

COUNCIL PROCEEDINGS

REGULAR

March 4, 2014

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 4th day of March 2014, 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: Forrest Rothleutner, Tim Carsrud, Louise Carter-King, Ted Jerred, Robin Kuntz, Kevin McGrath, and Mayor Opseth.

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 Development Services; Sawley Wilde, Public Works Director; Chuck Deaton, Lieutenant; Joe Lunne, Public Information Officer; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk.

Invocation

Thereupon the following proceedings were had and taken. City Administrator Napier gave the Invocation.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilman Jerred.

Approval of General Agenda

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve the General Agenda. It was then moved by Councilwoman Carter-King and seconded by Councilman Kuntz to amend the General Agenda by removing Item M9, *Council Consideration of a Resolution to amend Resolution Number 2432 concerning the scheduling of Council Work Session Special Meetings*. Mayor Opseth asked for discussion. There was none. Roll was called on the amendment with the following results. Council Members voting aye: Carter-King, Jerred, Kuntz, McGrath, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Officer declared the motion carried and the General Agenda amended. Roll was then called on the amended General Agenda with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, McGrath, Rothleutner, and Mayor Opseth. The Presiding Officer declared the motion carried.

Approval of Minutes

Executive Session - February 4, 2014.

Pre-Meeting - February 18, 2014.

Regular Meeting - February 18, 2014.

New Business - Consent Agenda

Approval of a professional services agreement for Regional Water Panel training with HDR, Inc., in the amount of \$11,750.

Bills and Claims

POWDER RIVER OFFICE SUPPL

2700.30

4 SEASONS EVENTS	243.00
A & B BUSINESS EQUIPMENT	287.11
ADECCO EMPLOYMENT SERVICE	1429.65
ADVANCED CUTTING TECHNOLO	1065.70
AIRGAS INTERMOUNTAIN	39.41
ALSCO	1310.43
APPLIED CONCEPTS	80.00
ARROW PRINTING AND GRAPHI	155.00
ASSURE CO RISK MANAGEMENT	500.00
AT & T MOBILITY NATIONAL	3504.07
AVOLVE SOFTWARE CORPORATI	1085.35
BAYSINGER CUSTOM PAINT &	2500.00
BEAR'S NATURALLY CLEAN	474.50
BENNETT WEBER & HERMSTAD	1500.00
BIG D SANITATION	1232.50
BLACK CAT CONSTRUCTION LL	29353.30
BMI SYSTEMS GROUP	595.00
BORDER STATES ELECTRIC	5913.12
BREANNA'S BAKERY	28.50
BUFFALO VETERINARY CLINIC	50.00
BURNS AND MCDONNELL CORPO	168170.65
BW INSURANCE AGENCY INC	200.00
CAMPBELL COUNTY SENIOR CI	1196.00
CAMPBELL COUNTY HOSPITAL	533.00
CAMPBELL COUNTY CHAMBER O	75.25
CAMPBELL COUNTY ENGINEERS	68936.00
CARTEGRAPH SYSTEMS INC	7370.00
CENTURYLINK	2753.57
CHILDREN'S HOME SOCIETY	500.00
CHOPHOUSE RESTAURANT THE	373.75
CITY OF GILLETTE - PETTY	67.96
CLARK SAFETY INC MONTE RU	1000.00
CNA SURETY	100.00
COLLINS COMMUNICATIONS IN	2093.34
CONSOLIDATED WATER SOLUTI	5177.83
CONTRACTORS SUPPLY INC	855.66
COORDINATED CARE PARTNERS	275.00
CRESCENT ELECTRIC SUPPLY	2622.05
CRETEX CONCRETE PRODUCTS	224866.00
CURRY GARAGE DOOR COMPANY	3533.25
DALE BUCKINGHAM ARCHITECT	600.00
DANA KEPNER COMPANY INC	505.10
DESERT MOUNTAIN CORPORATI	39428.45
RICHARD DOUGLAS DUMBRILL	8600.96
DYKMAN ELECTRICAL INC	562.00
E Z TOWING & RECOVERY INC	260.00
ENERGY LABORATORIES INC	450.00
FALCON ENVIRONMENTAL CORP	392.43
FARMER BROTHERS COMPANY	645.68
FASTENAL COMPANY	29.57
FIRST AMERICAN TITLE	470.00
FIRST NATIONAL BANK OF GI	2877.43

