

## COUNCIL PROCEEDINGS

REGULAR

March 18, 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 18th 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: Tim Carsrud, Louise Carter-King, Ted Jerred, Robin Kuntz, Forrest Rothleutner, and Mayor Opseth.

Council Member absent: Kevin McGrath.

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; Jim Hloucal, Chief of Police; Tom Pitlick, Finance Director; Kurt Siebenaler, City Engineer; 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. Pastor Don Wight of Calvary Community Church gave the Invocation.

### Pledge of Allegiance

The Pledge of Allegiance was led by Girl Scout Troops 1919 and 1010.

### Approval of General Agenda

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

### Approval of Minutes

Work Session - February 25, 2014.

Pre-Meeting - March 4, 2014.

Regular Meeting - March 4, 2014.

### New Business - Consent Agenda

### Bills and Claims

ADRIAN & NATALIE TAYLOR	132.09
AIR SOLUTIONS LLC	4,510.00
ALEX SAMKOVICH	667.81
ALEZ ROZIER	600.00
ALIGN	2,500.00
ALSCO	1,194.15
AMERICAN NATIONAL BANK	28,195.90
ANDREANNA PIERCE	50.00
ANIMAL MEDICAL CENTER OF	1,451.00
APRIL STUCKEY	195.59
ASSOCIATED GLASS INC	4,381.88
BALFOUR BEATTY INFRASTRUC	232.90

BEAU WARNER	50.00
BLUE CROSS BLUE SHEILD OF	10,430.00
BLUE CROSS BLUE SHEILD OF	113,976.59
BLUE CROSS BLUE SHEILD OF	175,569.79
BNSF RAILWAY CO	521.23
BORDER STATES ELECTRIC	61,173.55
BRAHIM & JENNIFER DOUMMI	181.89
BRANDON BARFIELD	118.21
BRANDON FORGEY	11.66
BRECK AND MELISSA SNIVELY	50.00
BRENT WILLIAMS	50.00
BRETT SCHEELER	19.37
BRUCE ENGINEERING SERVICE	1,553.00
CAMPBELL COUNTY CHAMBER O	835.00
CAMPBELL COUNTY COMMUNITY	173.95
CAMPBELL COUNTY JUVENILE	21,782.94
CAMPBELL COUNTY SENIOR CI	85,537.25
CATHY BARNEY	100.00
CENTURYLINK	290.69
CHARTER MEDIA	400.00
CHEMSEARCH	1,871.60
CHOPHOUSE RESTAURANT THE	586.25
CITY CLERK OFFICE	2,743.72
CITY OF GILLETTE	100.00
CITY OF GILLETTE - PETTY	62.47
CLARK SAFETY INC MONTE RU	1,000.00
COLLINS COMMUNICATIONS IN	5,009.32
CONSOLIDATED ENGINEERS IN	19,478.83
CONTRACTORS SUPPLY INC	6,340.69
COUNCIL MEMBER TIM CARSRU	21.50
CPS DISTRIBUTORS	21,340.21
CRAIG MCCLAIN	151.36
CRESCENT ELECTRIC SUPPLY	380.90
CRUM ELECTRIC SUPPLY COMP	258.00
DALE BUCKINGHAM ARCHITECT	110.00
DAVID SIMPSON	126.26
DELTA DENTAL OF WYOMING	15,122.61
DESERT MOUNTAIN CORPORATI	66,248.49
DH PACE COMPANY, INC	1,008.94
DRM INC	8,883.60
DXP ENTERPRISES INC	807.60
EDGE CONSTRUCTION SUPPLY	164.30
ENERGY LABORATORIES INC	1,170.00
EXPRESS SCRIPTS INC	33,851.05
EXPRESS SCRIPTS INC	7,589.53
FAMILY HEALTH	2,764.00
FARMER BROTHERS COMPANY	482.86
FASTENAL COMPANY	12.64
FBI LEEDA	50.00
FEDEX	836.01
FIRST NATIONAL BANK OF GI	57,756.56
FRANDSON SAFETY INC	192.00
FREDERICK DEPRY	109.00
GARY MOSS	8,276.00
GILLETTE PET VET CLINIC	350.00

