

## COUNCIL PROCEEDINGS

REGULAR

September 3, 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 Tuesday the 3rd day of September 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: Louise Carter-King, Robin Kuntz, Ted Jerred, Kevin McGrath, Forrest Rothleutner, and Mayor Tom Murphy.

Council Member absent: John Opseth.

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; Kendall Glover, Utilities Director; Jim Hloucal, Chief of Police; Tom Pitlick, Finance Director; Darin Morgan, Facilities Maintenance Manager; Geno Palazzari, PEG Manager; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk.

Thereupon the following proceedings were had and taken. Pastor Dan Holden of First Assembly of God Church gave the Invocation. The Pledge of Allegiance was led by Councilman Rothleutner.

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. It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to amend the General Agenda and add a Proclamation for Suicide Prevention, placing it under "For the Good of the Community", Item G2(c). Mayor Murphy asked for discussion. There was none. Roll was called on the motion to amend with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Rothleutner, Carter-King, and Mayor Murphy. The Presiding Officer declared the motion to amend carried. Roll was called on the original motion with the following results. Council Members voting aye: Carter-King, Kuntz, Jerred, McGrath, 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 - July 29, 2013.  
Pre-Meeting - August 19, 2013.  
Executive Session - August 19, 2013.  
Regular Meeting - August 19, 2013.  
Work Session - August 26, 2013.

### Bills and Claims

AARON CRENSHAW	107.77
ADECCO EMPLOYMENT SERVICE	84.70
AIRGAS INTERMOUNTAIN	475.08
ALEX ROZIER	100.00
ALSCO	1,251.54
ALYSSA WATSON	49.79

ANDREANNA PIERCE	50.00
ANGELINA DUTCHER	137.73
ANIMAL MEDICAL CENTER OF	634.50
ARLENE BRYANT	177.50
ASSOCIATED GLASS INC	75.00
BASIN RADIO NETWORK	9,755.22
BEAR'S NATURALLY CLEAN	569.55
BIG D SANITATION	4,825.00
BIG HORN TIRE INC	20.00
BLACK CAT CONSTRUCTION LL	573.34
BLACK HILLS POWER & LIGHT	401,951.76
BLUE CROSS BLUE SHEILD OF	177,425.13
BOB BRAFFORD	147.48
BRENNTAG	10,201.71
BRENT WILLIAMS	70.00
BRESNAN COMMUNICATIONS	904.95
BURNS AND MCDONNELL CORPO	218,631.49
CAMPBELL COUNTY ABSTRACT	13,541.00
CAMPBELL COUNTY PARKS AND	17,554.60
CDW GOVERNMENT INC	7,435.32
CENTURYLINK	22.58
CHANTEL MCQUIN	143.10
CHASE HOME FINANCIAL	181.16
CHOPHOUSE RESTAURANT THE	598.75
CITY OF BUFFALO	367.70
CITY OF GILLETTE	210.00
CITY OF GILLETTE - PETTY	118.60
CLAUDE'S WELDING SERVICE	1,055.25
COLLINS COMMUNICATIONS IN	23,593.54
CONSOLIDATED WATER SOLUTI	2,798.70
CONTRACTORS SUPPLY INC	2,773.40
COUNTERMEASURES TACTICAL	1,050.00
CPS DISTRIBUTORS	29,761.43
CRAIG FURMAN	50.00
CRESCENT ELECTRIC SUPPLY	2,794.80
CROOK COUNTY VETERINARY S	50.00
CRUM ELECTRIC SUPPLY COMP	30,600.00
CUMMINS ROCKY MOUNTAIN IN	883.51
DANA KEPNER COMPANY INC	480.00
DAVE LODEN CONSTRUCTION I	19,885.00
DEPARTMENT OF TREASURY -	261.57
DESERT MOUNTAIN CORPORATI	70,921.54
DESIGN CONSTRUCTION LLC	1,410.50
DIXON BROTHERS, INC	1,400.00
DOUG DUMBRILL	5,083.99
DRM INC	185.00
DXP ENTERPRISES INC	1,064.80
E Z TOWING & RECOVERY INC	65.00
EDGE CONSTRUCTION SUPPLY	893.19
EFLEXGROUP.COM INC	7,115.95
ENERGY LABORATORIES INC	2,411.50
ENVIRONMENTAL & CIVIL SOL	17,972.24
ERIC CARLSTON	169.27

