

## COUNCIL PROCEEDINGS

REGULAR

May 6, 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 6th day of May 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: Kevin McGrath, Forrest Rothleutner, Tim Carsrud, Louise Carter-King, Ted Jerred, Robin Kuntz, and Mayor Opseth.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; John Aguirre, Human Resource Director; Kendall Glover, Utilities Director; Dustin Hamilton, Director of Development Services; Jim Hloucal, Chief of Police; Tom Pitlick, Finance Director; Sawley Wilde, Public Works Director; 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 Randall Weinzierl of New Life Wesleyan Church gave the Invocation.

### Pledge of Allegiance

The Pledge of Allegiance was led by Councilwoman Carter-King.

### Approval of General Agenda

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

### Approval of Minutes

Executive Session - April 1, 2014.  
Pre-Meeting - April 15, 2014.  
Regular Meeting - April 15, 2014.  
Work Session - April 22, 2014.  
Executive Session - April 22, 2014.  
Work Session - April 29, 2014.

### New Business - Consent Agenda

### Ordinance Second Reading

ORDINANCE 14-08

AN ORDINANCE PROVIDING FOR THE VACATION  
OF A 60 FOOT WIDE PUBLIC RIGHT-OF-WAY ADJACENT TO THE WEST LOT  
LINES OF LOTS 1A AND 1B, A RESUBDIVISION OF LOT 1, OF THE  
RESUBDIVISION OF TRACT E, SUNBURST SUBDIVISION NO. 4, AS SHOWN ON  
THE EXHIBIT "A" MAP, IN THE CITY OF GILLETTE, WYOMING, SUBJECT TO  
ALL PLANNING REQUIREMENTS

Bills and Claims

A & B BUSINESS EQUIPMENT	287.11
AARON BURKE	350.00
ACTION LOCK AND KEY	5.00
ADECCO EMPLOYMENT SERVICE	382.95
AIRGAS INTERMOUNTAIN	435.92
AIRGAS INTERMOUNTAIN	39.41
ALCHEMY ARTS LLC	22,500.00
ALEX ROZIER	600.00
ALEX SAMKOVICH	68.32
ALSCO	1,071.82
AM SIGNAL INC	64.94
AMANDA WOOD	100.60
AMANDA WOODLE	100.50
ANDREANNA PIERCE	100.00
ANIMAL MEDICAL CENTER OF	3,412.34
ARROW PRINTING AND GRAPHI	2,280.00
ASSOCIATED SUPPLY COMPANY	346.03
ASSURE CO RISK MANAGEMENT	500.00
AT & T MOBILITY NATIONAL	3,543.62
B & H PHOTO VIDEO PRO-AUD	1,399.98
BEAR'S NATURALLY CLEAN	552.19
BEAU CORKINS	144.51
BEAU WARNER	264.70
BIG D SANITATION	1,332.50
BIG D SANITATION CORP	100.00
BIGHORN PUBLIC AFFAIRS GR	1,100.00
BJ NELSON/NELSON AUTO GLA	155.50
BLACK CAT CONSTRUCTION LL	18,174.02
BLACK HILLS POWER & LIGHT	155,777.25
BLACK HILLS POWER & LIGHT	189,607.00
BLACK HILLS POWER & LIGHT	104,148.62
BLACK HILLS POWER & LIGHT	82.86
BLACK HILLS POWER & LIGHT	43,360.00
BLUE CROSS BLUE SHEILD OF	47,489.18
BLUE CROSS BLUE SHEILD OF	25,045.82
BLUE CROSS BLUE SHEILD OF	85,560.49
BONITA MORISETTE	52.88
BORDER STATES ELECTRIC	29,350.63
BREANNA'S BAKERY	16.00
BRENT WILLIAMS	70.00
BRIANNA & DANIEL BURGET	50.00
BRYAN TINER	145.17
BURNS AND MCDONNELL CORPO	98,274.38
CAMPBELL COUNTY CHAMBER O	13,690.00
CAMPBELL COUNTY CLERK OFF	15.00
CAMPBELL COUNTY CONVENTIO	1,157.75
CAMPBELL COUNTY COORDINAT	940.50
CAMPBELL COUNTY COORDINAT	137.50
CAMPBELL COUNTY HOSPITAL	1,673.00
CAMPBELL COUNTY JOINT POW	265,145.73
CAMPBELL COUNTY OBSERVER	800.00