GILLETTE PRINTING COMPANY	7,137.45
GILLETTE WINNELSON COMPAN	502.79
GO WEST GAMES	60.00
GOURMET ON THE GO LLC	2,452.00
GOVCONNECTION	850.80
HALEY DENNIS	206.84
HD SUPPLY POWER SOLUTIONS	114,948.96
HDR ENGINEERING INC	1,106.74
HEAVEN LINT	150.00
HELP/SYSTEMS LLC	930.00
HKM ENGINEERING	4,393.75
HLADKY CONSTRUCTION	5,980.00
HOMAX OIL	32,140.32
INTEGRATED INFORMATION SO	700.00
INTER-MOUNTAIN LABS INC	75.00
IT OUTLET INC	4,024.31
J B STORAGE CONTAINERS	150.00
JAIME REYNOLDS	945.00
JAKE MCINNALLY	70.85
JESSICA JASSEK	200.10
JESSICA TOLAND	17.97
JLC SIGN SYSTEMS INC	101.30
JODI L. BURCH	1,320.00
JOHNSON CONTROLS INC	9,098.77
JON BRIGGS	180.19
JON WILLIAMSON	167.68
JORDAN GLICK	100.00
KADRMAS LEE & JACKSON INC	17,206.15
KEVIN B. DALE & DONALD D.	5,310.00
KOIS BROTHERS EQUIPMENT C	124,788.00
KRIZ-DAVIS COMPANY	6,914.80
LEGEND COMMUNICATIONS OF	334.56
LETICIA RAMIREZ JONES	40.00
LISA DEHERRERA	30.00
LONG'S PLUMBING & HEATING	16,265.78
LOUISE CARTER KING	23.73
MARIA SIPE	167.61
MARK & HEATHER CHAPMAN	6.56
MARYANN LUGAN	40.00
MCM GENERAL CONTRACTORS	3,587.65
MEDICAL ARTS LABORATORY	115.00
MICHAEL'S CONSTRUCTION IN	54,523.00
MISTI LACLAIRE	241.93
MOLLY COOK	150.00
MORRISON MAIERLE INC	39,930.65
NATHAN UNDERBERG	92.45
NEWMAN SIGNS INC	534.00
NEWS RECORD	3,852.52
NOEL GRIFFITH JR AND ASSO	42,000.00
NORCO INC	1,147.36
NORTH STAR ENERGY & CONST	253,763.14
OCCUPATIONAL TESTING INC	990.00
ONLINE INFORMATION SERVIC	534.35
PAINTBRUSH SEWER & DRAIN	630.00
PALASA KHAMMANY	157.01

PAMELA & TYLER SMITH	6.38
PARKS PLUMBING	178.23
PCA ENGINEERING INC	37,244.95
POKEYS BBQ	505.00
POWDER BASIN CHAPTER WSPE	300.00
POWDER RIVER ENERGY CORPO	1,497.45
POWDER RIVER HEATING & CO	52,277.16
POWDER RIVER OFFICE SUPPL	3,491.03
POWER ENGINEERS INC	8,330.48
PRIME POWER & COMMUNICATI	31,147.50
PRO FORCE LAW ENFORCEMENT	855.95
PRO-VISION INC	14,919.25
PUBLIC AGENCY TRAINING CO	295.00
RALPH ROGERS	145.13
RECORD SUPPLY INC NAPA	106.51
ROBIN KUNTZ	14.98
SANDRA CYCOTTE	160.35
SARAH SMITH	200.61
SCOTT SETTLES	250.00
SHANE BLACKMAN	100.00
SOURCEGAS	31,473.61
STEWART & STEVENSON POWER	636.14
STOTZ EQUIPMENT	43,309.57
SULZER EMS INC	2,458.79
SUSAN LEMPKA	200.00
T & T CRANES	3,642.50
TAD & DEVONA ROSENLUND	316.81
THAT EMBROIDERY PLACE	312.00
THOMAS A FORD	151.20
T-M SERVICE COMPANY INC	13,372.86
TRAFFIC PARTS INC	10,350.00
TRAFFIC SIGNAL CONTROLS I	7,910.00
TYLER TECHNOLOGIES INC	12,789.07
U S POSTAL SERVICE	440.00
UNIVERSAL ATHLETIC SERVIC	154.00
VAN EWING CONSTRUCTION	519,809.00
VERIZON WIRELESS	1,413.00
VISIONARY COMMUNICATIONS	452.76
WAL-MART	175.17
WARNER JENNINGS	1,500.00
WASTE CONNECTIONS OF WYOM	1,243.21
WESCO RECEIVABLES CORP	29,451.66
WYODAK RESOURCES DEVELOPM	197,463.52
WYODAK RESOURCES DEVELOPM	33,820.13
WYODAK RESOURCES DEVELOPM	176,224.40
WYOMING CHAPTER IAEI	600.00
WYOMING CUSTODIAL ASSOCIA	210.00
WYOMING SECRETARY OF STAT	60.00
WYOMING STATE REVENUE AND	118,590.71
WYOSTAR	1,000,000.00
XEROX CORPORATION	2,294.99