EXPRESS SCRIPTS INC	64,600.94
FARMER BROTHERS COMPANY	604.19
FEDEX	249.51
FIRST NATIONAL BANK OF GI	10,566.50
FRANDSON SAFETY INC	224.00
G & G LANDSCAPING INC	9,721.00
G C S	1,835.00
GILLETTE COLLEGE	83,750.00
GILLETTE WINNELSON COMPAN	25.53
GOOGLE INC	291.90
GOURMET ON THE GO LLC	288.00
GR MAROLT & ASSOCIATES LL	35,270.00
GREENLINE EQUIPMENT	301.55
GROUND ENGINEERING CONSUL	14,326.60
HAWKINS INC	13,196.06
HD SUPPLY POWER SOLUTIONS	37,397.06
HD SUPPLY UTILITIES	10,072.14
HEATHER CARRILLO	300.00
HEAVEN LINT	160.00
HIGH PLAINS SENTINEL	119.00
HKM ENGINEERING	22,246.11
HLADKY CONSTRUCTION	3,650.00
HOMAX OIL	64,392.89
ICMA RETIREMENT TRUST 401	275.58
ICMA RETIREMENT TRUST 457	7,241.53
INTEGRITY PAINTING	2,000.00
INTERMOUNTAIN CONSTRUCTIO	285.96
INTERMOUNTAIN SWEEPER COM	126.66
INTERNATIONAL CODE COUNCI	176.00
IRS - DEPARTMENT OF TREAS	206,706.56
ISC INC	4,690.32
IT OUTLET INC	45,331.34
JAMIE CHACON	41.22
JEFFERY & JACKIE MILLER	58.73
JENNIFER IVORY	50.00
JERI RUSSELL	107.03
JOHN FOX	1,000.00
JOHNSON CONTROLS INC	6,399.78
KARISSA MORRIS	80.60
KASIE RATCLIFF	32.46
KAYLA MORRIS	53.33
KEN & NADINE RECTOR	60.11
KENDIG KEAST COLLABORATIV	16,167.92
KEYHOLE BROADCASTING	2,772.00
K-MART	31.97
KNECHT TRUE VALUE HOME CE	99.76
KONE INC	1,744.50
KRIZ-DAVIS COMPANY	4,296.35
LETICIA RAMIREZ JONES	25.00
LISA KERRY PHOTO + GRAPHI	900.00
LISA WANKE & GEORGE P. WA	1,457.50
LISA YOUNG (WANKE)	950.50
LYLE SIGNS INC	1,042.50

