

COUNCIL PROCEEDINGS

REGULAR

May 6, 2013

7:00 p.m.

A meeting of the City Council, of the City of Gillette, County of Campbell, State of Wyoming, was held on Monday the 6th day of May 2013, in the Council Chambers of City Hall, the regular meeting place of said Council in said City, pursuant to due notice and call. The Presiding Officer called the meeting to order and upon roll call the following were found to be present:

Council Members present: Kevin McGrath, Forrest Rothleutner, John Opseth, Louise Carter-King, Robin Kuntz, Ted Jerred, and Mayor Tom Murphy.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; Pamela L. Boger, Administrative Services Director; Kendall Glover, Utilities Director; Dustin Hamilton, Director of Engineering and Development Services; Tom Pitlick, Finance Director; Sawley Wilde, Public Works Director; Ken Rogers, Chief Building Official; Jim Brown, Deputy Building Official; Joe Lunne, Public Information Officer; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk.

Thereupon the following proceedings were had and taken. Reverend Toby Holt of Harvest Reformed Presbyterian Church gave the Invocation. The Pledge of Allegiance was led by Councilman McGrath.

The Presiding Officer called for approval of the General Agenda. It was moved by Councilman McGrath and seconded by Councilman Rothleutner to approve the General Agenda. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Carter-King, Kuntz, Jerred, McGrath, Opseth, Rothleutner, and Mayor Murphy. The Presiding Officer declared the motion carried.

The Presiding Officer called for approval of the Consent Agenda. The Consent Agenda consists of the following:

Approval of Minutes

Executive Session - April 8, 2013.
Pre-Meeting - April 15, 2013.
Executive Session - April 15, 2013.
Regular Meeting - April 15, 2013.
Work Session - April 16, 2013.
Work Session - April 22, 2013.

Ordinance Third Reading

ORDINANCE 3791

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF A 50 FOOT WIDE GENERAL UTILITY EASEMENT LOCATED ON LOTS 1A, 1B, 1C AND 1D, BLOCK 9, ROLLING HILLS SUBDIVISION IN THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS.

ORDINANCE 3792

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 2809 DOGWOOD AVENUE AND LEGALLY DESCRIBED AS LOTS 1A AND 1B, BLOCK 5, STOCKTRAIL SUBDIVISION, WHICH IS

PROPOSED AS LOT 1C, BLOCK 5, STOCKTRAIL SUBDIVISION
FROM C-1, GENERAL COMMERCIAL DISTRICT, TO I-1, LIGHT INDUSTRIAL
DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

Ordinance Second Reading

ORDINANCE 13-11

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF
GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 2200 SOUTH
BURMA AVENUE AND LEGALLY DESCRIBED AS A TRACT OF UNPLATTED LAND
SHOWN ON THE ATTACHED EXHIBIT A AND EXHIBIT B FROM R-2, SINGLE
AND TWO FAMILY RESIDENTIAL DISTRICT, TO C-1, GENERAL COMMERCIAL
DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

New Business - Consent Agenda

Approval for the write off of bad debt on uncollectible utility
accounts in the amount of \$2,190.10.

Bills and Claims

ACTION LOCK AND KEY	45.00
ADECCO EMPLOYMENT SERVICES	575.96
AFFILIATES IN COUNSELING & FORENSIC	225.00
AIR-TECH INC.	243.20
AIRGAS INTERMOUNTAIN	37.92
ALSCO	1,845.13
AMERICAN ASSOC OF CODE	150.00
AMERICAN WELDING & GAS INC	15.60
ANIMAL MEDICAL CENTER OF WYO LLC	1,143.00
ANTONOVICH, JAMES	300.00
ARROW PRINTING & GRAPHICS, INC	112.00
ASSOCIATED GLASS, INC.	825.74
AT&T MOBILITY NATIONAL ACCOUNTS	7,388.76
BALFOUR BEATTY RAIL	266.90
BARBER, ERIC	500.00
BEAR'S NATURALLY CLEAN	368.25
BEARLODGE LTD., INC.	1,647.50
BELECKY, CRAIG	300.00
BIG D SANITATION CORP	1,210.00
BLACK CAT CONSTRUCTION LLC	5,495.78
BLACK HILLS POWER & LIGHT	1,052,959.57
BLUE CROSS-BLUE SHIELD OF WYOMING	129,563.22
BORDER STATES ELECTRIC	49,188.46
BREANNA'S BAKERY	167.99
BRESNAN COMMUNICATIONS	902.95
BRUCE ENGINEERING SERVICES CORP	3,706.00
BUCKEYE, MICHAEL D. & JANINE M.	570.00
BUFFALO VETERINARY CLINIC INC	50.00
BURNS & MCDONNELL CORP	249,190.33
CAMPBELL COUNTY ABSTRACT	7,465.00
CAMPBELL COUNTY CHAMBER	200.00
CAMPBELL COUNTY CLERK OFFICE	31.50
CAMPBELL COUNTY ECONOMIC	30,000.00