CAMPBELL COUNTY PUBLIC HE	55.00
CAMPBELL COUNTY PUBLIC LA	133,825.75
CAMPBELL COUNTY SENIOR CI	86,753.75
CAMPBELL COUNTY SHERIFF	200.00
CAMPBELL COUNTY TREASURER	246,762.05
CARL A. THEUSEN	540.00
CECIL JAGERS	300.00
CENTRILIFT DIVISION OF HU	33,083.86
CENTURYLINK	2,762.19
CHARLES VYVEY	115.85
CHARTER MEDIA	534.95
CHAUNCEY & LISA CARR	169.53
CHILDREN'S HOME SOCIETY	125.00
CHUCK DOBKINS	118.10
CITY CLERK OFFICE	7,780.36
CITY OF GILLETTE	3,219.00
CITY OF GILLETTE - PETTY	263.71
CLARK SAFETY INC MONTE RU	1,000.00
CNA SURETY	100.00
COLLINS COMMUNICATIONS IN	499.98
CONSOLIDATED ENGINEERS IN	500.00
CONSOLIDATED WATER SOLUTI	2,817.55
CONTRACTORS SUPPLY INC	3,476.66
COORDINATED CARE PARTNERS	281.00
CRAIG FURMAN	200.00
CRESCENT ELECTRIC SUPPLY	1,543.00
CRUM ELECTRIC SUPPLY COMP	5,341.68
DALE BUCKINGHAM ARCHITECT	3,699.33
DANA KEPNER COMPANY INC	14,205.70
DAVID JANISCH	9,790.00
DAVID WALLACE	153.91
DELTA DENTAL OF WYOMING	21,507.78
DESERT MOUNTAIN CORPORATI	25,130.62
DIEBOLD INC	1,274.00
E Z TOWING & RECOVERY INC	360.00
ECOBRAMIN.COM INC	66.50
EDGE CONSTRUCTION SUPPLY	10,286.64
EJ COLLINS, PE	4,351.43
ENERGY LABORATORIES INC	2,099.50
ENTENMANN ROVIN COMPANY	270.00
ENVIRONMENTAL & CIVIL SOL	12,714.08
EXPRESS SCRIPTS INC	19,196.26
EXPRESS SCRIPTS INC	6,011.32
EXPRESS SCRIPTS INC	10,159.35
FAIRMONT SUPPLY COMPANY	575.20
FALCON ENVIRONMENTAL CORP	5,293.05
FARMER BROTHERS COMPANY	1,341.76
FASTENAL COMPANY	23.20
FEDEX	390.45
FIREMASTER DEPT 1019	29.25
FRANDSON SAFETY INC	32.00
FRONTIER PRECISION INC	2,500.00
GARY LEE PRICE	5,685.00

