

## COUNCIL PROCEEDINGS

REGULAR

June 17, 2013

7:10 p.m.

A meeting of the City Council, of the City of Gillette, County of Campbell, State of Wyoming, was held on Monday the 17th day of June 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: Robin Kuntz, Ted Jerred, Kevin McGrath, John Opseth, Forrest Rothleutner, Louise Carter-King, 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; Chuck Deaton, Lieutenant; Michelle Henderson, Finance Manager; Joe Lunne, Public Information Officer; Patti Davidsmeier, Community and Gov't Relations Manager; and Karlene Abelseth, City Clerk.

Thereupon the following proceedings were had and taken. Pastor Tom Frey of Prince of Peace Church gave the Invocation. The Pledge of Allegiance was led by Councilwoman Carter-King.

The Presiding Officer called for approval of the General Agenda. It was moved by Councilwoman Carter-King and seconded by Councilman Jerred 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

Pre-Meeting - June 3, 2013.  
Regular Meeting - June 3, 2013.  
Work Session - May 28, 2013.

### Ordinance Third Reading

#### ORDINANCE 3796

AN ORDINANCE PROVIDING FOR THE VACATION OF THE SOUTHERN FOUR FEET OF A TWENTY FOOT WIDE UTILITY EASEMENT LOCATED ALONG THE NORTH PROPERTY LINE ON LOT 10B, COLLINS HEIGHTS INDUSTRIAL PARK, AS SHOWN ON THE EXHIBIT "A" MAP, IN THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

#### ORDINANCE 3797

AN ORDINANCE PROVIDING FOR THE VACATION OF A TEN FOOT WIDE WALKING EASEMENT AS SHOWN ON THE EXHIBIT "A" MAP ON LOTS 13, 14, 29A, AND 30, BLOCK 10, RC RANCH, PHASE 2, IN THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

### Ordinance Second Reading

#### ORDINANCE 13-17

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 1881 SOUTH

BURMA AVENUE AND LEGALLY DESCRIBED AS TRACTS 1-3 OF THE PROPOSED CEDAR RIM ESTATES SUBDIVISION, WITH TRACT 1 TO BE ZONED C-1, GENERAL COMMERCIAL DISTRICT, TRACT 2 TO BE ZONED R-3, SINGLE AND MULTIPLE FAMILY RESIDENTIAL DISTRICT, TRACT 3 TO BE ZONED A, AGRICULTURAL ZONING DISTRICT, AND THE BEAVER DRIVE RIGHT-OF-WAY TO BE ZONED TO THE CENTERLINE AND CORRESPOND WITH THE ADJACENT ZONING DISTRICTS, AS SHOWN ON THE ATTACHED EXHIBIT 'A' AND EXHIBIT 'B' MAPS, SUBJECT TO ALL PLANNING REQUIREMENTS

#### New Business - Consent Agenda

Approval of a permanent water line and general utility easement and a temporary construction easement for the Gillette Regional Water Supply Project - Phase I District Extensions with Justin T. & Charity R. Knopp c/o Campbell County Abstract Company in the amount of \$8,585.50.

Approval of a permanent water line and general utility easement and a temporary construction easement for the Gillette Regional Water Supply Project - Phase 1 District Extensions with Mark D. & Jerri D. Hettinger; Mark D. & Jerri D. Hettinger Revocable Trust; and the Mark D. Hettinger Revocable Trust c/o Campbell County Abstract Co., in the amount of \$11,964.00.

Approval of a permanent water line and general utility easement and a temporary construction easement for the Gillette Madison Pipeline Project with James G. and Lynette Frost c/o Campbell County Abstract Company in the amount of \$10,000.00.