FLOGISTIX WYOMING LLC	95.00
GILLETTE PET VET CLINIC	250.00
GILLETTE REPRODUCTIVE HEA	165.00
GILLETTE REPRODUCTIVE HEA	105.00
GOOGLE INC	17500.00
GOURMET ON THE GO LLC	227.52
HD SUPPLY POWER SOLUTIONS	583.50
HILLCREST SPRING WATER IN	142.00
HILLYARD INC	340.00
HKM ENGINEERING	10343.50
HLADKY CONSTRUCTION	24977.00
HOMAX OIL	734.90
INTEGRITY PAINTING	900.00
INTERSTATE COMPANIES INC	366.00
J R ENTERPRISES	90.00
JLC SIGN SYSTEMS INC	17.81
JOHNSON CONTROLS INC	4397.50
KEEP AMERICA BEAUTIFUL	200.00
KEYHOLE TECHNOLOGIES LLC	2500.00
KRIZ-DAVIS COMPANY	855.75
KUSTOM SIGNALS, INC	466.57
MCM GENERAL CONTRACTORS	51787.39
MINNESOTA MUNICIPAL UTLIT	620.00
CHARLIE ANDERSON	6.49
KURT SIEBENALER	44.40
ARNOLA DAVIS	50.00
CAMPBELL COUNTY HIGH SCHO	7.20
MAVERICK	14.00
KRISTINA WUNDER	25.00
SHANDY WOLFF	40.00
K-MART	44.98
YATES PETROLEUM CORP	50.00
MARYANN LUGAN	50.00
LISA DEHERRERA	100.00
GEORGE SUCHOR	100.00
FELECIA MOELTER	111.00
HELSMAN MANAGEMENT SERVIC	150.00
RANDI LAATSCH	150.00
SHANDA WEINREIS	200.00
JORDAN GLICK	200.00
CITY OF GILLETTE	250.00
HEAVEN LINT	250.00
WAL-MART	294.83
TERRI HADRAVA	500.00
O'REILLY AUTO PARTS	517.12
SHELLYANN LAPINIG	11.41
JARED KUCERA	22.59
RAMONA PORTWINE	24.25
BRITTANY BRUNKOW	36.32
JAMES MARTINSON	43.97
FAWNA SIMCHECK	49.33
JORGE CHAVEZ & JUANA RIVE	49.57

ANASTASIA LUNBERG	59.67
SUZANNE & JEREMY TORREZ	62.59
ASHELY WEIR	122.86
MICHAEL BARKER	176.17
SHANE SORUM	200.00
CATE EQUIPMENT COMPANY	5214.53
MULLIGAN TRAILER SALES	8155.00
NEWMAN SIGNS INC	159.60
NEWS RECORD	323.00
NORCO INC	3696.96
NORTH STAR ENERGY & CONST	15189.50
NORTHERN WYOMING COMMUNIT	1370.20
ONE CALL OF WYOMING COPR	132.75
PAINTBRUSH SEWER & DRAIN	100.00
PCA ENGINEERING INC	4039.35
POLYDYNE INC	8184.00
POWDER RIVER CONSTRUCTION	59052.57
POWDER RIVER ENERGY CORPO	503192.67
POWDER RIVER POWER	3993.33
PRIME POWER & COMMUNICATI	96117.00
PRO FORCE LAW ENFORCEMENT	47.90
PROELECTRIC INC	2155.43
RAILROAD MANAGEMENT CO LL	583.50
RECORD SUPPLY INC NAPA	11.54
RED TIGER WELL SERVICE	1498.00
RESOURCE ACTION PROGRAMS	3128.00
ROBERT J O'NEIL	625.00
ROCKY MOUNTAIN BUSINESS E	204.00
RYAN SANITATION	468.40
SAFEGUARD BUSINESS SYSTEM	651.56
SOUTHERN COMPUTER WAREHOU	188.30
STOTZ EQUIPMENT	98.98
STUART C IRBY CO	151.19
T & T CRANES	2280.00
TECHNICAL MARKETING MFG I	1376.18
TYLER TECHNOLOGIES INC	19253.40
UNIVERSAL ATHLETIC SERVIC	60.00
VERMEER SALE & SERVICE OF	24335.95
WASTE CONNECTIONS OF WYOM	553.58
WESCO RECEIVABLES CORP	1829.90
WESTERN SERVICES LLC	3550.00
WESTERN WASTE SOLUTIONS I	10196.30
WYOMING CONFERENCE BUILDI	300.00
WYOMING WATER SOLUTIONS	0.82
WYOMING WATER SOLUTIONS	33.75
WYOMING WATER SOLUTIONS	114.75
BLACK HILLS POWER & LIGHT	256820.11
BLACK HILLS POWER & LIGHT	23622.00
BLACK HILLS POWER & LIGHT	160092.00
ECOBRAMIN.COM INC	30.50
EFLEXGROUP.COM INC	461.76
UMB BANK	78144.69

WYOSTAR	2762693.97
ECOBAMIN.COM INC	13.00
BLUE CROSS BLUE SHEILD OF	31,149.41
EXPRESS SCRIPTS INC	9,622.02
EXPRESS SCRIPTS INC	19,838.11

It was moved by Councilman McGrath and seconded by Councilman Rothleutner to approve the Consent Agenda. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Carsrud, Carter-King, and Mayor Opseth. 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 \$2,700.30 to Powder River Office Supply. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Rothleutner, Carsrud, Jerred, and Mayor Opseth. Councilwoman Carter-King abstained. The Presiding Officer declared the motion carried.

Oral Comments - For the Good of the Community

Mayor Opseth proclaimed the month of March 2014 as "*Disability Awareness Month*."