CAMPBELL COUNTY ENGINEERS	59,251.05
CAMPBELL COUNTY HOSPITAL DIST	100.50
CAMPBELL COUNTY JOINT POWERS	72,739.68
CAMPBELL COUNTY PUBLIC HEALTH	539.02
CAMPBELL COUNTY SENIOR CITIZEN	1,204.50
CAMPBELL COUNTY SHERIFF	14,875.00
CAMPLEX	125,000.00
CASTELLI, SHERYL S.	350.00
CENTRILIFT	1,050.00
CENTURYLINK-PHONE CHARGES	536.06
CHEMSEARCH	4,743.42
CHILDREN'S HOME SOCIETY	125.00
CITY OF GILLETTE	302,027.76
CITY OF GILLETTE-PETTY CASH	121.86
COFFEE FRIENDS	166.00
COLLINS COMMUNICATIONS, INC	37,586.05
COLORADO STATE UNIVERSITY	1,984.00
COMMUNITY FORESTRY CONSULTANTS INC	9,700.00
COMPLETE CONCRETE, INC	3,610.90
CONTRACTORS SUPPLY, INC.	356.42
CPS DISTRIBUTORS	39,071.82
CRAIG'S VENDING	218.50
CROOK COUNTY VETERINARY SERVICE	50.00
CRUM ELECTRIC SUPPLY CO	21,606.25
CTA, INC	4,314.08
CUMMINS ROCKY MOUNTAIN, INC.	559.66
CUSTER, DANIEL R. & MARJORIE	2,540.00
DALE BUCKINGHAM ARCHITECTS, LLC.	5,511.00
DANA KEPNER COMPANY, INC.	4,456.68
DELVALLE, DEBORAH K. E.	300.00
DESERT MOUNTAIN CORP	7,685.63
DESIGN WEST II	1,381.00
DEXTER'S AUTOMOTIVE	85.00
DIEBOLD, INC.	1,243.00
DISPLAY SALES	553.50
DO IT RIGHT FENCE CO.	9,869.00
DRM INC	4,671.52
DUMBRILL, DOUG	5,232.24
DYKMAN ELECTRCAL INC.	55,800.00
E Z TOWING & RECOVERY, INC	255.00
EARTH WORK SOLUTIONS	18,000.00
ECOBRAADMIN.COM, INC.	30.50
EDGE CONSTRUCTION SUPPLY	458.90
EFLEXGROUP.COM, INC.	7,173.65
ELECTROFAB	4,941.70
EMBROIDERY PLACE, THAT	33.00
ENERGY LABORATORIES, INC	1,012.00
ENERGY SHARE OF WYOMING	988.61
ENTENMANN ROVIN CO.	121.50
ESCO GILLETTE	877.00
EXPRESS-SCRIPTS, INC.	35,876.47
FAIRMONT SUPPLY CO.	1,874.25

