Saturday, July 4th, beginning at 10:00 a.m., requested by Campbell County Parks & Recreation.

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

#### **Comments**

Council Comments – Mayor Carter-King reminded the Council that there will be no yard waste pick up services for the month of April. The City hopes to open the yard waste facility and offer yard waste pick up services in May, dependent on the COVID-19 circumstances.

Written Comments – City Clerk Staskiewicz informed Council of receipt of written comments pertaining to agenda items, which would be read aloud when the items were considered.

#### **Unfinished Business**

#### **Ordinance 3rd Reading**

#### **ORDINANCE 20-03**

#### **AN ORDINANCE OF THE CITY OF GILLETTE AMENDING CHAPTER FOURTEEN TO INCLUDE A NEW SECTION TITLED “GAMES OF SKILL” AND PROVIDING FOR AN EFFECTIVE DATE**

Council President Neary made a motion to postpone the foregoing Ordinance on 3rd reading until the May 19, 2020 Council meeting; seconded by Councilman Carsrud. All voted aye. The motion to postpone the Ordinance on 3rd reading until May 19, 2020 carried.

#### **New Business**

#### **Minute Action**

Councilman Carsrud made a motion to approve a bid award for the 2020 Sanitary Sewer Main Replacement Project to DRM, Inc., in the amount of \$5,670,638.50 (1% Project); seconded by Councilman Montgomery. Administrator Davidson explained that the bid was one and a half million dollars over budget for this project. Staff's recommendation was to not approve the bid award. The

project will be reworked and rebid at a later date. Councilman Montgomery voted aye; Councilmen Brown, Carsrud, Lundvall, McLeland, Neary, and Mayor Carter-King voted nay. The motion failed.

**RESOLUTION NO. 2723**  
**A RESOLUTION APPROVING AND AUTHORIZING THE**  
**FINAL PLAT KNOWN AS LOTS 2D & 2E, BLOCK 1, COPPER**  
**RIDGE ESTATES PHASE 1, TO THE CITY OF GILLETTE,**  
**WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS.**

Councilman Carsrud made a motion to approve the foregoing Resolution approving and authorizing the final plat known as Lots 2D & 2E, Block 1, Copper Ridge Estates Phase 1, to the City of Gillette, Wyoming, subject to all Planning requirements; seconded by Councilman Brown. City Administrator Davidson and Attorney Reyes explained the consideration. Administrator Davidson explained that the request was to divide the lots, which are currently zoned R-2 (Single and Two-Family Residential District) for the construction of a townhome, with each townhome owned by a separate owner. The Planning Commission approved the plat request with a 3/1 vote on March 10, 2020, with objections received at that meeting. Attorney Reyes reminded Council that the only issue before them for consideration was whether the owner met the criteria for subdividing. Dividing this property in half would be well within the required zoning and subdivision regulations. Use of the property was not criteria in the zoning regulations used to determine if a property could be subdivided. City Clerk Staskiewicz read written comments submitted by Cassie Maples of 4408 Chancery Lane, and Alyssa Himle of 113 Huntington Drive, opposing the approval of the final plat, citing many reasons including the reduction of property values in the area with the allowance of townhomes. The City Clerk also read a written comment submitted by Norman Silbaugh, owner of Lots 2D & 2E, Block 1, Copper Ridge Estates, Phase 1, explaining their plans to build a townhome, worthy of the neighborhood, with each townhome separately owned and occupied by himself and his wife, and a retired friend. Councilman Neary stated that he would oppose the consideration, he felt that dividing lots could devalue property. Councilman Neary voted nay; Councilmen Brown, Carsrud, Lundvall, McLeland, Montgomery, and Mayor Carter-King voted aye. The motion carried.

Councilman Carsrud made a motion to approve a bid award for the Rozet Ranchettes Water Connection to GW Construction, LLC, in the amount of \$348,162; seconded by Councilman Montgomery. Administrator Davidson explained the consideration. All voted aye. The motion carried.

