

COUNCIL PROCEEDINGS

REGULAR

August 5, 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 5th day of August 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: John Opseth, Forrest Rothleutner, Louise Carter-King, Robin Kuntz, Ted Jerred, Kevin McGrath and Mayor Tom Murphy.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; Pamela L. Boger, Administrative Services Director; Dustin Hamilton, Director of Engineering and Development Services; Jim Hloucal, Police Chief; Tom Pitlick, Finance Director; Sawley Wilde, Public Works Director; Evan Byrd, Management Analyst; Steve Peterson, Utility Engineering Manager; Michelle Henderson, Finance Manager; Diane Williams, Senior Systems Analyst; Myra Lacy, Systems Analyst; Joe Lunne, Public Information Officer; and Cindy Staskiewicz, Deputy City Clerk.

Thereupon the following proceedings were had and taken. Father Raymond Canete, St. Matthew's Catholic Church, gave the Invocation. The Pledge of Allegiance was led by Councilman Kuntz.

The Presiding Officer called for approval of the General Agenda. It was moved by Councilwoman Carter-King 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 - June 24, 2013.

Pre-Meeting - July 15, 2013.

Regular Meeting - July 15, 2013.

Work Session - July 29, 2013.

Ordinance Second Reading - Consent Agenda

ORDINANCE 13-21

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 200 RICHARDS AVENUE AND LEGALLY DESCRIBED AS LOT 1, BLOCK 4, PARK ADDITION, FROM R-4, MULTI FAMILY RESIDENTIAL DISTRICT, TO C-2, CENTRAL BUSINESS DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

New Business - Consent Agenda

Bills and Claims

ACTION LOCK AND KEY	\$60.00
ADECCO EMPLOYMENT SERVICES	\$1,097.53
ADECCO EMPLOYMENT SERVICES	\$372.68
AGUIRRE, JOHN	\$145.48

AGUIRRE, JOHN	\$142.38
ALBERTSONS	\$6.56
ALCHEMY ARTS, LLC	\$500.00
ALSCO	\$41.76
ALSCO	\$2,124.54
AMERICAN LEGION POST 42	\$19,551.00
ANIMAL MEDICAL CENTER	\$1,669.50
ARCHITECTURAL SPECIALISTS	\$1,404.00
ARROW PRINTING	\$210.80
AT&T	\$12,358.16
AVI SYSTEMS	\$1,500.00
AWBERY, SHAUNA	\$200.00
BALFOUR BEATTY RAIL	\$242.40
BARKOW, ASHLEY	\$75.00
BARNETT, CARRIE	\$27.50
BARNEY, CATHY	\$100.00
BASIN RADIO NETWORK	\$3,456.24
BEAR'S NATURALLY CLEAN	\$612.45
BENNOR, CLIFFORD	\$500.00
BEST, BEST & KRIEGER, LLP	\$20,643.46
BIG D SANITATION CORP	\$10,085.00
BJ NELSON/NELSON AUTO GLASS	\$295.62
BLACK CAT CONSTRUCTION	\$38,780.28
BLACK CAT CONSTRUCTION	\$2,596.88
BLACK HILLS POWER	\$252,503.39
BLACK HILLS POWER	\$12,148.00
BLACK HILLS POWER	\$189,975.00
BLACK HILLS POWER	\$102,056.75
BOB DEGEN PLUMBING	\$650.00
BOE, SHELBY	\$43.08
BORDER STATES ELECTRIC	\$6,271.00
BORDER STATES ELECTRIC	\$17,020.33
BROSE, BRITTINEY	\$104.62
BSN SPORTS	\$975.00
BUFFALO VETERINARY CLINIC	\$50.00
BURLINGTON NORTHERN	\$4,750.00
BURLINGTON NORTHERN	\$4,750.00
BURNS & MCDONNELL CORP	\$434,198.04
BUSCH, JORDAN	\$118.44
BUSH, THOMAS	\$75.00
BUSKIRK, NANCY	\$20.45
BW INSURANCE AGENCY	\$100.00
CAMPBELL COUNTY ABSTRACT	\$10,660.00
CAMPBELL COUNTY ABSTRACT	\$2,758.00
CAMPBELL COUNTY ABSTRACT	\$40,250.00
CAMPBELL COUNTY CHAMBER OF COMMERCE	\$2,007.50
CAMPBELL COUNTY CHAMBER OF COMMERCE	\$17,562.50
CAMPBELL COUNTY CLERK	\$121.50
CAMPBELL COUNTY COORDINATED	\$914.10