MARC COX	22.50
MARK CAUDILL	160.39
MAVERIK EAST	17.37
MCKIMS LLC	4,680.00
MCM GENERAL CONTRACTORS	105,976.18
MEGAN HAWKINS	79.68
MEGAN YEOMAN	124.08
MEGHAN CLARK	104.36
MICHAEL AVALOS	73.40
MIKE FISK	89.59
MOTEL 6	100.00
MOTOROLA GOVERNMENT MARKE	11,955.00
MUNICIPAL ENERGY AGENCY O	873,240.90
NEVE'S UNIFORM INC	482.24
NEWS RECORD	7,210.47
NORCO INC	1,351.22
NORTH PARK TRANSPORTATION	225.29
OFFICE OF STATE LANDS AND	4,083.00
OVERHEAD DOOR CO OF GILLE	518.75
PARKS PLUMBING	177.49
PATRICIA BADWOUND	200.00
PATRICIA WALKER	500.00
PATTI DAVIDSMEIER	170.64
PCA ENGINEERING INC	5,696.00
PLANT SHACK	134.73
POWDER RIVER ENERGY CORPO	26,211.62
POWDER RIVER OFFICE SUPPL	2,408.81
PROELECTRIC INC	357.39
RAILROAD MANAGEMENT CO LL	515.00
RANDY WHEATON	167.50
RAPID FIRE PROTECTION INC	180.00
RECREATION SUPPLY COMPANY	11.68
REGULATORY COMPLIANCE SER	395.00
REMINGTON VILLAGE APARTME	153.70
ROBERT E HILL	14.76
ROY WALLETT	75.10
SAIC ENERGY ENVIRONMENT &	5,935.59
SHAUNA AWBERY	200.00
SHERMAN & REILLY INC	126,235.00
SMILING MOOSE DELI	146.13
SOURCEGAS	5,574.32
SOUTHERN COMPUTER WAREHOU	633.10
SPIEGEL & MCDIARMID LLP	60.00
STANLEY CRAWFORD	43.70
STANLEY SECURITY SOLUTION	593.92
SUSAN LEMPKA	200.00
THUNDER BASIN VETENARIAN	534.50
TOM MURPHY	394.38
TREVOR JOHNSON	1,500.00
TREVOR O'DOWD	118.08
TRUGREEN CHEMLAWN	59.50
TYLER TECHNOLOGIES INC	42,182.53
UPHOLSTERY BY LADONNA	60.00

VISIONARY COMMUNICATIONS	451.88
WAL-MART	39.96
WARM	172.62
WATERWORKS INDUSTRIES INC	511.00
WESCO DISTRIBUTION INC	25,516.75
WESTERN SERVICES LLC	4,999.34
WESTERN WASTE SOLUTIONS I	10,813.80
WWQ & PCA ASSOC	220.00
WYODAK RESOURCES DEVELOPM	202,141.06
WYOMING STATE REVENUE AND	99,449.82
WYOSTAR	2,991,836.76
YOUTH EMERGENCY SERVICES	36,969.00

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

#### Approval of Conflict Claims

It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approve a conflict claim for Councilwoman Carter-King in the amount of \$2,408.81 to Powder River Office Supply. Mayor Murphy asked for discussion. There were none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Rothleutner, Kuntz, 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 Jerred to approve a conflict claim for Mayor Murphy in the amount of \$394.38 for travel reimbursement (\$279.12 - Century Link VIP Guest at Cheyenne Frontier Days and \$115.26 - Congressional Fact Finding Tour.) 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, and McGrath. Mayor Murphy abstained. The Presiding Officer declared the motion carried.

#### Oral Comments

The Mayor and Council recognized Mike Fischer, Police Officer, and Steve Wageman, Corporal, for 25 years of service to the City of Gillette.

The Mayor and Council recognized Deb Rech, Systems Analyst, for 30 years of service to the City of Gillette.

Mayor Murphy drew the names of those who would be awarded Gold Buck Certificates for participating in the 2013 Citizen Survey. Lenna Hopkins and Robie Hatfield each will receive a \$50 Gold Buck Certificate and Sonja Brue will receive a \$75 Gold Buck Certificate. Management Analyst Byrd informed the Council that he would contact the recipients.

PEG Manager Palazzari gave a video presentation of past and upcoming events around the community.

Mayor Murphy declared September 8 - 14, 2013 as National Suicide Prevention Week. Bob Melvin explained the proclamation.



### 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 reported there were none.

### Ordinance First Reading

#### ORDINANCE 13-23

AN ORDINANCE PROVIDING FOR THE VACATION  
OF A PORTION OF THE 20 FOOT WIDE GENERAL UTILITY EASEMENT AS SHOWN  
ON THE EXHIBIT "A" MAP ON  
LOT 16, BLOCK 5, WESTERN WAY DEVELOPMENT, PHASE 2,  
IN THE CITY OF GILLETTE, WYOMING,  
SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the foregoing Ordinance on first reading. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained that the request addresses property on Lariat Street. The property owner would like more flexibility for future construction of a new single family residence. Utility locates have been completed and there are no utilities within the portion of the easement proposed to be vacated. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Carter-King, Kuntz, Jerred, McGrath, Rothleutner, and Mayor Murphy. The Presiding Officer declared the motion carried.

