

## COUNCIL PROCEEDINGS

REGULAR

March 3, 2015

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 March 2015, 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: Robin Kuntz, Kevin McGrath, Forrest Rothleutner, Dan Barks, Tim Carsrud, Ted Jerred, and Mayor Louise Carter-King.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; Pamela L. Boger, Administrative Services Director; Patrick Davidson, Asst. City Attorney; Kendall Glover, Utilities Director; Dustin Hamilton, Director of Development Services; Tom Pitlick, Finance Director; Chuck Deaton, Lieutenant; Dan Bridges, Lead Controls Engineer; Geno Palazzari, PEG Manager; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk.

### Invocation

Thereupon the following proceedings were had and taken. The Invocation was given by Bill Morel of Family Life Church.

### Pledge of Allegiance

The Pledge of Allegiance was led Councilman Kuntz.

### Approval of General Agenda

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

### Approval of Minutes

Work Session - July 29, 2014.

Executive Session - January 5, 2015.

Executive Session - January 6, 2015.

Executive Session - January 10, 2015.

Executive Session - January 13, 2015.

Executive Session - January 27, 2015.

City/County Town or Wright - February 3, 2015.

Executive Session - February 3, 2015.

Pre-Meeting - February 17, 2015.

Regular Meeting - February 17, 2015.

Work Session - February 24, 2015.

## New Business - Consent Agenda

Approved the write off of bad debt on uncollectible utility accounts in the amount of \$6,801.28.

### Bills & Claims

|                           |            |
|---------------------------|------------|
| 1001 STANLEY, LLC         | 61.29      |
| ADECCO EMPLOYMENT SERVICE | 372.64     |
| AGGREKO HOLDINGS, INC     | 7,076.00   |
| AIR TECH INC              | 1,512.04   |
| ALLALALA CUPCAKES LLC     | 134.40     |
| ALSCO                     | 1,606.99   |
| AMANDA MORRISON           | 50.00      |
| ANDREANNA PIERCE          | 50.00      |
| ANIMAL MEDICAL CENTER OF  | 1,677.99   |
| ANNE M PUTNAM             | 182.25     |
| ARROW PRINTING AND GRAPHI | 157.25     |
| ASSURE CO RISK MANAGEMENT | 500.00     |
| AT & T MOBILITY NATIONAL  | 3,352.92   |
| BEAR'S NATURALLY CLEAN    | 528.00     |
| BILLINGS GAZETTE          | 499.00     |
| BLACK CAT CONSTRUCTION LL | 280.00     |
| BLACK HILLS POWER & LIGHT | 3,343.91   |
| BLACK HILLS POWER & LIGHT | 95,853.55  |
| BLACK HILLS POWER & LIGHT | 377,033.00 |
| BLACK HILLS POWER & LIGHT | 163,169.56 |
| BLACK HILLS WYOMING LLC   | 404,326.88 |
| BLACK HILLS WYOMING LLC   | 59,576.00  |
| BLACK HILLS WYOMING LLC   | 3,333.00   |
| BLUE CROSS BLUE SHIELD OF | 27,389.30  |
| BLUE CROSS BLUE SHIELD OF | 27,740.33  |
| BMI SYSTEMS GROUP         | 595.00     |
| BOMGAARS SUPPLY           | 399.50     |
| BORDER STATES ELECTRIC    | 3,222.45   |
| BRANDON BROOKS            | 144.43     |
| BREANNA'S BAKERY          | 69.25      |
| BRUCE ENGINEERING SERVICE | 5,874.00   |
| BURNS AND MCDONNELL CORPO | 207,974.79 |
| BW INSURANCE AGENCY INC   | 50.00      |
| CAMPBELL COUNTY CHAMBER O | 51.00      |
| CAMPBELL COUNTY CLERK OFF | 18.50      |
| CAMPBELL COUNTY COORDINAT | 6,386.87   |
| CAMPBELL COUNTY COORDINAT | 153.75     |
| CAMPBELL COUNTY ROAD & BR | 100.00     |
| CAMPBELL COUNTY SCHOOL DI | 2,890.00   |
| CAMPBELL COUNTY SENIOR CI | 1,004.00   |
| CAMPBELL COUNTY SHERIFF   | 20,550.00  |
| CARL JEANBAPTISTE         | 41.47      |
| CARTEGRAPH SYSTEMS INC    | 7,642.00   |
| CASPER STAR TRIBUNE       | 1,985.00   |
| CENTURYLINK               | 2,796.67   |
| CHARTER MEDIA             | 402.95     |
| CHILDREN'S HOME SOCIETY   | 125.00     |
| CITY OF GILLETTE          | 149.46     |
| CITY OF GILLETTE - PETTY  | 75.00      |
| CLARK SAFETY INC MONTE RU | 1,100.00   |