CAMPBELL COUNTY ENGINEERS	\$79,273.50
CAMPBELL COUNTY HOSPITAL	\$193.00
CAMPBELL COUNTY HOSPITAL	\$579.00
CAMPBELL COUNTY JOINT POWERS	\$17,510.87
CAMPBELL COUNTY JUVENILE PROBATION	\$43,175.94
CAMPBELL COUNTY PARKS & RECREATION	\$4,000.00
CAMPBELL COUNTY PREDATORY	\$1,875.00
CAMPBELL COUNTY SENIOR CENTER	\$1,198.50
CAMPBELL COUNTY SENIOR CENTER	\$85,537.25
CAMPBELL COUNTY SHERIFF	\$27,275.00
CAMPBELL COUNTY WEED & PEST	\$11,589.78
CARTER-KING, LOUISE	\$23.73
CENTRILIFT DIVISION	\$6,636.06
CENTURYLINK	\$2,626.30
CITY OF GILLETTE	\$164,117.78
CITY OF GILLETTE	\$100.00
CITY OF GILLETTE	\$100.00
CITY OF GILLETTE	\$24.25
CLARK SAFETY, INC.	\$900.00
COLLINS COMMUNICATIONS	\$45,649.51
COLLINS COMMUNICATIONS	\$3,689.19
COLOMBO, COREY	\$179.77
CONNELY'S SCENIC LANDSCAPING	\$37,537.35
CONSOLIDATED WATER	\$2,795.22
CONTRACTOR'S SUPPLY, INC	\$6,552.80
CONTRACTOR'S SUPPLY, INC	\$1,013.80
CONWELL, SHAUN	\$40.91
COOPER, BROOKLYN	\$75.00
COORDINATED CARE PARTNERS	\$273.00
CPS DISTRIBUTORS	\$8,014.00
CRAIG'S VENDING	\$218.50
CRESCENT ELECTRIC	\$5,000.00
CRITEL, JONATHAN	\$116.41
CUES, INC.	\$226.52
DARTT, SR, RON	\$85.74
DESERT MOUNTAIN CORP	\$8,494.61
DESIGN WEST	\$208.00
DESIGN/CONSTRUCTION, LLC	\$2,310.00
DHT, INC.	\$307,473.04
DUMBRILL, DOUG	\$8,495.14
DXP ENTERPRISES, INC	\$1,483.00
DYKMAN ELECTRICAL, INC.	\$5,678.45
E M BUILDERS	\$90.02
ECOBRAMIN.COM	\$13.00
ECOBRAMIN.COM	\$13.00
EDGE CONSTRUCTION	\$191.85
EFLEXGROUP.COM	\$6,634.95
EFLEXGROUP.COM	\$481.00
EFLEXGROUP.COM	\$6,634.95

ENERGY LABORATORIES	\$20.00
ENTENMANN ROVIN COMP	\$96.50
ERB, BRITTIN	\$157.63
FARMER BROTHERS COMP	\$1,388.84
FIELD, KEVIN	\$373.00
FIRST INTERSTATE BANK	\$53.95
FIRST INTERSTATE BANK	\$78.95
FIRST INTERSTATE BANK	\$28.95
FIRST INTERSTATE BANK	\$28.95
FIRST INTERSTATE BANK	\$53.95
FLEXSYSTEMS	\$2,100.00
FLOGISTIX - WYOMING, LLC	\$378.03
FORTUNA, TRISTA	\$75.00
FOUR FRONT DESIGN, INC.	\$1,000.00
FRANDSON SAFETY, INC.	\$32.00
FREELAND, MICHAEL	\$350.00
G C S	\$265.00
G C S	\$140.00
GAMETIME	\$420.75
GARNEY WYOMING, INC.	\$1,411,241.10
GILLETTE ABUSE REFUGE	\$31,282.00
GILLETTE ENERGY ROTARY CLUB	\$192.50
GILLETTE GIRL'S FASTPITCH	\$9,776.00
GILLETTE GOLF CLUB CORP	\$25,000.00
GILLETTE REPRODUCTIVE HEALTH	\$15,000.00
GILLETTE WINNELSON COMPANY	\$208.43
GILLETTE WINNELSON COMPANY	\$6.56
GIRARD, JESSICA	\$147.24
GONZALEZ, JULIE	\$67.40
GOVERNMENT FINANCE OFFICERS ASSOC.	\$150.00
GREAT WESTERN PARK & PLAY	\$48,016.70
GROUND ENGINEERING CONSULTING	\$12,041.00
GROWTH PRODUCTS LTD	\$5,448.83
GRUBBS, JR, DALLAS	\$270.00
HARRIS, BRAD	\$1,220.00
HAWKINS, INC.	\$10,502.96
HD SUPPLY POWER SOLUTIONS	\$765.00
HD SUPPLY POWER SOLUTIONS	\$3,289.26
HD SUPPLY UTILITIES	\$71,818.91
HEATH, STEPHEN	\$50.00
HEINTZMAN, DIANE	\$87.18
HELM, JAMES	\$175.50
HILLCREST SPRING WATER	\$142.00
HINSHAW, TAYLOR	\$75.00
HKM ENGINEERING, INC.	\$43,645.39
HLADKY CONSTRUCTION	\$1,740.06
HOMAX OIL	\$36,086.15
IACP NETLOGIN	\$800.00
ICMA RETIREMENT TRUST	\$274.02