GEORGE OTTEN	194.41
GEORGE SUCHOR	100.00
GILLETTE COLLEGE	167,500.00
GILLETTE PET VET CLINIC	382.50
GILLETTE WINNELSON COMPAN	26.20
GOURMET ON THE GO LLC	120.00
GRANITE PEAK BUILDERS	130.26
GREG BOWMAN	250.00
HACH COMPANY	162.65
HD SUPPLY POWER SOLUTIONS	63,403.25
HDR ENGINEERING INC	11,750.00
HELSMAN MANAGEMENT SERVIC	150.00
HIGH GLASS WINDOW CLEANER	2,023.00
HILLCREST SPRING WATER IN	142.00
HKM ENGINEERING	20,442.44
HLADKY CONSTRUCTION	780.00
HOMAX OIL	60,917.09
ILLINOIS TOOL WORKS	6,575.00
INTEGRITY PAINTING	2,500.00
INTER-MOUNTAIN LABS INC	2,555.00
INTERMOUNTAIN TREE EXPERT	6,500.00
INTERSTATE COMPANIES INC	35.45
ISC INC	3,686.24
IT OUTLET INC	568.00
JAIME REYNOLDS	195.50
JAKE'S TAVERN	225.00
JENNIFER GANTZ	144.89
JERRY VAN VLEET	43.86
JOHN J. BERANEK	3,500.00
JOHN LAWRENCE	250.00
JOHNSON CONTROLS INC	6,782.51
JOSH STAINBROOK	50.00
JULIA WHIPPLE	70.72
JW ENTERPRISES, LLC	264.02
KADRMAS LEE & JACKSON INC	2,833.86
KADRMAS LEE & JACKSON INC	6,131.72
KASAUNDRE HARTSOCH	65.08
KAYLA CERVANTES	75.54
KENNETH FOSEN	125.06
KEVIN CRABTREE	82.75
KEYHOLE TECHNOLOGIES LLC	9,538.50
KIRK WASSON	2,080.00
KOIS BROTHERS EQUIPMENT C	2,265.42
KONE INC	1,802.94
KRISTINA WUNDER	150.00
KRIZ-DAVIS COMPANY	4,936.79
KYLE SPRAGUE	750.00
KYLE SPRAGUE	1,500.00
LAKER CHEMICAL INC	3,605.00
LEGEND COMMUNICATIONS OF	1,980.00
LEGEND COMMUNICATIONS OF	2,111.52
LONG'S PLUMBING & HEATING	1,594.52
LUCAS RISSLER	560.00

LYLE SIGNS INC	54.56
MACHINE PRODUCTS INC	826.88
MARIA BOUZIS	100.00
MARINO INCHAUSTEGUI	11.01
MARVIN & APRIL ARCHER	87.64
MARY ZIMMERMAN	3,585.00
MARYANN LUGAN	50.00
MCM GENERAL CONTRACTORS	76,837.45
MIDLAND IMPLEMENT CO INC	16,853.00
MINING ELECTRICAL SERVICE	774.99
MOLLY COOK	50.00
MONOGRAMMING PLUS SILKSCR	59.00
MUNICIPAL ENERGY AGENCY O	815,692.60
MUNICIPAL ENERGY AGENCY O	694,325.30
NAOMI MELTON	100.00
NEVE'S UNIFORM INC	612.12
NEWMAN SIGNS INC	120.50
NEWS RECORD	6,380.08
NORCO INC	1,887.59
NORTHERN TRUCK EQUIPMENT	10,765.00
OCCUPATIONAL TESTING INC	1,182.00
ONE CALL OF WYOMING COPR	172.50
PAINTBRUSH SEWER & DRAIN	985.00
PATRICIA STAJCAR	17,835.00
PCA ENGINEERING INC	5,687.49
PERISCOPE HOLDINGS, INC	1,895.00
POKEYS BBQ	102.50
POWDER RIVER CONSTRUCTION	86,476.07
POWDER RIVER ENERGY CORPO	1,561.09
POWDER RIVER HEATING & CO	158,626.74
POWDER RIVER OFFICE SUPPL	4,494.29
POWER ENGINEERS INC	2,816.89
PRIME POWER & COMMUNICATI	49,259.00
PROELECTRIC INC	19,679.02
QUALITY UTILITY EQUIPMENT	799.41
RAZOR CITY LOCKSMITH LLC	2,232.30
RECORD SUPPLY INC NAPA	193.66
RHYLLIS OEDEKOVEN	1,328.00
RICH DEATON	172.54
RICHARD DOUGLAS DUMBRILL	1,350.00
RINGER LAW P.C.	4,310.00
ROD JOHNSON	116.75
S & S BUILDERS	28,150.00
SAFETY-KLEEN SYSTEMS INC	612.16
SCOTT SETTLES	250.00
SHELIA MERCER	53.62
SKYLAR MOSER	400.00
SMITH'S	400.00
SMYLIE ANIMAL CLINIC	9.00
SOCIETY PETROLEUM ENGINEE	978.00
SOLVINGTECH LLC	302.85
SOURCEGAS	14,242.51
SOUTHERN COMPUTER WAREHOU	258.71