|                           |            |
|---------------------------|------------|
| CNA SURETY                | 100.00     |
| COLLEGE PARK III, LLC     | 39.11      |
| COLLINS COMMUNICATIONS IN | 691.33     |
| COLTON SELL               | 100.00     |
| COMPASSCOM SOFTWARE       | 3,963.00   |
| CONTRACTORS SUPPLY INC    | 8,056.07   |
| CRAIG FURMAN              | 250.00     |
| CRESCENT ELECTRIC SUPPLY  | 425.33     |
| CRUM ELECTRIC SUPPLY COMP | 19,600.00  |
| CTA INC                   | 66,423.34  |
| CUMMINS ROCKY MOUNTAIN IN | 216.90     |
| CURRY GARAGE DOOR COMPANY | 412.50     |
| CURT LOTT                 | 75.14      |
| DALE BUCKINGHAM ARCHITECT | 3,387.69   |
| DANA KEPNER COMPANY INC   | 22,565.60  |
| DAVID ZARATE              | 75.00      |
| DEANNA SCALZO             | 151.62     |
| DEBORAH PETTY             | 300.00     |
| DELCO WESTERN             | 624.19     |
| DELL COMPUTER CORP        | 36,750.00  |
| DESERT MOUNTAIN CORPORATI | 17,228.86  |
| DESERT RUN APARTMENTS I & | 557.33     |
| DIVISION OF VICTIM SERVIC | 129.00     |
| DODIE EDWARDS             | 50.00      |
| DON & DANA FEBBO          | 73.95      |
| DPC INDUSTRIES INC        | 3,768.60   |
| DRM INC                   | 12,660.22  |
| DUSTIN HAMILTON           | 24.75      |
| DXP ENTERPRISES INC       | 68.00      |
| E M BUILDERS              | 89.83      |
| E Z TOWING & RECOVERY INC | 65.00      |
| ELTEC CORPORATION         | 614.86     |
| ENERGY LABORATORIES INC   | 196.00     |
| ENVIRONMENTAL & CIVIL SOL | 3,678.39   |
| EXPRESS SCRIPTS INC       | 13,380.69  |
| EXPRESS SCRIPTS INC       | 16,830.91  |
| FAMILY HEALTH             | 492.00     |
| FARMER BROTHERS COMPANY   | 801.51     |
| FASTENAL COMPANY          | 30.29      |
| FERGUSON ENTERPRISES, INC | 30,914.30  |
| FINN NORD                 | 28.61      |
| FIRST INTERSTATE BANK OF  | 294,063.79 |
| FIRST NATIONAL BANK OF GI | 35,472.16  |
| FRANKLIN M JUNDT          | 680.00     |
| FRONTIER PRECISION INC    | 1,513.00   |
| GENERAL DYNAMICS C4 SYSTE | 86,780.00  |
| GILLETTE PET VET CLINIC   | 332.50     |
| GILLETTE REPRODUCTIVE HEA | 30,000.00  |
| GILLETTE STOCK CAR RACING | 25,000.00  |
| GILLETTE WINNELSON COMPAN | 1,887.75   |
| GIT-R-DONE SANITATION INC | 240.00     |
| GOLDEN FIELD SERVICES     | 395.19     |
| GOOGLE INC                | 18,000.00  |
| GOURMET ON THE GO LLC     | 305.64     |
| GOVCONNECTION             | 3,782.78   |
| GREEN EARTH SUPPLY        | 2,757.13   |