ICMA RETIREMENT TRUST	\$7,274.29
ICMA RETIREMENT TRUST	\$6,802.84
INTEGRITY PAINTING	\$6,580.00
INTERMOUNTAIN CONSTRUCTION	\$1,585.98
IRS	\$215,015.20
IRS	\$820.48
IRS	\$205,545.99
IRS	\$197,760.00
ISAACK, FRED	\$50.00
ISC INC.	\$31,286.81
IVORY, JENNIFER	\$50.00
JLC SIGN SYSTEMS, INC.	\$35.50
JLC SIGN SYSTEMS, INC.	\$119.40
JOHNSON, BETTY	\$155.21
JOHNSON, LETHA	\$50.00
JONES, GARY	\$75.00
KEYHOLE BROADCASTING	\$1,025.00
K-MART	\$27.47
KORTERRA, INC.	\$900.00
KRICHER, JACKLYN	\$73.35
KRIZ-DAVIS COMPANY	\$837.60
KUNTZ, ROBIN	\$14.98
KWIK SHOP	\$6.56
LANKFORD, LACEY & JON	\$32.50
LEMPKA, SUSAN	\$200.00
LIESINGER, SHAWN	\$59.52
LONG'S PLUMBING & HEATING, INC.	\$1,603.24
LOZA AUTO SALES	\$410.50
MACHINE PRODUCTS, INC.	\$411.00
MAILFINANCE	\$6,108.00
MCCANN, KRYSTLE	\$22.56
MCDONALD, STACIE	\$540.00
MCM GENERAL CONTRACTORS	\$30,849.27
MENDOZA, DILLON	\$176.85
MERRIT, TERESA	\$500.00
MILLER LANDSCAPING	\$500.00
MILLER MECHANICAL	\$31,400.00
MILLER, JANEL	\$158.08
MILLER, JANET	\$120.79
MORRISON, AMANDA	\$100.00
MOTOROLA	\$11,662.08
MUNICIPAL ENERGY	\$603,776.80
MURPHY, TOM	\$30.79
MUSCO SPORTS LIGHTING	\$34,358.75
NE WY ECONOMIC DEVELOPMENT	\$12,500.00
NEVES, JOHN	\$150.00
NEWMAN SIGNS, INC.	\$1,724.25
NEWS RECORD	\$10,907.45
NORCO, INC.	\$21.57