**Ordinance 1st Reading**

**ORDINANCE NO. 20-04**  
**AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3-1 OF THE GILLETTE CITY**  
**CODE TO EXPAND THE DEFINITION OF “INTOXICATION.”**

Councilman Carsrud made a motion to approve the foregoing Ordinance on 1st reading; seconded by Councilman Brown. Administrator Davidson explained the consideration. All voted aye. The motion carried.

**ORDINANCE 20-05**  
**AN ORDINANCE TO AMEND THE GILLETTE CITY CODE CHAPTER SEVENTEEN**  
**ARTICLE II §17-21 TO ADJUST MONTHLY WASTEWATER RATES,**  
**AND DEFINE ABANDONED SEWER SERVICES;**  
**ARTICLE III §17-56 TO ADJUST MONTHLY WATER RATES, AND**  
**§17-26 TO DEFINE ABANDONED WATER SERVICES**

Councilman Brown made a motion to approve the foregoing Ordinance on 1st reading; seconded by Councilman Montgomery. Administrator Davidson explained the consideration, stating that the typical residential utility customer in the City of Gillette would experience an average increase of 2.8% on their utility bill, equating to a \$5.14 per month increase. Staff's intent is to have the rate increase in effect by May 1st. The second reading of the Ordinance will take place at the April 14th meeting, with 3rd reading of the Ordinance at the April 21st meeting. All voted aye. The motion carried.

**Public Hearings and Considerations**

Mayor Carter-King opened a public hearing to amend the district zoning map of the City of Gillette, Wyoming for Lot E9, Block 9, Keeline Addition Subdivision, City of Gillette, Wyoming, from R-2, Single and Two-Family Residential District to C-1, General Commercial District, Subject to all Planning Requirements. (Planning Commission vote: 4/0). Administrator Davidson explained the consideration. Mayor Carter-King closed the public hearing.

**ORDINANCE NO. 20-06**  
**AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP**  
**OF THE CITY OF GILLETTE, WYOMING, LOT E9, BLOCK**  
**9, KEELINE ADDITION SUBDIVISION, CITY OF GILLETTE, WYOMING,**  
**FROM R-2, SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT TO C-1, GENERAL**  
**COMMERCIAL DISTRICT. SUBJECT TO ALL PLANNING REQUIREMENTS**

Councilman Carsrud made a motion to amend the district zoning map of the City of Gillette, Wyoming, Lot E9, Block 9, Keeline Addition Subdivision, City of Gillette, Wyoming, from R-2, Single and Two-Family Residential District to C-1, General Commercial District, subject to all Planning requirements. (Planning Commission Vote: 4/0); seconded by Councilman Brown. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing to transfer restaurant liquor license RST-07 from Pizza Hut of Gillette, Inc., d.b.a. Pizza Hut, located at 1711 W 2nd Street, to American Pizza Partners, L.P., d.b.a. Pizza Hut, located at 1711 W 2nd Street, with an effective date of April 1, 2020. Administrator Davidson explained the consideration. Mayor Carter-King closed the public hearing.

Councilman Brown made a motion to approve the transfer of restaurant liquor license RST-07 from Pizza Hut of Gillette, Inc., d.b.a. Pizza Hut, located at 1711 W 2nd Street, to American Pizza Partners, L.P., d.b.a. Pizza Hut, located at 1711 W 2nd Street, with an effective date of April 1, 2020; seconded by Councilman Lundvall. All voted aye. The motion carried.

**Adjournment**

Mayor Carter-King expressed gratitude for those citizens abiding by Governor Gordon's COVID-19 regulations. She asked all citizens to consider wearing a mask when out in public to help protect the community. There being no further business to come before the Council, the meeting adjourned at 7:52 p.m. The next regularly scheduled meeting will be held on April 21, 2020, via teleconference.

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)

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Louise Carter-King, Mayor

ATTEST:

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Cindy Staskiewicz, City Clerk  
Publication Date: April 15, 2020