FAMILY HEALTH	492.00
FARMER BROTHERS COMPANY	560.93
FASTENAL COMPANY	142.56
FEDERAL EXPRESS CORP.	1,107.69
FIRST AMERICAN TITLE	250.00
FITZNER, JERRY	200.00
FITZNER, MARVIN & CARLA	571.50
FRANDSON SAFETY, INC.	569.00
FREUDENTHAL + BONDS, P.C.	2,667.50
GARNEY WYOMING, INC.	1,423,386.38
GERLOSKY, MICHAEL & MARY ANN	1,321.50
GILLETTE COLLEGE	83,750.00
GILLETTE PRINTING COMPANY, INC	2,171.00
GILLETTE ROTARY CLUB	350.00
GOSMA	100.00
GOURMET ON THE GO, LLC	320.00
GREENLINE EQUIPMENT	1,649.60
GREG'S WELDING CORP	1,945.60
GROUND ENGINEERING CONSULTANTS	10,514.50
HARTLE, BRIAN	300.00
HD SUPPLY POWER SOLUTIONS, LTD	7,593.32
HERB ROBINSON REPAIR & TOWING	343.75
HILLYARD INC.	166.64
HKM ENGINEERING INC.	62,569.50
HLADKY CONSTRUCTION	11,170.00
HOMAX OIL	2,926.11
ICMA RETIREMENT TRUST 401	272.85
ICMA RETIREMENT TRUST-457	6,624.90
INTERSTATE COMPANIES, INC.	20,929.09
IT OUTLET INC.	863.89
ITRON, INC.	1,513.13
J & J PLUMBING	897.50
J B STORAGE CONTAINERS	69.05
JIM SLOAN, INC.	460.00
JLC SIGN SYSTEMS INC.	14.75
JOHN'S WELDING	730.00
JOHNSON, LOLA R. & JULIE A.	600.00
JUDICIAL VENDORS	2,764.22
KADRMAS, LEE & JACKSON, INC.	11,870.05
KLUVER, DANIEL	300.00
KONE, INC	1,744.50
KRIZ-DAVIS COMPANY	15,432.70
KUSTOM SIGNALS, INC	2,188.36
LAW, BRIAN	300.00
LAYNE CHRISTENSEN CO.	915,484.63
LIGHTING ANALYSIS	600.00
LILE, JESSIE	100.00
LINDGREN, WAYNE	203.96
LYLE SIGNS INC	3,730.00
MANNING WRECKER SERVICE, LLC	200.00
MANNING, LARRY	476.86
MCM GENERAL CONTRACTORS	59,827.50

MILLER MECHANICAL	11,080.00
MISC. VENDOR	60,770.00
MUNICIPAL ENERGY AGENCY OF NEBRASKA	621,863.50
MYERS, AMANDA	250.00
NAT'L ASSOC SCHOOL RESOURCE	495.00
NEVE'S UNIFORM INC.	328.22
NEWMAN SIGNS, INC.	1,084.80
NEWS RECORD	5,506.71
NORCO, INC	2,181.30
ONLINE INFORMATION SERVICES, INC.	69.80
OVERHEAD DOOR CO COPR	386.50
PAINTBRUSH SEWER & DRAIN	220.00
PARKS PLUMBING	1,086.30
PCA ENGINEERING, INC.	610.85
PIERCE, ANDREANNA	50.00
POWDER RIVER ENERGY CORP.	30,518.63
POWDER RIVER HEATING	529.48
POWDER RIVER OFFICE SUPPLY	5,952.28
POWER ENGINEERS INC.	1,963.44
PRIME POWER & COMMUNICATIONS	30,192.50
PRO BUILT HOMES, INC.	840.00
PROELECTRIC, INC.	29,703.77
QUALITY UTILITY EQUIPMENT	906.19
RAILROAD MANAGEMENT CO. III, LLC	6,651.81
RED TIGER WELL SERVICE	169,858.00
ROCKY MOUNTAIN BUSINESS EQUIP, LLC	456.70
ROZET PET VET	50.00
SAIC ENERGY, ENVIRONMENT, &	833.00
SALT CREEK VETERINARY CLINIC	126.88
SKYLINE GRILLE	1,550.00
SOLOMON ELECTRIC SUPPLY	480.00
SOURCEGAS	13,679.01
SOUTHWESTERN EQUIPMENT COMPANY	1,945.14
SPIEGEL & MCDIARMID, LLP	2,145.00
STATE OF WYOMING	10.00
STEINER THUESEN PLLC	11,494.86
SUNGARD PUBLIC SECTOR INC.	77.11
THOMSON WEST	279.48
TIC - THE INDUSTRIAL COMPANY WYO.	538,949.84
TRU-TECH PRODUCTS	3,361.69
TRUJILLO, JOSEPH A.	1,709.00
TWO M COMPANY, INC.	618.06
TYLER TECHNOLOGIES INC.	16,019.47
U S POSTAL SERVICE / HASLER INC	40,000.00
U S TREASURY-EFTPS	198,989.54
ULTIMATE OFFICE	80.97
UPHOLSTERY BY LADONNA	60.00
UTILITY OVERPAYMENTS ONLY	8,848.18
VERIZON WIRELESS	640.95
WANDLER, LISA	58.88
WAUSAU EQUIPMENT COMPANY, INC.	4,480.33
WELTMER, ERIC	300.00