NORCO, INC.	\$2,770.72
NORRIS, CHRIS	\$155.89
NORTH STAR ENERGY & CONSTRUCTION	\$6,544.49
NOVELL, INC.	\$30,087.70
OCCUPATIONAL TESTING, INC.	\$1,090.25
OFFICE OF STATE LAND & INVESTMENT	\$608.12
OFFICE OF STATE LAND & INVESTMENT	\$48,441.60
OFFICE OF STATE LAND & INVESTMENT	\$1,004,877.47
ONE CALL OF WYOMING	\$379.50
OVERHEAD DOOR COMPANY	\$144.00
PARKS PLUMBING	\$5,002.30
PCA ENGINEERING, INC.	\$1,291.75
PERSONAL FRONTIERS	\$29,327.00
PETE LIEN & SONS, INC.	\$542.04
PIERCE, ANDREANNA	\$50.00
PINKERTON CONSULTING	\$859.65
PLANT SHACK	\$3,946.60
PLANT SHACK	\$1,372.07
POWDER RIVER ENERGY CORP	\$23,461.81
POWDER RIVER OFFICE SUPPLY	\$31.50
POWER ENGINEERS, INC.	\$10,269.66
PROELECTRIC, INC.	\$93,474.72
PROELECTRIC, INC.	\$5,825.51
PYLE, KENT	\$668.50
QUALITY UTILITY EQUIPMENT	\$579.21
R T CONSTRUCTION	\$6,387.00
RAGSDALE, CRAIG	\$171.86
RAILROAD MANAGEMENT	\$3,281.72
RECREATION SUPPLY COMPANY	\$838.50
RICHERT, JENNIFER	\$75.00
ROSIER, MURPHY	\$100.00
RUFF, ASHLEY	\$79.52
RWW RESTORATION LLC	\$100.48
RYAN SANITATION	\$14,742.05
SAFETY-KLEEN SYSTEMS, INC.	\$652.12
SANTOS, CHRIS	\$117.50
SCHRIBER, KAYCEE	\$75.00
SCOTT BROTHERS, INC.	\$7,913.36
SECOND CHANCE MINISTRY	\$14,664.00
SHERWIN-WILLIAMS	\$416.65
SHERWIN-WILLIAMS	\$77.43
SIMON CONTRACTORS	\$285,481.62
SMILING MOOSE DELI	\$80.42
SMITH, CANDICE	\$107.56
SOURCEGAS	\$5,590.06
SOUTHERN COMPUTER	\$8,395.02
SOUTHWESTERN EQUIPMENT CO	\$545.40
SPRING CREEK DESIGNS	\$240.00
STALKUPS RV	\$165.44

STEIGER, LARRY	\$274.00
STEINER THUESEN PLLC	\$10,874.55
STEPHENS, SHAWNA	\$75.00
SUCHOR, GEORGE	\$100.00
SUNGARD PUBLIC SECTOR, INC.	\$65.89
SWEET DELIVERIES	\$517.50
SWEETWATER GAP	\$1,397.00
TEAM LABORATORY CHEMICAL	\$188.75
THAT EMBROIDERY PLACE	\$936.52
TIC - THE INDUSTRIAL COMP	\$90,196.21
TOTER, INC	\$34,008.00
TY MCLAUGHLIN	\$101.34
TYLER TECHNOLOGIES, INC.	\$18,095.68
U S POSTAL SERVICE	\$25,000.00
UMB BANK - CARD CENTER	\$105,190.72
UNIVERSAL ATHLETIC SERV.	\$637.50
VANDIVORT, KARLYE	\$41.10
VERIZON WIRELESS	\$566.14
WALKER, PATRICIA	\$500.00
WAL-MART	\$10.94
WAL-MART	\$15.91
WAL-MART	\$67.60
WAL-MART	\$93.99
WAMCAT	\$65.00
WANDLER, LISA	\$144.15
WANKE, JERRY	\$115.00
WANKE, SKYLAR & EMILY	\$4.11
WARM	\$327,263.43
WARNE CHEMICAL & EQUIPMENT COMPANY	\$832.88
WEDEL, MAVIS	\$28.50
WELLS FARGO BANK	\$2,500.00
WELLS FARGO BANK - CHEYENNE	\$19,898.26
WESCO DISTRIBUTION	\$897.10
WESTERN SERVICES, LLC	\$4,800.00
WESTERN STATIONERS	\$999.50
WESTERN WASTE SOLUTION	\$10,503.80
WILSON, AUDIA	\$138.65
WYO ASSOC OF ANIMAL CONTROL OFFICERS	\$30.00
WYODAK RESOURCE DEVELOPMENT	\$159,181.57
WYOMING CONFERENCE OF BLDG OFFICIALS	\$150.00
WYOMING DEPT OF HEALTH	\$888.00
WYOMING PEACE OFFICER ASSOCIATION	\$35.00
WYOMING RED ROCK	\$660.00
WYOMING SENIOR CITIZENS	\$782.00
WYOMING STATE REVENUE AND TAX	\$90,921.80
WYOMING SUPREME COURT	\$6,118.91
WYOMING WATER SOLUTIONS	\$202.50
WYOPASS	\$250.00
WYOSTAR	\$12,250.00

WYOSTAR	\$2,102,744.44
YARBOROUGH, KERRY	\$126.75
ZEBROSKI, ZEKE	\$115.00

It was moved by Councilman Opseth 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: Jerred, Kuntz, McGrath, Opseth, Rothleutner, Carter-King, and Mayor Murphy. The Presiding Officer declared the motion carried.