|                           |            |
|---------------------------|------------|
| GREINER MOTOR COMPANY     | 227,929.00 |
| HACH COMPANY              | 1,243.05   |
| HAYLIE MILLS              | 173.76     |
| HD SUPPLY POWER SOLUTIONS | 20,971.74  |
| HDR ENGINEERING INC       | 45,571.21  |
| HELPING HANDS HELPING FAM | 328.98     |
| HKM ENGINEERING           | 32,530.17  |
| HLADKY CONSTRUCTION       | 180,420.08 |
| HOMAX OIL                 | 35,594.28  |
| HUNTER PARKER             | 64.82      |
| INDIAN HILLS APTS         | 36.33      |
| INTER-MOUNTAIN LABS INC   | 126.00     |
| ITRON INC                 | 1,770.49   |
| J B STORAGE CONTAINERS    | 150.00     |
| JAMES SCHAFER             | 77.16      |
| JEFFERY BALLS             | 65.93      |
| JENNIFER IVORY            | 50.00      |
| JENNIFER MENDYKA          | 185.00     |
| JESSICA HANTEN            | 50.00      |
| JLC SIGN SYSTEMS INC      | 51.00      |
| JOHNSON CONTROLS INC      | 5,475.00   |
| JS FOSTER CORPORATION     | 955.00     |
| JUAN CARLOS CORDOVA       | 69.24      |
| JULIE AND ANTHONY STONER  | 54.55      |
| KADRMAS LEE & JACKSON INC | 1,501.13   |
| KEYHOLE TECHNOLOGIES LLC  | 4,095.00   |
| KOIS BROTHERS EQUIPMENT C | 4,240.00   |
| KRIZ-DAVIS COMPANY        | 56.90      |
| LEVI VINES                | 64.95      |
| LIFESTYLE HOMES INC       | 68.20      |
| LONG'S PLUMBING & HEATING | 380.00     |
| MACHINE PRODUCTS INC      | 66,431.47  |
| MAINLINE INFORMATION SYST | 1,694.15   |
| MATT CHRISTOPHERSON       | 164.27     |
| MCM GENERAL CONTRACTORS   | 94,112.39  |
| MELISSA MACK              | 1,800.00   |
| MIGUEL LOERA-PADILLA      | 20.12      |
| MISTY RUBIS               | 110.75     |
| MODULAR SPACE CORPORATION | 938.00     |
| MONTANA ANDREWS           | 134.29     |
| MONUMENT HOMEBUILDERS     | 41.61      |
| MORRISON MAIERLE INC      | 21,565.33  |
| MOTEL 6                   | 100.00     |
| NANCY WOLD                | 2,100.59   |
| NEIL WOOD                 | 18.18      |
| NEVE'S UNIFORM INC        | 24.22      |
| NEWS RECORD               | 35.00      |
| NORCO INC                 | 1,884.76   |
| NORTH STAR ENERGY & CONST | 18,532.50  |
| OFFICE OF STATE LANDS AND | 125.00     |
| ONE CALL OF WYOMING COPR  | 181.75     |
| PAINTBRUSH SEWER & DRAIN  | 300.00     |
| PATTY DAVIDSMEIER         | 140.94     |
| PCA ENGINEERING INC       | 4,950.75   |
| PENNY SANDER              | 50.00      |
| POWDER RIVER CONSTRUCTION | 138,829.32 |