WERNSMANN, MARK	300.00
WESCO DISTRIBUTION, INC.	8,643.76
WEST PLAINS ENGINEERING	1,092.30
WESTERN WASTE SOLUTIONS, INC	20,993.85
WIGGER, KENDALL	300.00
WIRELESS ADVANCE COMMUNICATION	416.41
WYOMING DEPART OF AGRICULTURE	50.00
WYOMING DEPARTMENT OF HEALTH	880.00
WYOMING DEPARTMENT OF TRANSP	7,414.83
WYOMING LAW ENFORCE ACADEMY	540.00
WYOMING MACHINERY CO.	3,533.38
WYOMING POLICE SERV DOG CLUB	270.00
WYOMING SECRETARY OF STATE	30.00
WYOMING WATER SOLUTIONS	162.00
WYOSTAR	7,139,914.64
XEROX CORPORATION	1,289.73

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the Consent Agenda. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Opseth, Rothleutner, Carter-King, and Mayor Murphy. The Presiding Officer declared the motion carried.

Approval of Conflict Claims

It was moved by Councilman McGrath and seconded by Councilman Jerred to approve a conflict claim for Councilwoman Carter-King in the amount of \$5,952.28 to Powder River Office Supply. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, McGrath, Opseth, Rothleutner, Kuntz, and Mayor Murphy. Councilwoman Carter-King abstained. The Presiding Officer declared the motion carried.

Oral Comments

The Mayor and Council recognized the Administrative Services Second Floor Remodel Team as the Quarterly P.R.I.D.E recipients.

Mayor Murphy proclaimed the month of May 2013 as Building Safety Month. Chief Building Official Rogers and Deputy Building Official Brown explained the proclamation.

The Mayor and Council recognized Electrical Utilities as recipients of the American Public Power Association (APPA) Electrical Utility Safety Award. Electrical Services Superintendant Wolf explained the award.

Mayor Murphy proclaimed May as Electrical Safety Month. Electrical Services Superintendant Wolf explained the proclamation

For the Good of the Community

Everett Boss and Brian Pownall presented the City of Gillette with the Concrete Association of Wyoming Award for Project Supporter of the Bricks for Vets Project at Lasting Legacy Park.

Public Information Officer Lunne gave a video presentation of past and upcoming events around the community.

Public Comments

Kathy Halvorson thanked the Mayor and Council for their support and funding of the Master Gardeners.

Council Reports

Mayor Murphy asked for Council reports. There were none.

Written Comments

Mayor Murphy asked for written comments. City Clerk Abelseth reported an email was received from Brian Likewise concerning the concealed weapons amendment.

Ordinance First Reading

ORDINANCE 13-12

AN ORDINANCE TO AMEND SECTION 14-33 (a) OF THE GILLETTE CITY CODE CONCERNING CONCEALED WEAPONS OTHER THAN FIREARMS

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve the foregoing ordinance on first reading. Mayor Murphy asked for background information concerning the ordinance. City Attorney Anderson explained the ordinance is intended to clarify the regulations for concealed weapons and concealed firearms. It clarifies that an individual who has a concealed firearm permit from the State, or one who could qualify to receive a permit, could possess a concealed firearm in the city of Gillette. It also clarifies that because you have a concealed firearm permit, does not mean you can carry other concealed weapons in the city of Gillette. Mayor Murphy asked the reason for the change. Mr. Anderson explained that this ordinance has caused some confusion in the Municipal Court; to dispel that confusion, there were very small changes made to the ordinance that is before Council this evening. After the discussion, roll was called on the motion with the following results. Council Members voting aye: McGrath, Opseth, Rothleutner, Carter-King, Kuntz, Jerred, and Mayor Murphy. The Presiding Officer declared the motion carried.