### New Business

#### RESOLUTION 2430

A RESOLUTION PROVIDING FOR THE REPEAL OF  
RESOLUTION NO. 2405 WHICH APPROVED THE FINAL PLAT FOR  
LOTS 1 & 2, BLOCK 1, LONGMONT ADDITION

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve the foregoing Resolution providing for the repeal of Resolution 2405 which approved the final plat for Lots 1 and 2, Block 1, Longmont Addition. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained that this Resolution is to repeal Resolution 2405 that Council approved on January 22, 2013. The petitioner would like to modify the plat in order to accommodate their family situation. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Rothleutner, Carter-King, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to approve a bid award for the City Hall HVAC Replacement Project to Powder River Heating & Air Conditioning, Inc., of Gillette, Wyoming, in the amount of \$962,107 (\$937,107 + \$25,000 Contingency). 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, 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 accept development improvements for the Bomgaars Water and Sanitary Sewer Main Extension Project, installed by Mountain Peak Builders, LLC, on behalf of the developer, Mountain Peak Builders, LLC. Mayor Murphy asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, 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 approve a professional services agreement for Phase II - final design and bidding services associated with the Gillette Avenue Improvements Project with HDR, Inc., in the amount of \$243,945. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained that this is the second phase of design efforts for the Gillette Avenue Improvements Project that will include final preparation for the Project Manual and final plan set, contractor pre-qualification and selection, and procurement services for the reinforced concrete storm boxes. Mayor Murphy asked if a decision had been made concerning a time line that will be used for the project. Mr. Napier stated that those decisions would come forward as a part of the design process. After further discussion, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carter-King, Kuntz, Jerred, McGrath, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman McGrath to approve a quote award for the Gurley Overpass Maintenance Project to S&S Builders, LLC, in the amount of \$134,751. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained that approximately three (3) years ago a silica fume overlay was placed on the overpass and it is recommended that the deck be sealed within three (3) to five (5) years to protect the deck from potentially corrosive salts and moisture. It is anticipated that the overpass will not be closed for more than 12 days, with a possibility of the closure beginning as soon as next week. Mayor Murphy asked if the businesses and citizens in the area had been notified. Mr. Napier stated that depending on how soon the project begins, notification could start, in earnest, accordingly. Councilman McGrath suggested when a date is decided upon, that the mobile sign be put up a couple of days prior to the beginning date in order to notify the public of the closure. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carter-King, Kuntz, Jerred, McGrath, Rothleutner, 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 quote award for the FY2013-14 Pavement Marking Project to Design Construction, LLC, in the amount of \$109,020.30. Mayor Murphy asked for an explanation of the request. City Administrator Napier explained the request. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, Jerred, McGrath, Rothleutner, Carter-King, and Mayor Murphy. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilwoman Carter-King to approve an annexation agreement for emergency water



service for property located at 1800 West 4-J Road and legally described as Lot 13B, Donkey Creek Subdivision. Mayor Murphy asked for discussion. Councilman Jerred asked if the property owner is currently connected to City sewer. Director of Engineering and Development Services Hamilton stated that they are not currently connected to City sewer. After the annexation and emergency water needs are taken care of, the property owner would have the opportunity to connect to City sewer. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Jerred, McGrath, Rothleutner, Carter-King, Kuntz, and Mayor Murphy. The Presiding Officer declared the motion carried.

#### Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:40 p.m. The next regularly scheduled meeting will be Monday, September 16, 2013.

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Tom Murphy, Mayor

(S E A L)

ATTEST:

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Karlene Abelseth, City Clerk

Publication date: September 11, 2013