Approval of Conflict Claims

It was moved by Councilman Kuntz and seconded by Councilman Opseth to approve a conflict claim for Councilwoman Carter-King in the amount of \$2,966.55 (\$2,942.82 to Powder River Office Supply and \$23.73 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: Kuntz, McGrath, Opseth, Rothleutner, Jerred, and Mayor Murphy. Councilwoman Carter-King abstained. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve a conflict claim for Councilman Kuntz in the amount of \$674.98 (\$14.98 for internet reimbursement and \$660.00 to Wyoming Red Rock). Mayor Murphy 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, 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 Jerred to approve a conflict claim for Councilman Rothleutner to Mike's Hardware in the amount of \$21.95. 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, Jerred, Kuntz, McGrath and Mayor Murphy. Councilman Rothleutner abstained. The Presiding Officer declared the motion carried.

Oral Comments

The Mayor and Council recognized Michelle Henderson, Finance Manager; Tracy Gover, Information Technology Manager; Diane Williams, Senior Systems Analyst and Myra Lacy, Systems Analyst as the Second Quarter P.R.I.D.E recipients.

For the Good of the Community

The Mayor and Council recognized Casey Painter for her years of service on the Parks & Beautification Board; the presentation was made by Rollo Williams.

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

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. There were none.

Ordinance Second Reading

ORDINANCE 13-22

AN ORDINANCE TO ESTABLISH HOURS OF OPERATION FOR LIQUOR LICENSES AND AMEND SECTION 3-6 OF THE CITY CODE

It was moved by Councilwoman Carter-King and seconded by Councilman Opseth to approve the foregoing Ordinance on second reading. Mayor Murphy asked for discussion. Scott Clem, a concerned citizen, stated opposition to the change of Sunday operation hours for liquor establishments. He presented Council with a petition signed by over 160 residents from all three Wards. Roy Edwards also stated opposition to the ordinance change and requested that Council not change the Sunday hours of operation. Councilman Rothleutner stated that his constituents have not been in favor of the ordinance change and he hasn't heard from anyone favoring the extension of Sunday hours. He commented that although he believes that government should not heavily regulate business and that individuals should be able to make their choice as to whether they choose to drink alcohol on Sunday morning, he also believes that ordinances reflect the morals of the community; for that reason, he would vote against amending the hours of operation. Councilman McGrath stated that he has heard from more people in favor of changing the hours and he will continue to vote in favor of the change of ordinance. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carter-King, Jerred, McGrath, Opseth and Mayor Murphy. Council Members voting nay: Rothleutner and Kuntz. The Presiding Officer declared the motion carried.

New Business

It was moved by Councilman McGrath and seconded by Councilwoman Carter-King to approve the County final plat for the resubdivision of Lots 2 and 3, Donkey Creek Subdivision, subject to planning requirements. City Administrator Napier stated that the County Plat is within one mile of current city limits, which requires approval from City Council. The purpose of the resubdivision is to extend the property line to include an existing garage owned by the property owner. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carter-King, Jerred, Kuntz, McGrath, Opseth, Rothleutner, and Mayor Murphy. The Presiding Officer declared the motion carried.

RESOLUTION 2423

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING UNDER THE WYOMING TRANSPORTATION ENHANCEMENT ACTIVITY PROGRAM, (TEA) PROGRAM, ADMINISTERED BY THE WYOMING DEPARTMENT OF TRANSPORTATION.

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

RESOLUTION
2424

A RESOLUTION INITIATING ANNEXATION OF A TRACT OF LAND
CONTIGUOUS TO THE CITY OF GILLETTE, WYOMING, PURSUANT
TO W.S. 15-1-403 AND 15-1-405, KNOWN AS THE CAM-PLEX
ADDITION AND ESTABLISHING A PUBLIC HEARING DATE OF
SEPTEMBER 16, 2013 FOR THE ANNEXATION PUBLIC HEARING