#### Bills and Claims

A & B BUSINESS EQUIPMENT INC.	261.01
ADECCO EMPLOYMENT SERVICES	220.22
AIR-TECH INC.	763.13
ALCHEMY ARTS, LLC	500.00
ALGER, KELLY	200.00
ALSCO	1,363.09
ALTEC INDUSTRIES INC.	562.50
AMERICAN NATIONAL BANK	30,585.92
ARROW PRINTING & GRAPHICS, INC	115.90
ARTHUR, MARLIN & DONNA	570.00
ASSOCIATED GLASS, INC.	2,584.04
AT&T MOBILITY NATIONAL ACCOUNTS	3,600.08
B & H PHOTO VIDEO PRO-AUDIO	589.40
BARNEY, CATHY	200.00
BASIN RADIO NETWORK	910.86
BENTLEY SYSTEMS INC.	6,480.00
BLACK CAT CONSTRUCTION LLC	15,835.00
BLACK HILLS POWER & LIGHT	208,290.12
BLUE CROSS-BLUE SHIELD OF WYOMING	90,426.12
BORDER STATES ELECTRIC	7,407.21
BRUCE ENGINEERING SERVICES CORP	24,887.25
BUCKLEY, DALE	73.07
CAMPBELL COUNTY BAR ASSOC	15.09
CAMPBELL COUNTY COORDINATED	880.00
CAMPBELL COUNTY HOSPITAL DIST	2,500.00
CAMPBELL COUNTY JOINT POWERS	216,823.00
CAMPBELL COUNTY OBSERVER	800.00
CAMPBELL COUNTY SENIOR CITIZEN	87,500.00
CAMPBELL COUNTY SHERIFF	9,900.00
CARR, CASEY	75.00
CARTER-KING, LOUISE	23.73

CENTURYLINK-PHONE CHARGES	935.61
CHILDREN'S HOME SOCIETY	125.00
CHINA CAT SUNFLOWER, LLC	500.00
CITY OF GILLETTE-PETTY CASH	128.05
COLLINS COMMUNICATIONS, INC	6,074.38
CONSOLIDATED ENGINEERS, INC.	13,197.38
CONTRACTORS SUPPLY, INC.	6,336.72
CRESCENT ELECTRIC SUPPLY	1,031.40
CRUM ELECTRIC SUPPLY CO	118.33
DALE BUCKINGHAM ARCHITECTS, LLC.	3,432.50
DANA KEPNER COMPANY, INC.	236.40
DELTA DENTAL OF WYOMING	17,222.55
DESERT MOUNTAIN CORP	23,707.19
DRM INC	220,845.06
DUMBRILL, DOUG	4,716.84
DXP ENTERPRISES, INC	473.40
E Z TOWING & RECOVERY, INC	900.00
ECOBRAADMIN.COM, INC.	30.50
EDGE CONSTRUCTION SUPPLY	191.85
EFLEXGROUP.COM, INC.	6,634.95
ELECTRICAL SPECIALISTS	826.95
ELGER, REBECCA	162.44
EMBROIDERY PLACE, THAT	1,569.16
ENERGY LABORATORIES, INC	972.00
EXPRESS-SCRIPTS, INC.	23,261.59
FARMER BROTHERS COMPANY	221.55
FARMERS CO-OP	14.95
FASTENAL COMPANY	132.41
FEDERAL EXPRESS CORP.	504.10
FIREMASTER-DEPT 1019	1,118.00
FIRST INTERSTATE BANK-GILLETTE	2,089.33
FIRST NAT'L BANK-GILLETTE	80,732.71
FIRST NORTHERN BANK OF WYOMING	47,484.34
FOUR FRONT DESIGN, INC.	1,002.40
FRANDSON SAFETY, INC.	464.00
FRONTIER PRECISION, INC	6,937.00
G&G LANDSCAPING, INC.	118,031.42
GHOSH, SHOHINI	500.00
GIBBS, AMY	75.00
GLOVER, KENDALL	265.56
GRAINGER INDUSTRIAL	223.20
GREENLINE EQUIPMENT	2,641.83
GRIMM'S PUMP & INDUSTRIAL SUPL	644.36
HANNIGAN, ROBERT	122.16
HAWKINS TRAFFIC INC.	348.08
HD SUPPLY POWER SOLUTIONS, LTD	71,174.64
HDR ENGINEERING, INC	114,475.14
HEARTLAND KUBOTA, LLC	206.16
HKM ENGINEERING INC.	45,462.38
HLADKY CONSTRUCTION	137,118.29
HLOUCAL, JAMES	112.77
HOMAX OIL	37,673.37
HUSSEY, ROXANNE	225.00
ICMA RETIREMENT TRUST 401	272.85
ICMA RETIREMENT TRUST-457	6,667.18
INTEGRATED INFORMATION SOLUTIONS	700.00
INTERMOUNTAIN SWEEPER CO.	1,789.00
ISC INC.	2,676.00