ORDINANCE 13-13

AN ORDINANCE TO AMEND PORTIONS OF SECTION 11-10(C) (3) OF THE GILLETTE CITY CODE TO EXTEND THE SNOW ROUTE ON 6TH STREET TO GILLETTE AVENUE AND TO ENACT SECTION 11-12 (h) OF THE GILLETTE CITY CODE CONCERNING PARKING ON DRIVEWAYS AND SIDEWALKS

It was moved by Councilman Rothleutner and seconded by Councilman Opseth to approve the foregoing Ordinance on first reading. Mayor Murphy asked for background information concerning the ordinance. City Administrator Napier explained this amendment has two parts; the first part deals with parking and driveways that have caused concern for some neighbors with longer vehicles that encroach on sidewalks for those properties that have the smaller driveways. After evaluating this issue, it does seem appropriate to allow vehicles to extend beyond the limits of their driveway into the sidewalk. However, this ordinance does not allow for the encroachment of trailers with tongues that extend over the sidewalk, or other pieces of equipment. The second part of the

amendment is in regard to connecting the gap on an emergency route between the downtown and the hospital district. The current emergency route extends from 4-J Road to Burma Road along 6th Avenue; but not from 4-J Road to Gillette Avenue and this amendment would connect that gap. Mayor Murphy commented that there is more traffic on 6th Street since the traffic light was installed, and thus would require this to be a snow emergency route. Councilman McGrath requested that staff notify the residents in this area of this change. Councilman Jerred requested the residents also be notified that they cannot block the sidewalk. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Opseth, Rothleutner, Carter-King, Kuntz, Jerred, McGrath, and Mayor Murphy. The Presiding Officer declared the motion carried.

New Business

RESOLUTION 2413

A RESOLUTION DETERMINING THAT THE CONSTRUCTION OF THE TRANSMISSION LINE PROJECT HAS BEEN COMPLETED AND ACCEPTED BY THE CITY OF GILLETTE AND ALL COSTS OF ACQUISITION AND CONSTRUCTION HAVE BEEN PAID.

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the foregoing Resolution determining that the construction of the Transmission Line Project has been completed and accepted by the City of Gillette and all costs of acquisition and construction have been paid. Mayor Murphy asked for background information. City Administrator Napier explained this is the transmission line that was constructed as part of the WYGEN purchase and will allow for the trustees to reimburse the City for the remaining balance in the project fund of \$403,959.24. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carter-King, Kuntz, Jerred, McGrath, Opseth, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Opseth and seconded by Councilwoman Carter-King to approve the CT II Purchase and Sale Agreement between Black Hills Wyoming, LLC, and Consolidated Wyoming Municipalities Electric Power System Joint Powers Board. Mayor Murphy asked for background information. City Administrator Napier explained that the potential authorization represents a culmination of work in regards to the evaluation of the potential purchase of the CT II Combustible Turbine power plant. Mr. Napier commented that he believes this process has been fruitful and Black Hills has been excellent to work with. He went on to say that the purchase the City is about to enter into is appropriate and will mean a benefit in regards to our rate payers, and our power fund, that will assist in avoiding costs that we would have otherwise incurred. Utilities Director Glover explained that the turbine is located at Wyodak and is a gas fired unit that has been in service for approximately 10-11 years. He went on to say when Black Hills introduced the economics of this unit, it basically hedges the market and enables for the purchase of inexpensive power in order to provide the citizens with the cheapest possible power. The unit runs when it is most effective and efficient to run; when there is cheaper power to purchase, it will sit idle. Mr. Glover went on to explain the unit and the agreement. Councilwoman Carter-King asked about the benefit of savings to the citizens being \$35,000,000 to \$100,000,000. Mr. Glover stated that the consultant indicated with the variables in the cost of natural

gas, variables in the cost of coal mining, and variables in operational costs to produce electricity, the consultant stated the City could expect a \$35,000,000 to \$100,000,000 savings over 20 years as compared to continuing to purchase power, like it's done at this time. Councilman McGrath asked about the maintenance issue and the warranty concerning the unit. Mr. Glover said there was an oil leak that was discovered and Black Hills has sent the unit to Canada to replace any seals to ensure that there will be no future problems relating to this issue of the oil leak. Councilman McGrath then asked for confirmation that Mark Lux, during a Work Session meeting, stated that Black Hills would not sell this unit if there were leaks or any other problems with the turbine. Mr. Lux affirmed that Black Hills will do everything in their power to ensure the leak is repaired before they would accept the performance of the turbine in terms of the maintenance repairs that were done. Mr. Lunx went on to say that Black Hills would not accept it for their purposes, and would not accept it for the purpose of selling the engine to the City of Gillette. Councilman McGrath asked Mr. Glover what the warranty period is. Mr. Glover stated that the typical warranty period on a combustible turbine is one year. In regard to this problem that was identified, negotiations were done with Black Hills for a two year period or the equivalent hours, and a \$2,000,000 warranty. City Administrator Napier added the two year warranty will begin post closing when the City takes ownership. Councilman Kuntz stated that it is important to notify the public that this does not mean there will not be rate increases in the future; but if rates due increase, they will be significantly less. After further discussion, roll was called on the motion with the following results. Council Members voting aye: Carter-King, Kuntz, Jerred, McGrath, Opseth, Rothleutner, and Mayor Murphy. The Presiding Officer declared the motion carried.