It was moved by Councilman Rothleutner and seconded by Councilwoman Carter-King to approve the foregoing Resolution. City Administrator Napier stated that the effect of this resolution, if passed, would be to establish a public hearing date for the annexation of the Cam-plex property, Cam-plex Park and 16.77 acres of private property. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, Rothleutner, Carter-King, Jerred, and Mayor Murphy. Council Members voting nay: McGrath and Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve an agreement for pre-construction services associated with the Gillette Softball/Baseball Complex CMAR Project with Van Ewing Construction, Inc., in an amount not to exceed \$20,000. City Administrator Napier stated that Council is being asked to consider pre-construction services associated with construction activity for the Softball/Baseball Complex at the Field of Dreams. Council is asked to consider these services associated with putting together a guaranteed maximum price for the next phase of construction that would include above surface field construction, fences, paving, and parking lots, etc. The services needed at this point in time to help establish the guaranteed maximum price would only be a cost of \$20,000 in order for Van Ewing to render their services accordingly. If Council accepts the guaranteed maximum price, the \$20,000 cost would be absorbed into their cost of doing business for the next step of the process. Councilman Jerred asked if Van Ewing was the only bidder that offered to relinquish the pre-construction costs with the next phase of the project. City Administrator Napier stated that the RFQ process was bifurcated, meaning that cost estimates were separate from the proposal for qualifications for all responses to the RFQ. Van Ewing was the only proposal that included the offer to absorb the pre-construction costs into the next step, but that matter was only considered after the most qualified candidate was selected. After the discussion, roll was called with the following results. Council Members voting aye: Opseth, Carter-King, Jerred, and Mayor Murphy. Council Members voting nay: McGrath, Rothleutner, and Kuntz. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Opseth to approve a professional services agreement for pre-construction services associated with the Gillette Softball/Baseball Complex CMAR Project with PCA Engineering, Inc., in the amount of \$46,660. Mayor Murphy asked for discussion. Councilman McGrath asked if this agreement was for engineering services that had been previously bid, on a larger scale, for the consideration of eight fields rather than four. City Administrator Napier stated that this agreement would be for the engineer's input on the pre-construction services as discussed in item M4. Councilman McGrath suggested that the dollar amounts previously established be calculated for services on four fields rather than expending funds to have the services completely recalculated. City Administrator Napier stated that although the costs could be extrapolated, the idea is to establish a guaranteed maximum price that could differ from the

results of an extrapolation process. Councilman Jerred stated this agreement could establish the utilization of equivalent materials that could reduce the cost of construction, while maintaining the quality of the project. City Administrator Napier pointed out that the environment of this process is quite a bit different from the previous bid process that produced one bid response. Kevin Kienzle with the Gillette Girl's Fast Pitch Association stated that the association is working on applying for grants to allow them to stand independently financially solid on their own. He encouraged Council to proceed with the project. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Opseth, Carter-King, Jerred, and Mayor Murphy. Council Members voting nay: Rothleutner, Kuntz, and McGrath. The Presiding Officer declared the motion carried.

It was moved by Councilman Opseth and seconded by Councilman Kuntz to approve a bid award for the Collins Heights Lift Station Capacity Upgrade Project to North Star Energy & Construction, LLC, in the amount of \$649,719.25. 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, Jerred, Kuntz, McGrath, Opseth, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Opseth and seconded by Councilman Rothleutner to approve a professional services agreement for construction management services associated with the Collins Heights Lift Station Capacity Upgrade Project with DOWL HKM in the amount of \$58,000. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Carter-King, Jerred, Kuntz, McGrath, Opseth, Rothleutner, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman Opseth to approve a bid award for the Overlook Park Improvements Project to S & S Builders, LLC, in the amount of \$109,286.70. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Opseth, Rothleutner, Carter-King, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Opseth and seconded by Councilman Rothleutner to approve a bid award for the Sunflower Park Irrigation and Park Improvements Project to Chalk Buttes Landscaping in the Amount of \$489,512. Mayor Murphy asked for discussion. Councilwoman Carter-King asked if Chalk Buttes Landscaping was a local company. Director of Engineering and Development Services Hamilton stated that Chalk Buttes Landscaping is a company based out of Douglas, Wyoming. Two bids were received for the project with Chalk Buttes Landscaping as the low bidder. Councilwoman Carter-King expressed that she would prefer preference for local contractors. Mr. Hamilton stated that all in-state contractors' bids are considered equally, with a 5% preference implemented when comparing out-of-state bids with in-state bids. After the discussion, roll was called with the following results. Council Members voting aye: Kuntz, McGrath, Opseth, Rothleutner, Carter-King, Jerred, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman Opseth to approve a bid award for the Sunflower Park Lighting Project to Electrical Specialists, Inc., in the amount of \$55,944.50. Mayor Murphy 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, Jerred, Kuntz, and Mayor Murphy. The Presiding Officer declared the motion carried.

Administrator's Report

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

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:50 p.m. The next regularly scheduled meeting will be Monday, August 19, 2013.

Tom Murphy, Mayor

(S E A L)

ATTEST:

Cindy Staskiewicz, Deputy City Clerk

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