SOUTHWESTERN EQUIPMENT CO	14,981.43
SPRING BACK COLORADO	600.00
STEVE FETTKETHER	125.73
STEVE WAGEMAN	190.00
STOTZ EQUIPMENT	1,937.89
STUART C IRBY CO	477.13
SUSAN LEMPKA	200.00
TECHNICAL MARKETING MFG I	794.32
TERENCE PAUL	68.21
THUNDER BASIN FORD LLC	25,996.42
TRAFFIC PARTS INC	2,026.50
TREVOR JOHNSON	100.00
TREY OSBORNE	100.00
TRUGREEN CHEMLAWN	60.75
TYLER TECHNOLOGIES INC	30,557.70
UMB BANK	107,192.42
UNIVERSITY OF WYOMING TEC	450.00
VERMEER SALE & SERVICE OF	11,050.91
VINCE STEFFEN	115.78
WAL-MART	229.81
WARNER JENNINGS	1,336.38
WATERWORKS INDUSTRIES INC	38,337.80
WESCO RECEIVABLES CORP	56,617.16
WESTERN MICROSCOPE	115.00
WESTERN SERVICES LLC	11,000.00
WESTERN WASTE SOLUTIONS I	10,265.05
WILLIAM BARRITT	917.43
WILLIAM J FOSTER	100.00
WYODAK RESOURCES DEVELOPM	181,602.19
WYODAK RESOURCES DEVELOPM	33,820.13
WYOMING DEPARTMENT OF AGR	50.00
WYOMING DEPARTMENT OF HEA	912.00
WYOMING DEPT OF TRANSPORT	566.16
WYOMING SUPREME COURT	6,485.89
WYOMING WATER SOLUTIONS	202.50
WYOSTAR	2,356,133.50
YATES PETROLEUM CORP	50.00
YOUTH EMERGENCY SERVICES	36,658.00
ZACH PARKER	195.00
ZOETIS INC	200.75

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

#### Approval of Conflict Claims

It was moved by Councilman Jerred and seconded by Councilman Kuntz to approve a conflict claim for Councilwoman Carter-King in the amount of \$4,494.29 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: Jerred, Kuntz, McGrath, Rothleutner, Carsrud, and Mayor Opseth. Councilwoman

Carter-King abstained. The Presiding Officer declared the motion carried.

#### Oral Comments

The P.R.I.D.E. Award recipient was unable to attend the meeting. The award will be presented at a later date.

Mayor Opseth proclaimed the week of May 6-12, 2014, as National Nurses Week.

Mayor Opseth proclaimed the month of May 2014 as Building Safety Month. Deputy Building Official Brown explained the proclamation.

Mayor Opseth proclaimed the month of May as Electrical Safety Month. Electrical Superintendent Wolf explained the proclamation.

The Mayor and Council recognized the Electrical Division as recipient of the American Public Power Association (APPA) Electrical Safety Award. Electrical Superintendent Wolf explained the award.

#### For the Good of the Community

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

#### 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 there were none.

#### Ordinance - Second Reading

##### ORDINANCE 14-07

##### AN ORDINANCE TO PROHIBIT PARKING IN THE ALLEYS ON EITHER SIDE OF GILLETTE AVENUE

It was moved by Councilwoman Carter-King and seconded by Councilman Rothleutner to approve the foregoing Ordinance on second reading. 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.