|                           |              |
|---------------------------|--------------|
| POWDER RIVER ENERGY CORPO | 6,214.95     |
| POWDER RIVER OFFICE SUPPL | 265.71       |
| PRO BUILT HOMES INC       | 350.00       |
| RAILROAD MANAGEMENT CO LL | 5,905.51     |
| RAY CASSELL               | 250.00       |
| RDJ SPECIALTIES INC       | 296.35       |
| RED HILLS VETERINARY HOSP | 923.00       |
| RED TIGER WELL SERVICE    | 5,219.00     |
| REFUGIO LOZA              | 119.44       |
| RESOURCE ACTION PROGRAMS  | 2,242.50     |
| RESOURCE SOFTWARE INTERNA | 600.00       |
| RICHARD DOUGLAS DUMBRILL  | 2,224.04     |
| ROCKY MOUNTAIN BUSINESS E | 195.00       |
| ROTO ROOTER SEWER SERVICE | 280.00       |
| S J LOUIS CONSTRUCTION, I | 2,646,574.11 |
| SAFETY-KLEEN SYSTEMS INC  | 640.58       |
| SARGENT DRILLING COMPANY  | 9,575.10     |
| SCHULTE TA INC            | 57,741.00    |
| SCOTT BROTHERS INC        | 306.90       |
| SHAWN SULLIVAN            | 90.41        |
| SHERRY PIERSON            | 96.93        |
| SKIP TO MY LOU CATERING   | 515.25       |
| SOURCE OFFICE PRODUCTS    | 422.45       |
| SOURCEGAS                 | 24,137.07    |
| STEVE WARFIELD            | 218.50       |
| STEVEN & VANNESSA TANNER  | 135.81       |
| STEVEN PETERSON           | 284.51       |
| STUART C IRBY CO          | 1,322.13     |
| SUNGARD PUBLIC SECTOR INC | 78.71        |
| SUNSHINE REAL PROPERITES  | 65.62        |
| SUPER 8 MOTEL             | 100.00       |
| SUSAN LEMPKA              | 200.00       |
| TEMPERATURE TECHNOLGY, IN | 160.00       |
| THUNDER BASIN VETENARIAN  | 116.00       |
| TOTAL ADMINISTRATION SERV | 567.58       |
| TOTAL ADMINISTRATION SERV | 562.77       |
| TOTAL ADMINISTRATION SERV | 13.00        |
| TRAFFIC SAFETY SERVICES I | 2,304.00     |
| TREVOR KAY                | 75.14        |
| TRI MOUNTAIN CONSTRUCITON | 310.32       |
| TRIP WIRE WELDING         | 177.20       |
| TYLER TECHNOLOGIES INC    | 21,736.59    |
| UMB BANK                  | 81,832.46    |
| VAN EWING CONSTRUCTION    | 234,590.27   |
| WAL-MART                  | 94.16        |
| WARNE CHEMICAL & EQUIPMEN | 366.45       |
| WAYNE RYTHER              | 126.95       |
| WELLS FARGO HOME MTG      | 133.78       |
| WESCO RECEIVABLES CORP    | 890.25       |
| WESTERN SERVICES LLC      | 1,150.00     |
| WSPP, INC                 | 25,000.00    |
| WWQ & PCA ASSOC           | 840.00       |
| WYODAK RESOURCES DEVELOPM | 34,431.49    |
| WYOMING DEPT OF TRANSPORT | 618.34       |
| WYOMING ENGINEERING SOCIE | 40.00        |
| WYOMING FAMILY LITERACY O | 15,396.76    |

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

#### Approval of Conflict Claims - General Agenda

It was moved by Councilman Rothleutner and seconded by Councilman Carsrud to approve a conflict claim for Mayor Carter-King in the amount of \$4,169.51 to Powder River Office Supply. Mayor Carter-King asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Barks, and Carsrud. Mayor Carter-King abstained. The Presiding Officer declared the motion carried.

#### Oral Comments

The Mayor and Council recognized Mick Wolf for 20 years of service to the City of Gillette.

#### For the Good of the Community

Mayor Carter-King congratulated the Camel Wrestlers for winning their 13<sup>th</sup> State Championship; the boys' and girls' Camel Basketball Teams for their win against Sheridan; and announced that Gillette Jr. Wild Hockey begins their playoffs tomorrow night.

Frank Miller, U.S. Department of Veterans Affairs, explained the HUD-VASH program that supports homeless veterans.

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

#### Public Comments

Mayor Carter-King asked for public comments. There were none.

#### Council Reports

Mayor Carter-King asked for Council reports. There were none.

#### Written Comments

Mayor Carter-King asked for written comments. City Clerk Abelseth reported there were none.