IT OUTLET INC.	822.67
JACK'S HEAVY EQUIPMENT	1,328.10
JOHNSON CONTROLS, INC.	8,133.89
JOHNSON, GREGORY	500.00
JUDICIAL VENDORS	1,758.15
KADRMAS, LEE & JACKSON, INC.	3,179.16
KENDIG KEAST COLLABORATIVE	6,912.79
KIMBALL EQUIPMENT COMPANY	192.77
KOIS BROTHERS EQUIPMENT CO.	74,904.35
KRIZ-DAVIS COMPANY	2,547.05
KUNTZ, ROBIN M.	14.98
LANDSCAPES BY HOLCOMB, LLC	1,154.00
LANNAN'S SUPPLY CO.	39.59
LONG'S PLBG.& HTG. INC.	218.25
MCCOLLEY, BRIAN	224.70
MCM GENERAL CONTRACTORS	26,924.00
MISC. VENDOR	260.00
MORRISON MAIERLE, INC.	64,662.48
MOUNTAIN STATES PIPE & SUPPLY	192.00
MOUNTAIN VIEW BUILDING, INC.	254,594.62
MSDSPRO, LLC	990.00
MUNICIPAL ENERGY AGENCY OF NEBRASKA	545,862.65
MYERS, AMANDA	50.00
NE WY ECONOMIC DEVELOP. COALITION	8,000.00
NEWMAN SIGNS, INC.	6,795.09
NEWS RECORD	9,765.83
NORCO, INC	1,476.27
NORTH STAR ENERGY & CONSTRUCTION	275,273.25
NORTON CONSTRUCTION CORP	17,868.42
ONLINE INFORMATION SERVICES, INC.	816.57
P.F. PETTIBONE & CO.	732.80
PAINTBRUSH SEWER & DRAIN	95.18
PARKS PLUMBING	364.36
PCA ENGINEERING, INC.	68,356.33
PICKETT, CEDRIC	29.87
POKEY PARK STUDIOS	500.00
POKEY'S BBQ	2,569.75
POWDER RIVER CONSTRUCTION, INC	322,461.18
POWDER RIVER ENERGY CORP.	268.58
POWDER RIVER OFFICE SUPPLY	7,573.02
POWERS, MICHAEL J. & SHIRLEY A.	350.00
PROELECTRIC, INC.	20,720.60
PROTECH COMPUTING SERVICES	6,563.20
PUBLIC AGENCY TRAINING COUNCIL	260.00
R T CONSTRUCTION	900.00
RAZOR CITY LOCKSMITH, LLC	554.70
REED, DON R JR & JASMINE	1,319.00
RENO, EDIE	500.00
RINGER LAW, P.C.	3,730.00
RISING SUN ART	1,000.00
ROBERT J. O'NEIL LAW OFFICE	777.00
ROCKY MOUNTAIN BUSINESS EQUIP, LLC	1,025.00
S & S BUILDERS, LLC.	175,399.31
SARGENT DRILLING CO.	19,235.58
SCOTT BROTHERS INC.	219.63
SELBY'S	69.83
SOLVINGTECH, LLC	6,491.25
SOURCE EQUIPMENT	3,430.78

SOURCE OFFICE PRODUCTS	4,901.10
STACIE MCDONALD PR CONSULTING	1,045.50
STAJCAR, PATRICIA	1,000.00
STARCK SCULPTURE	500.00
STEINER THUESEN PLLC	10,285.02
STROUP, DAN	83.75
STUART C. IRBY CO.	1,653.66
TRAFFIC PARTS, INC	684.00
TRUGREEN CHEMLAWN	59.50
TURNER, DAVID H.	500.00
TYLER TECHNOLOGIES INC.	4,000.06
U S POSTAL SERVICE	106.00
U S TREASURY-EFTPS	204,895.16
ULTIMATE OFFICE	81.10
UMB BANK-CARD CENTER	113,397.77
UNIVERSAL ATHLETIC SERV.	485.50
UNTAMED DESIGN LLC	500.00
UTILITY OVERPAYMENTS ONLY	19,495.53
VAN EWING CONSTRUCTION CORP	236,089.77
VERIZON WIRELESS	572.56
VISIONARY COMMUNICATIONS	451.88
WASTE CONNECTIONS OF WYOMING	292.83
WATERWORKS INDUSTRIES INC	396.40
WELLS FARGO BANK	25,457.79
WESCO DISTRIBUTION, INC.	12,128.80
WEST PLAINS ENGINEERING	315.00
WESTERN INDUSTRIAL INC	229,120.07
WESTERN WEED SERVICE	2,921.64
WIRELESS ADVANCE COMMUNICATION	1,798.55
WYODAK RESOURCES DEVELOPMENT CORP.	173,914.50
WYOMING ASSOC MUNICIPALITIES	735.00
WYOMING DEPARTMENT OF TRANSP	599.69
WYOMING MACHINERY CO.	8,058.00
WYOMING STATE-REVENUE & TAX	94,041.81
WYOSTAR	1,916,028.93
XEROX CORPORATION	2,164.82
YOUNG, JEANNINE	500.00
ZIGRAY BUILDING SOLUTIONS	1,237.50
ZIMMERMAN, MARY	500.00