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

Councilwoman Carter-King recognized Gillette College's basketball team, Pronghorns, and announced their achievement of making it to the semi finals. She went on to say that the team is playing in Sterling, Colorado, and said this is quite an accomplishment for a team that is only five years old.

Phil Grabrick announced the fourth annual Jackalope Jump fundraiser that will be held on March 22nd at the Recreation Center and invited the public to attend.

Public Comments

Mayor Opseth asked for public comments. There were none.

Council Reports

Mayor Opseth asked for Council reports. There were none.

Written Comments

Mayor Opseth asked for written comments. City Clerk Abelseth reported that written comments were received from Ryan Anderson and Sandi Aberle regarding Urban Chickens.

Ordinance Third Reading

ORDINANCE 3815

AN ORDINANCE TO AMEND SECTION 14-39 OF THE GILLETTE CITY CODE TO INCLUDE ELECTRONIC CIGARETTES IN THE DEFINITION OF TOBACCO

PRODUCTS WHICH MAY NOT BE SOLD, GIVEN OR DELIVERED TO
MINORS UNDER THE AGE OF 18

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

ORDINANCE 3816

AN ORDINANCE TO DEFINE BOTTLE CLUBS AND PROVIDE FOR THEIR OPERATION
ONLY IN ESTABLISHMENTS OPERATING BY VIRTUE OF A LIQUOR LICENSE

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve the foregoing Ordinance on third and final reading. It was then moved by Councilman Kuntz and seconded by Councilman Jerred to amend the Ordinance to strike the last sentence in section 3-5(e) (2). Mayor Opseth asked for an explanation for the amendment. City Attorney Anderson stated that the ordinance provides for the definition of a Bottle Club and the amendment would make it illegal to operate a Bottle Club anywhere in the city of Gillette. After the discussion, roll was called on the amendment with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, McGrath, and Mayor Opseth. Voting nay: Rothleutner. The Presiding Officer declared the motion carried and the Ordinance amended. Mayor Opseth asked for discussion on the amended Ordinance. Caleb Nygaard and Rocky Marquiss spoke to the Council in regard to the Ordinance. After the discussion, roll was called on the amended Ordinance with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, McGrath, and Mayor Opseth. Voting nay: Rothleutner. The Presiding Officer declared the motion carried.

New Business - General Agenda

It was moved by Councilman McGrath and seconded by Councilman Rothleutner to approve the 2014 City Council Goals. Mayor Opseth asked for a brief explanation of the request. City Administrator Napier explained that the Council discussed a list of goals for 2014 and this is the summarized list. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carter-King, Jerred, Kuntz, McGrath, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to authorize the Mayor to sign a cooperative agreement with the Wyoming Department of Transportation for the Boxelder Road, Overdale to Highway 50 Project. Councilman Jerred asked if the City's participation in regard to the water and sewer line is only for this portion of the project. City Administrator Napier confirmed that was correct. There is an agreement currently underway between the City and WYODOT that would allow for the utilities to be included in the design. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Carsrud, Carter-King, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilwoman Carter-King to approve a bid award for the Alley PMS 2014 Project to Powder River Construction, Inc., in the amount of \$202,624.50. Mayor

Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Rothleutner, Carsrud, Carter-King, Jerred, and Mayor Opseth. 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 design and bidding services associated with the PMS 2014 - Schedule C Project, with Bruce Engineering, Inc., in the amount of \$41,495. Mayor Opseth asked for discussion. Steve Bruce, Bruce Engineering, thanked the Council for their consideration of the contract and was available for questions. There were none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Rothleutner, Carsrud, Carter-King, Jerred, Kuntz, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman McGrath to accept public improvements for the Dalbey Little League Pathway Project, installed by Powder River Construction, Inc., in the amount of \$71,930. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carsrud, Carter-King, Jerred, Kuntz, McGrath, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman McGrath to accept public improvements for Westover Road Zone 2 Water Transmission Replacement Project, installed by DRM, Inc., in the amount of \$1,969,514.14. Mayor Opseth asked for discussion. Councilman Jerred asked for the original amount of the contract. City Administrator Napier stated approximately \$2.1 million dollars; a savings of approximately \$185,000. Councilman Kuntz stated that he would like to note that this project is the result of several water main breaks on Westover Road and, therefore, Council saw this as a priority. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, McGrath, Rothleutner, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman McGrath to approve a professional services agreement for construction management services associated with the 2013 Sanitary Sewer Main Replacement Project with HDR Engineering, Inc., in the amount of \$194,399. Mayor Opseth 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, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to accept public improvements for the Donkey Creek Substation Foundation/Transformer Pad Project as completed by Michael's Construction, Inc., in the amount of \$54,523. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Carsrud, Carter-King, and Mayor Opseth. The Presiding Officer declared the motion carried.

Administrator's Report

Mayor Opseth asked for an Administrator's Report. City Administrator Napier reported there was none.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:31 p.m. The next regularly scheduled meeting will be Tuesday, March 18, 2014.

John Opseth, Mayor

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk

Publication date: March 12, 2014