It was moved by Councilman Jerred 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: Carter-King, Jerred,

Kuntz, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### Approval of Conflict Claims

It was moved by Councilwoman Carter-King and seconded by Councilman Kuntz to approve a conflict claim for Councilman Carsrud in the amount of \$21.50 for internet reimbursement. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, Rothleutner, Carter-King, and Mayor Opseth. Councilman Carsrud abstained. The Presiding Officer declared the motion carried.

It was moved by Councilman Jerred and seconded by Councilman Rothleutner to approve a conflict claim for Councilwoman Carter-King in the amount of \$3,514.76 (\$3,491.03 to Powder River Office Supply and \$23.73 for internet reimbursement.) Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, Rothleutner, Carsrud, Jerred, and Mayor Opseth. 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 Councilman Kuntz in the amount of \$14.98 for internet reimbursement. 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, and Mayor Opseth. Councilman Kuntz abstained. The Presiding Officer declared the motion carried.

#### Oral Comments - For the Good of the Community

Mayor Opseth proclaimed the week of March 9-15, 2014, as "*National Girl Scouts Week*." Girl Scout Troops 1919 and 1010 read the Proclamation.

Mayor Opseth proclaimed the week of April 6-12, 2014, as "*Crime Victims Rights' Week*." Brandy Matteson read the Proclamation.

Mayor Opseth congratulated the CCHS boy's basketball team.

#### Public Comments

Mayor Opseth asked for public comments. Dave Allison asked for an update in regard to the Capital Facilities Tax as it relates to the water project. City Administrator Napier reported that the Capital Facilities Tax is being collected ahead of schedule, and if it continues on its same trajectory, it could be completed 18 months ahead of schedule. What this means is the collecting of this tax could be completed by this time next year.

#### Council Reports

Mayor Opseth asked for Council reports. There were none.

#### Written Comments

Mayor Opseth asked for written comments. City Clerk Abelseth reported there are none.

#### Ordinance First Reading

#### ORDINANCE 14-04

#### AN ORDINANCE TO AMEND SECTION 5-I-8.B(9) THROUGH (19) OF THE GILLETTE CITY CODE AND TO REPEAL SECTION 9-20 OF THE GILLETTE CITY CODE

It was moved by Councilwoman Carter-King and seconded by Councilman Jerred to approve the foregoing Ordinance on first reading. Mayor Opseth asked for an explanation of the request. City Administrator Napier explained that the Ordinance addresses outdoor fireplaces and determines that they are permissible within the city limits. A diagram was presented showing the differences between appropriate outdoor fires permissible without a permit, and recreational fires, outside of a certain size dimension, that would require a permit. Mayor Opseth asked if gas fireplaces are permissible in the city limits. City Administrator Napier stated that any outdoor fireplace, or grill, that uses propane or natural gas is permissible. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, Rothleutner, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### New Business - General Agenda

It was moved by Councilwoman Carter-King and seconded by Councilman Kuntz to approve a bid award for the base bid and alternates #1 and #2 of the Gillette Avenue Improvements Project, to S&S Builders, LLC, in the amount of \$7,446,802.91. Mayor Opseth asked for an explanation of the project. City Administrator Napier explained that, if approved, the project will be funded through 1% Funds that will be used to rehabilitate the entire length of Gillette Avenue from First to Seventh Street. It is anticipated that the project will begin at the end of April and be concluded before the Christmas shopping season begins this calendar year. He went on to explain that the project will consist of infrastructure replacement, and appurtenances above ground. The Business Council, who participated in the planning of the project, granted \$1,000,000 towards the above ground portions of the project. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carter-King, Jerred, Kuntz, Rothleutner, Carsrud, 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 base bid and alternate 1 for the PMS 2014 Schedule A Project, to Intermountain Construction and Materials, in the amount of \$907,972.70. Mayor Opseth asked for an explanation of the project. City Administrator Napier explained that this is another project funded through 1% Funds that will include street and sanitary sewer repairs both in the Sunburst area, as well as the Fox Park Subdivision. He then reported the engineer's estimate and the total number of bids received. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, Rothleutner, Carsrud, Carter-King, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve a professional services agreement for design and bidding services associated with the Boxelder Road West Utility Extension Project, with DOWL HKM, in the amount of \$43,485. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, 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 Kuntz to grant City staff permission to negotiate a non-contiguous annexation agreement for City sanitary sewer and water services with David and Tina Geer, D & T Properties, LLC, for property generally located at 5700 S. Douglas Highway. Mayor Opseth asked for an explanation of the request. City Administrator Napier explained that the property owners are seeking sanitary sewer and water service and