It was moved by Councilman McGrath and seconded by Councilman Jerred 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 Jerred and seconded by Councilman Rothleutner to approve a conflict claim for Councilwoman Carter-King in the amount of \$9,025.41 - (\$23.73 for internet reimbursement and \$9,001.68 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, Rothleutner, Opseth, Kuntz, and Mayor Murphy. Councilwoman Carter-King abstained. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Rothleutner to approve a conflict claim for Councilman Kuntz in

the amount of \$14.98 for internet reimbursement. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Rothleutner, Opseth, Carter-King, Jerred, and Mayor Murphy. Councilman Kuntz abstained. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Opseth to approve a conflict claim for Councilman Rothleutner in the amount of \$27.38 to Mike's Hardware. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Opseth, Carter-King, Kuntz, Jerred, McGrath, and Mayor Murphy. Councilman Rothleutner abstained. The Presiding Officer declared the motion carried.

#### Oral Comments

##### For the Good of the Community

Mayor Murphy declared the week of June 17 - 22, 2013, as "National Small Business Week".

Mayor Murphy announced that the City of Gillette received three, 2013 Innovation Awards at the Wyoming Association of Municipalities' Conference, for its Waste Diversion Technology; Food Waste Composting; and Inmate Video Conferencing.

#### Public Comments

Mayor Murphy asked for Public Comments. There were none.

#### Council Reports

Mayor Murphy asked for Council reports. There were none.

#### Written Comments

Mayor Murphy asked for written comments. City Clerk Abelseth said there were none.

#### Ordinance Second Reading

##### ORDINANCE 13-18

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 1001 EAST WARLOW DRIVE AND LEGALLY DESCRIBED AS LOT 1, LAKE LAND HILLS COMMERCIAL SUBDIVISION FROM C-P, PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO C-1, GENERAL COMMERCIAL ZONING DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS.

It was moved by Councilman Jerred and seconded by Councilman Rothleutner to approve the foregoing Ordinance on second reading. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained the petitioner, Kum & Go, is requesting to realign the property to accommodate a construction project that they are anticipating at the corner. Councilman McGrath stated that since he did not hear from constituents in the area, he will now vote aye. After the discussion, roll was called 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.

## New Business

It was moved by Councilwoman Carter-King and seconded by Councilman Opseth to approve Amendment One to the WWDC Project Funding Agreement for the Gillette Regional Water Supply Project - Phase I District Extensions for grant funding not to exceed \$6,197,500 or 67% of the actual development costs, whichever is less. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained this is a continuation of the original agreement for the purpose of developing the extensions for the districts. In this particular case, the amendment is for the design that was approved last year and the amount dedicated will be used for actual construction. After the 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 2416

#### RESOLUTION APPROVING THE CHANGE OF CONTROL OF THE FRANCHISEE UNDER THE CABLE TELEVISION FRANCHISE

It was moved by Councilman Opseth and seconded by Councilman Rothleutner to approve the foregoing Resolution approving the change of control of the franchisee under the cable television franchise. Mayor Murphy asked for an explanation of the request. City Attorney Anderson explained the current cable franchise and stated that negotiations have taken place. An audit has been conducted of the franchise fee payments to ensure the account is current. The franchisee has agreed to follow the terms of the franchise and to continue supplying cable drops to public institutions, and maintaining equipment necessary for broadcasting the PEG Channels. 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 Councilwoman Carter-King and seconded by Councilman Opseth to approve a request from Prairie Fire Brewing Company to extend their serving area to include a 15' X 50' patio located on the south side of the building. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained the applicant's request and reported that the Chief of Police is satisfied with the diagram provided. 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 Councilwoman Carter-King and seconded by Councilman Jerred to approve a catering permit requested by Prime Rib Restaurant to have a beer garden at the Donkey Creek Music Festival, located at the Gillette College, on June 28 from 5:00 p.m. to 10:00 p.m., June 29 from noon to 10:00 p.m., and June 30 from noon to 8:00 p.m., that will include music. Mayor Murphy asked for an explanation of the request. Public Information Officer Lunne explained the festival's activities and the music groups that will be providing entertainment during the festival. 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.