RESOLUTION 2414

WHEREAS, the Campbell County Lodging Tax Joint Powers Board wishes to expand and diversify Wyoming's economy by incrementally growing Wyoming's tourism industry; and

WHEREAS, the existing Visitor's Center in Gillette has been leased from the City of Gillette since 1995; and

WHEREAS, the City of Gillette is one of entities who formed the Campbell County Lodging Tax Joint Powers Board; and

WHEREAS, the Campbell County Lodging Tax Joint Powers Board intends to submit an application for a Business Ready Community Planning Grant from the Wyoming Business Council to perform a Gillette Visitor Center Study. Based on highway traffic counts and the Visitor Center traffic counts, the study will evaluate possible locations and costs, building size and design/floor plan and costs, and any potential community partners to be officed in the building; and

WHEREAS, the City of Gillette supports the grant application and will match Campbell County and supply \$6,000 towards the local match; and

NOW, THEREFORE, BE IT RESOLVED by the City of Gillette, to approve an application from the Campbell County Lodging Tax Joint Powers Board for \$25,000 for the Business Ready Community Grant and Loan Program for a Planning Grant to perform a Gillette Visitor Center Study. Based on highway traffic counts and the

Visitor Center traffic counts, the study will evaluate possible locations and costs, building size and design/floor plan and costs, and any potential community partners to be officed in the building. The Mayor and the City Administrator are authorized to execute project related documents on behalf of Gillette.

It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approve the foregoing Resolution to authorize a Business Ready Community Grant and Loan Program Planning Grant Application by the Campbell County Lodging Tax Joint Powers Board to the Wyoming Business Council. Mayor Murphy asked for background information. City Administrator Napier explained that the Lodging Tax Joint Powers Board wants to have a study done with regards to a potential location for a new Visitor's Center. The Business Council has funds available for this study to occur and pursuant to the granting program, the partner entities need to offer their authorization for the grant to move forward. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Opseth, Rothleutner, Carter-King, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Kuntz and seconded by Councilman McGrath to approve a Memorandum of Understanding between the City of Gillette and Campbell County Parks and Recreation Department for City of Gillette swimming pool operations. Mayor Murphy asked for discussion. Councilman Rothleutner asked if this is the standard for an agreement of staffing for the City Pool. City Administrator Napier affirmed it was and went on to say that we are only charged for what the direct costs are and the number will not exceed \$75,000. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Jerred, McGrath, Opseth, Rothleutner, Carter-King, Kuntz and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Opseth and seconded by Councilman Jerred to accept public improvements for the Boxelder Road Extension Phase II-A Project installed by S&S Builders, LLC, in the amount of \$1,528,217.96. Mayor Murphy commented that this is a One Percent Project and then asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Opseth, Rothleutner, Carter-King, Kuntz, Jerred, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to accept development improvements for the Maverick Store Water and Sanitary Sewer Main Extension Project, installed by DRM, Inc., on behalf of the developer, Maverick, Inc. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Opseth, Rothleutner, Carter-King, Kuntz, Jerred, McGrath, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Jerred and seconded by Councilman Kuntz to approve a catering permit requested by Jordan's Fine Western Dining for May 18th from 6:30 p.m. to midnight in celebration of their grand opening that will include outdoor music. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carter-King, Kuntz, Jerred, McGrath, Opseth, and Mayor Murphy. The Presiding Officer declared the motion carried.

Administrator's Report

Mayor Murphy asked for an Administrator's Report. City Administrator Napier said there was none.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 8:02 p.m. The next regularly scheduled meeting will be Monday, May 20, 2013.

Tom Murphy, Mayor

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk

Publication date: May 15, 2013