an annexation agreement is required. Councilman Jerred asked if the water service is for water suppression. City Administrator Napier affirmed that is correct until they are annexed into the City. After the discussion, roll was called on the motion with the following results. Council Members voting aye: 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 Rothleutner to approve a professional services agreement for design and bidding services associated with the Sunflower Park Drainage - Maple Avenue and South Emerson Avenue Culvert replacements, with HDR Engineering, Inc., in the amount of \$36,610. Mayor Opseth asked for discussion. Councilman Jerred asked if the culvert was sized for a 100 year event. Director of Community Development Hamilton affirmed that was correct. He went on to say this is a result of the Sunflower Drainage Project, and based on the good pricing received for the project, staff is optimistic that funds will be available to upgrade at least one of the crossings, possibly two, depending on the final design. The design would be in accordance with the Storm Water Master Plan. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, Rothleutner, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilman Jerred and seconded by Councilman Rothleutner to set a dollar amount for a winery permit at \$500. 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, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Officer declared the motion carried.

It was moved by Councilwoman Carter-King and seconded by Councilman Kuntz to approve a parade permit requested by Campbell County Parks & Recreation to be held on July 4, 2014, beginning on the corner of Second Street and 4-J Road, proceeding east to Osborne Avenue. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, Rothleutner, Carsrud, Carter-King, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### RESOLUTION 2449

A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR  
THE RESUBDIVISION OF LOT 2, OF THE RESUBDIVISION OF TRACT  
1, WAGON WHEEL SUBDIVISION TO THE CITY OF GILLETTE,  
WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman Rothleutner and seconded by Councilman Carsrud to approve the foregoing Resolution approving and authorizing the final plat for the re-subdivision of Lot 2 of the re-subdivision of Tract 1, Wagon Wheel Subdivision, to the City of Gillette, subject to all planning requirements. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, Rothleutner, Carsrud, Carter-King, Jerred, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### Appointments

It was moved by Council President Carter-King to appoint Sandra Hunter to the Parks and Beautification Board. Councilman Jerred seconded the motion. 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, 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.

## Special Orders of the Day

Mayor Opseth opened into a public hearing to take public comment on two proposed Ordinances to revise rates for wastewater service and electrical service. Mayor Opseth asked City Administrator Napier to explain the proposed revision to the Ordinances. Mr. Napier stated the rate increase proposed for the wastewater fund is \$3.14, and the proposed rate increase for the electric fund is \$3.73, for a typical residential customer. Debbie Hodges asked why the utility rates increase every year, and where does the money go. City Administrator Napier explained that the Solid Waste and Water funds were both evaluated by City staff and it was determined that these two funds would not need a rate increase this year to keep up with rising costs. In order to keep up with the rising costs in regard to the electrical and wastewater funds, it is important to raise rates by these marginal amounts in order to maintain the ability to do business without affecting the City's reserves. No further comments were made and Mayor Opseth closed the public hearing.

### ORDINANCE 14-05

AN ORDINANCE AMENDING GILLETTE CITY CODE SECTIONS 17-6.A.1, 17-6.B.1, 17-6.C.1, 17-6.D.1, AND 17-6.E.1, TO REVISE RATES FOR ELECTRICAL SERVICE SUPPLIED BY THE CITY OF GILLETTE.

It was moved by Councilman Jerred and seconded by Councilwoman Carter-King to approve the foregoing Ordinance on first reading. Mayor Opseth asked for discussion. Councilman Jerred asked City Administrator Napier to share other rates of Municipalities for electrical service. Mr. Napier shared electrical rates for the Municipalities of Cheyenne, Casper, Laramie, and Rock Springs as it compares to Gillette. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Carter-King, Jerred, Kuntz, Rothleutner, and Mayor Opseth. The Presiding Officer declared the motion carried.

### ORDINANCE 14-06

AN ORDINANCE TO REVISE RATES FOR WASTEWATER SERVICE FURNISHED BY THE CITY OF GILLETTE

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the foregoing Ordinance on first reading. 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, Rothleutner, Carsrud, and Mayor Opseth. The Presiding Officer declared the motion carried.