#### New Business

##### RESOLUTION 2510

##### A RESOLUTION TO ESTABLISH A PROCEDURE FOR THE ISSUANCE OF BAR AND GRILL LIQUOR LICENSES

It was moved by Councilman Rothleutner and seconded by Councilman McGrath to approve the foregoing Resolution to establish a procedure for the issuance of Bar & Grill Liquor Licenses. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that the Resolution effectively puts together the process in which Council will consider for the issuance of the Bar & Grill Liquor License that was recently made available. The Resolution suggests that applicants would have 60 days, from this point in time, to prepare a proposal for Council's

consideration that will need to be submitted on, or before, May 1<sup>st</sup>. After which, a Work Session will be scheduled for presentations of the proposals. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Rothleutner, Barks, Carsrud, Jerred, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman Carsrud to accept public improvements for the Donkey Creek Pump Station Roof Replacement Project installed by Michael's Construction, Inc., in the amount of \$144,389.60. Mayor Carter-King asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Rothleutner, Barks, Carsrud, Jerred, Kuntz, and Mayor Carter-King. 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 Water Tank Rehabilitation (Z1-R4 Southern Drive Tank) Painting Project with Morrison-Maierle in the amount of \$42,017 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the disrepair of the tank with regard to the paint, and stated the oversight will include repainting the interior and exterior of the tank. This cost is estimated to be 11% of the actual construction costs for the entire rehabilitation of that tank. Councilman McGrath asked if the City of Gillette's logo will be replaced on the tank after it is painted. City Administrator Napier explained that the tank will be painted similar to the Westover Tank and that the City's seal will not be replaced. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Barks, Carsrud, Jerred, Kuntz, McGrath, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Rothleutner and seconded by Councilman Carsrud to approve a bid award for the 2014 Water Main Replacement Project to Powder River Construction in the amount of \$2,689,519.80 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the project and reported the areas that will be impacted, which are: Circle Drive from Veterans Drive to Prairieview Drive; Church Avenue from 7<sup>th</sup> Street to 9<sup>th</sup> Street; Stanley Avenue from 7<sup>th</sup> Street to 9<sup>th</sup> Street; and 9<sup>th</sup> Street from Butler Spaeth Road to Stanley Avenue. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Barks, Carsrud, Jerred, Kuntz, McGrath, Rothleutner, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Carsrud and seconded by Councilman Rothleutner to approve a bid award for the PMS C 2014 Project to Powder River Construction, Inc., in the amount of \$728,730 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that the project will impact the RC Ranch area that will include J Cross Drive and Rocking T Drive. Six bids were received and the apparent low bidder is Powder River Construction, Inc., and the engineer's estimate was \$993,676. Councilman Kuntz asked if this project will take care of the issues in the area. Mr. Napier reported that it will not take care of all the issues that have been experienced in this area. The largest impact will be improving the drainage that will impact street surfaces; some areas will be replaced with curb to curb driving surface. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Jerred, Kuntz, McGrath, Rothleutner, Barks, and Mayor Carter-King. The Presiding Officer declared the motion carried.

## Special Orders of the Day

Mayor Carter-King opened into a public hearing to take public comment on two proposed Ordinances to revise rates for Wastewater Service and Electrical Service. No comments were made and Mayor Carter-King closed the public hearing.

### ORDINANCE 15-04

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

It was moved by Councilman Jerred and seconded by Councilman Carsrud to approve the foregoing Ordinance to revise rates for Wastewater service. Mayor Carter-King asked for discussion. Councilman Jerred asked that City Administrator Napier explain the Ordinances. Mr. Napier explained that this would raise the current rate of \$23.99 to \$26.37 per customer. Staff is anticipating that the average residential customer will experience an approximate increase of \$7.14, which equates to a 4% increase. Councilman Barks asked for an effective date of the rate increases. City Administrator Napier replied that it will become effective May 1<sup>st</sup>. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Barks, Carsrud, and Mayor Carter-King. The Presiding Officer declared the motion carried.

### ORDINANCE 15-05

#### 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 McGrath and seconded by Councilman Kuntz to approve the foregoing Ordinance amending Gillette City Code. Mayor Carter-King asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Rothleutner, Barks, Carsrud, Jerred, and Mayor Carter-King. The Presiding Officer declared the motion carried.

## Administrator's Report

Mayor Carter-King asked for an Administrator's Report. City Administrator Napier stated he has nothing to report.

## Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:33 p.m. The next regularly scheduled meeting will be Tuesday, March 17, 2015.

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Mayor Louise Carter-King

(S E A L)

ATTEST:

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Karlene Abelseth, City Clerk

Publication Date: March 11, 2015