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve a street closure on Kendrick Avenue between First Street and Second Street, requested by Open

Door Church, on July 13th from noon to 8:00 p.m. that will include outdoor music beginning at 2:00 p.m. 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 Councilwoman Carter-King and seconded by Councilman Jerred to approve the agreement for joint and co-operative action Third Amendment to the Campbell County Public Land Board Agreement. Mayor Murphy asked for discussion. Councilman Kuntz stated concerns he had with the agreement. Mayor Murphy stated that if the City finds itself in a revenue deficit, he feels the Land Board's budget would then be approved accordingly. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carter-King, Jerred, Opseth, and Mayor Murphy. Voting nay: Kuntz and McGrath. The Presiding Officer declared the motion carried.

It was moved by Councilman Opseth and seconded by Councilman McGrath to approve the integrated amended Gillette/Wright/Campbell County Fire Protection Joint Powers Agreement Second Amendment - May 2013 d.b.a. Campbell County Fire Department. Mayor Murphy asked for an explanation of the request. City Attorney Anderson explained the amendments proposed within the agreement. After the 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.

It was moved by Councilman McGrath and seconded by Councilman Rothleutner to approve a license to the Campbell County Emergency Management Agency for the installation of a public warning siren on City property at 845 Southern Drive. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained the location for the siren installation, and stated he does not anticipate any conflict with operations at this particular site. 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 Councilwoman Carter-King and seconded by Councilman Rothleutner to accept subdivision improvements for the Tenth Hole Estates, Filing 1 Subdivision, installed by North Star Energy and Construction, LLC, on behalf of the Developer, Gillette Land Development III. 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, Carter-King, Kuntz, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Opseth and seconded by Councilman Rothleutner to accept public improvements for the Fox Park - Arley Acres Drainage Improvements Project, installed by DRM, Inc., in the amount of \$371,225. Mayor Murphy noted that this project is a "Penny Power" project. Roll was then 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.

#### Appointments

It was moved by Council President Opseth and seconded by Councilman McGrath to appoint the following people to the various City Boards: *Board of Adjustments* - Damon Hart and Jeremey



McJilton; *Campbell County Joint Powers Fire Board* - Everett Boss; *Campbell County Lodging Tax Joint Powers Board* - Cory Bryngelson; *Investment Advisory Committee* - Ryan Gross; *Mayor's Art Council* - Karl DeCock, Jamie LaValley, Tom Ford, Michelle Butler, and Dorie Beck; *Parks & Beautification Board* - Scott Clem and Jason Ellison; *Personnel Review Board* - Robyn Schonberg; *Planning Commission* - Jim Howard and Adrienne Hahn. Mayor Murphy thanked all the applicants. 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 Council President Opseth and seconded by Councilman McGrath to appoint Christy Schomer to the Campbell County C.A.R.E. Board. 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.

#### Special Orders of the Day

Mayor Murphy opened into a public hearing for the transfer of ownership of a retail liquor license from Boss, LLC, to Boot Hill, Inc., d.b.a. Boot Hill, located at 910 North Gurley Avenue. Everett Boss introduced Terry Brown, owner of Boot Hill, Inc. Mr. Brown informed Council of improvements in regards to the building, and noted that his plan is to be open on July 17th. After the discussion, Mayor Murphy closed the public hearing.

It was moved by Councilman Opseth and seconded by Councilwoman Carter-King to approve the transfer of ownership of a retail liquor license from Boss, LLC, to Boot Hill, Inc., d.b.a. Boot Hill, located at 910 North Gurley Avenue. 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.