Mayor Opseth opened into a public hearing for the consideration of a Bar & Grill Liquor License requested by Screamin' Hot Wyoming, LLC, d.b.a. Buffalo Wild Wings, located at 2610 S. Douglas Highway, Suite 300, and to include a 55'8" X 8'7" extended serving area located on the south side of the building, and approving an operational date to begin on April 1, 2014. No comments were made and Mayor Opseth closed the public hearing.

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve a Bar & Grill Liquor License requested by Screamin' Hot Wyoming, LLC, d.b.a. Buffalo Wild Wings, located at 2610 S. Douglas Highway, Suite 300, and to include a 55'8" X 8'7" extended serving area located on the south side of the building,

and approving an operational date to begin on April 1, 2014. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, Rothleutner, Carsrud, Carter-King, and Mayor Opseth. The Presiding Officer declared the motion carried.

Mayor Opseth opened into a public hearing for the consideration of a Restaurant Liquor License Requested by Rodell, LLC, d.b.a. Las Margarita's, located at 2107 S. Douglas Highway, and approving an operational date beginning on April 1, 2014. No comments were made and Mayor Opseth closed the public hearing.

It was moved Councilman Rothleutner and seconded by Councilman Jerred to approve a Restaurant Liquor License Requested by Rodell, LLC, d.b.a. Las Margarita's, located at 2107 S. Douglas Highway, and approving an operational date beginning on April 1, 2014. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, Rothleutner, Carsrud, Carter-King, Jerred, and Mayor Opseth. The Presiding Officer declared the motion carried.

Mayor Opseth opened into a public hearing to consider amendments to the Gillette City Budget for FY2013-2014. Mayor Opseth asked for an explanation of the request. City Administrator Napier explained that this amendment will address issues, which are not typical that would occur in a fiscal year, and not accounted for in the budget planning. One of those issues is using 1% funds for the spring clean-up activities that generally reside in the General Fund (Streets Department). It was proposed by Council that 1% funds be used for this project in order to deploy the assistance of private contractors. If approved, this would allow 1% funds to be used. This amendment will also address the unanticipated revenues that the General fund is receiving, specifically for the Gillette Avenue Project. The Wyoming Business Council gave the City \$1,000,000, but the budget only anticipated \$700,000. This amendment would allow for this revenue to be recognized and to make the necessary corrections. Dave Allison stated that the 1% funds should only be used for capital improvements. Mr. Allison feels that in the past, Public Works have been able to conduct the spring clean up, as well as keep up with other necessary job duties. He feels that the City has adequate man power and equipment to do the spring clean up without spending 1% funds, and is getting off track. Mayor Opseth commented that he doesn't feel that the City's intention is to spend all of the \$300,000; that this is a "safety net" and the City will still do as much as possible. Debbie Hodges stated that she feels 1% tax needs to be used for what it was originally designed for and the City should save for these other projects. City Administrator Napier replied that the City does have adequate reserves and they could be used for the offset of these projects. He went on to say that the General Fund has 120 days set aside in regard to operational reserve. Mr. Napier explained that the reason for the proposal of using 1% funds was due to the fact that this is a popular program and a way to be more efficient. No further comments were made and Mayor Opseth closed the public hearing.

#### RESOLUTION 2450

#### A RESOLUTION AMENDING THE GILLETTE CITY BUDGET FOR THE 2013-14 FISCAL YEAR PURSUANT TO W.S. 16-4-113.

It was moved by Councilman Jerred and seconded by Councilman Rothleutner to approve the foregoing Resolution to approve amendments to the Gillette City Budget for FY2013-2014. Mayor Opseth asked for discussion. City Administrator Napier added that one of the other comments made during the public hearing was the City is getting off track with regard to how 1% money is being spent. The City does follow the direction that the community has

given with regard to how 1% funds are spent. The vast majority of funds that the community allows the City to use are dedicated to infrastructure repairs and replacements. Mr. Napier informed the Council that the City has not gotten off track and is very consistent with how the percentages are broken out. To indicate that these funds are being taken away from projects, simply is not true. Particularly, when you look at the fact that these dollars are actually surplus dollars left over from infrastructure projects where bids came in lower. To indicate that these funds are not being used appropriately is not correct. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carsrud, Carter-King, Jerred, Kuntz, and Mayor Opseth. The Presiding Officer declared the motion carried.

#### Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:45p.m. The next regularly scheduled meeting will be Tuesday, April 1, 2014.

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John Opseth, Mayor

(S E A L)

ATTEST:

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Karlene Abelseth, City Clerk

Publication date: March 26, 2014