#### Ordinance First Reading

##### ORDINANCE 14-09

##### AN ORDINANCE TO SIMPLIFY APPROVALS FOR CIRCUS AND CARNIVAL LICENSES AND CATERING PERMITS FOR ACTIVITIES THAT WILL BE HELD AT THE CAMPLEX, AMENDING SECTION 10-18 AND 3-8 (c) OF THE GILLETTE CITY CODE

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

#### ORDINANCE 14-10

AN ORDINANCE TO AMEND SECTION 14-39 OF THE GILLETTE CITY CODE TO PROVIDE THAT ELECTRONIC CIGARETTES MAY NOT BE SOLD, GIVEN OR DELIVERED TO OR POSSESSED OR USED BY MINORS UNDER THE AGE OF 18 WHETHER OR NOT THEY CONTAIN ANY PRODUCT MADE OR DERIVED FROM TOBACCO THAT CONTAINS NICOTINE

It was moved by Councilman McGrath and seconded by Councilman Carsrud 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: Rothleutner, Carsrud, Carter-King, Jerred, Kuntz, McGrath, 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 Rothleutner to approve a parade permit requested by Georgette Hoffman, representing Sweeties on Wheelies, for June 21, 2014, starting at 9:00 a.m. with the group gathering at 2525 S. Douglas Hwy, proceeding north to Boxelder Road, east to Garner Lake Road, and then proceeding out of town. 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, McGrath, Rothleutner, 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 carnival permit requested by Post 42 American Legion Baseball for June 9-16, 2014, located at the Campbell County Aquatic Center. 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 Councilman Rothleutner and seconded by Councilman Carsrud to approve a professional services agreement for design services associated with the Fishing Lake Improvements - Phase 2 Project, with HDR Engineering, Inc., in the amount of \$133,480 (1% Project). Mayor Opseth asked for an explanation of the request. City Administrator Napier explained that this 1% Project deals with the design phase which consists of three (3) aspects of the project that will be conducted in FY16; the bank stabilization, dredging, as well as the new lake outlet. Staff is hopeful that the design will give enough detail so the project can move forward. After the explanation, 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 the County final plat for Lot 10A, Block 1, Mohan Subdivision, a re-subdivision of Lots 10 & 11, Block 1, Mohan Subdivision, subject to all Planning requirements. Mayor Opseth asked for an explanation of the request. City Administrator Napier

explained that this property is in the County and the property owner is requesting City services; therefore, they will need to enter into an annexation agreement. The property in question is located on the corner of Mohan Road and Swanson Road. After the explanation, 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.

RESOLUTION 2455

A RESOLUTION TO EXPRESS THE COMMITMENT OF THE CITY OF  
GILLETTE TO PAY THE LOCAL MATCH, ANY PROJECT COST  
OVERRUNS AND THE OPERATION AND MAINTENANCE EXPENSES FOR  
THE DOWNTOWN CONVERTIBLE STREET-PUBLIC PLAZA PROJECT

It was moved by Councilman Jerred and seconded by Councilman Rothleutner to approve the foregoing Resolution to express the commitment of the City of Gillette to pay the local match, any project cost overruns and the operation and maintenance expenses for the Downtown Convertible Street-Public Plaza Project. 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.

Appointments

It was moved by Councilman Kuntz and seconded by Councilman Jerred to appoint City Administrator Napier as Voting Delegate and Councilwoman Carter-King as Alternate Voting Delegate to the Wyoming Association of Municipalities (WAM) Annual Convention Business Meeting to be held June 11-14, 2014, in Casper, Wyoming. Mayor Opseth asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Carsrud, Jerred, Kuntz, McGrath, and Mayor Opseth. Councilwoman Carter-King abstained. 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 7:30 p.m. The next regularly scheduled meeting will be Tuesday, May 20, 2014.

\_\_\_\_\_  
Mayor Opseth

(S E A L)

ATTEST:

\_\_\_\_\_  
Karlene Abelseth, City Clerk

Publication date: May 14, 2014