Mayor Murphy opened into a public hearing for the zoning map amendment for a portion of the proposed Lot 1-B, Lasting Legacy Park Subdivision, from R-2, single and two family residential district to C-0, Office and Institutional District. City Administrator Napier explained the request. Mayor Murphy asked about the trees and parking. Mr. Napier explained that the trees have been relocated and it is anticipated that a portion of the parking area will be removed; however, the plan is to replace the spaces with a redesign of the parking area to the north. Blaine Geer, Campbell County Memorial Hospital, explained their intentions concerning the parking area. Councilman Jerred asked if there could be a shared parking agreement with Pioneer Manor to accommodate overflow parking issues when there are events, such as the memorial for veterans. Mr. Geer stated it is the hospital's intention to allow parking in Pioneer Manor's parking lot for such events. After the discussion, Mayor Murphy closed the public hearing.

#### ORDINANCE 13-19

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 1000 SOUTH DOUGLAS HIGHWAY AND LEGALLY DESCRIBED AS A PORTION OF THE PROPOSED LOT 1-B, LASTING LEGACY PARK SUBDIVISION FROM R-2,

SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT, TO C-O, OFFICE AND  
INSTITUTIONAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

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

Mayor Murphy opened into a public hearing to consider amendments to the Gillette City Budget for FY2012-2013. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained this request is to wrap up the current fiscal year issues pertaining to unanticipated revenues and costs that were not in the original budget. After further discussion, Mayor Murphy closed the public hearing.

RESOLUTION 2417

A RESOLUTION AMENDING THE GILLETTE CITY BUDGET FOR THE 2012-13  
FISCAL YEAR PURSUANT TO W.S. 16-4-113

It was moved by Councilman Opseth and seconded by Councilwoman Carter-King to approve the foregoing Resolution amending the Gillette City Budget for the 2012-13 Fiscal Year pursuant to W.S. 16-4-113. 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, Carter-King, Kuntz, and Mayor Murphy. The Presiding Officer declared the motion carried.

Mayor Murphy opened into a public hearing to consider the Gillette City Budget for FY2013-2014. Several citizens spoke to the Council in support of, and opposition to, funding concerns in the City's budget for FY2013-2014. After some discussion, Councilman Jerred reminded the public that even though there are funds in the budget for Capital Projects, it does not mean the funds will be spent; those projects will need to be approved by Council. Mayor Murphy added that this includes all PMS projects, and any other Capital Project that may be in the budget. This process is only a mechanism to move the budget forward. After further discussion, Mayor Murphy closed the public hearing.

ORDINANCE 3798

AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATION OF MONEY FOR  
THE MAINTENANCE OF THE CITY OF GILLETTE, WYOMING, FOR THE COMING  
FISCAL YEAR

It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approve the foregoing Ordinance adopting the 2013-14 Budget for the City of Gillette. It was moved by Council President Opseth and seconded by Councilman Jerred to amend the Ordinance to be approved as an emergency Ordinance so that it shall be in full force and effect upon one reading and upon proclamation by the Mayor. Mayor Murphy asked for discussion. There was none. Roll was called on the motion to approve as an Emergency Ordinance so that it shall be in full force and effect upon one reading with the following results. Council Members voting aye: Opseth, Rothleutner, Carter-King, Kuntz, Jerred, and Mayor Murphy. Voting nay: McGrath. The Presiding Officer declared the motion carried and the Ordinance shall be approved as an Emergency Ordinance. It was moved by Councilman Kuntz and seconded by Councilman McGrath to amend the Ordinance by removing approximately \$8,000,000 from the Special Projects Fund. Mayor Murphy asked for discussion. Councilman Jerred stated that after Gillette City Council Meeting, June 17, 2013

listening to public comments, he is confused of what the community wants. He went on to say that last year the Council didn't put funds in the budget for the Baseball/Softball Complex and the community was upset, and this year the Council did put funds in the budget and once again, the community is upset. After further discussion, roll was called on the amendment to remove approximately \$8,000,000 from the Special Projects Fund account with the following results. Council Members voting aye: Rothleutner, Kuntz, and McGrath. Voting nay: Carter-King, Jerred, Opseth, and Mayor Murphy. The Presiding Officer declared the motion to amend defeated. Roll was then called on the original motion with the following results. Council Members voting aye: Opseth, Rothleutner, Carter-King, Kuntz, Jerred, and Mayor Murphy. Voting nay: McGrath. The Presiding Officer declared the motion carried and the Ordinance passed on final reading.

#### Adjournment

There being no further business to come before the Council, the meeting was adjourned at 8:54 p.m. The next regularly scheduled meeting will be Monday, July 1, 2013.

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Tom Murphy, Mayor

(S E A L)

ATTEST:

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Karlene Abelseth, City Clerk

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