

COUNCIL PROCEEDINGS

REGULAR

July 7, 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 7th day of July 2015, in the Second Floor Community Room of City Hall, the temporary 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, Dan Barks, Tim Carsrud, Ted Jerred, Robin Kuntz, Kevin McGrath, 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; Dustin Hamilton, Director of Development Services; Kendall Glover, Utilities Director; Tom Pitlick, Finance Director; Sawley Wilde, Public Works Director; Chuck Deaton, Lieutenant; Geno Palazzari, Communications Manager; Patti Davidsmeier, Community & Gov't Relations Manager; and Cindy Staskiewicz, Deputy City Clerk.

Thereupon the following proceedings were had and taken:

Invocation

The Invocation was given by Pastor Dan Holden of First Assembly of God Church.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilman Barks.

Approval of General Agenda

It was moved by Councilman Rothleutner and seconded by Councilman McGrath 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

Special Meeting - June 9, 2015.

Work Session (Fire Station Tour) - June 15, 2015.

Pre-Meeting - June 16, 2015.

Regular Meeting June 16, 2015.

Work Session - June 23, 2015.

Ordinance Third Reading - Consent Agenda

ORDINANCE 3862

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 108 EAST FIFTH STREET AND LEGALLY DESCRIBED AS LOT 6, BLOCK 7, ALBANY ADDITION, FROM C-0, OFFICE AND INSTITUTIONAL DISTRICT, TO C-2, CENTRAL BUSINESS DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

New Business - Consent Agenda

Approval of a water service agreement with the Freedom Hills Improvement and Service District.

RESOLUTION 2525

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE WYOMING BUSINESS COUNCIL UNDER THE BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM FOR AN ENHANCEMENT GRANT ON BEHALF OF THE GOVERNING BODY FOR THE CITY OF GILLETTE FOR A GRANT AMOUNT NOT TO EXCEED \$500,000

Bills & Claims

RICHARD DOUGLAS DUMBRILL	2736.11
HERITAGE W S DISTRICT	9177.17
FIRST AMERICAN TITLE	1647.00
GARY LEE PRICE	1000.00
AUSTIN WEISHEL	500.00
CAMPBELL COUNTY JOINT POW	113667.00
CAMPBELL COUNTY JOINT POW	98529.00
DEBRA ZELENAK	500.00
EILEEN BLYTH	500.00
THOMAS A FORD	500.00
UNTAMED DESIGN LLC	500.00
GARY MITCHELL	500.00
GREGORY JOHNSON	1000.00
NATHAN JOHANSEN	1000.00
ROBERT BRUCE	1000.00
SANDY GRAVES	500.00
SCY CAROSELLI	500.00
PATRICIA STAJCAR	500.00
AC TREE SERVICE	24575.00
RICHARD STASKIEWICZ	32928.00
ADECCO EMPLOYMENT SERVICE	946.52
ALFA LAVAL ASHBROOK SIMON	11499.80
ALSCO	1536.08
AM SIGNAL INC	224.70
ANDREANNA PIERCE	200.00
ARROW PRINTING AND GRAPHI	122.00
ASSURE CO RISK MANAGEMENT	500.00
AT & T MOBILITY NATIONAL	11304.05
AVP CONSULTING LLC	1040.07
BALFOUR BEATTY INFRASTRUC	321.40
LEGEND COMMUNICATIONS OF	1700.00
BLACK CAT CONSTRUCTION LL	29702.74
BLUEGRASS PLAYGROUND	3017.25
BOMGAARS SUPPLY	399.50
BORDER STATES ELECTRIC	6703.26
BREANNA'S BAKERY	16.99
BRENNAN ENGINEERING INC	539.03
UPSTATE WHOLESALE SUPPLY,	85870.00

BURNS AND MCDONNELL CORPO	365096.65
BW INSURANCE AGENCY INC	50.00
CAMPBELL COUNTY PARKS AND	975.65
CAMPBELL COUNTY PREDATORY	5318.55
CAMPBELL COUNTY SENIOR CI	1043.50
CAMPBELL COUNTY PUBLIC LA	114241.86
CAMPBELL COUNTY PUBLIC LA	84019.99
CAMPBELL COUNTY HOSPITAL	4409.00
CAMPBELL COUNTY CHAMBER O	2762.75
CAMPBELL COUNTY COMMISSI	165655.00
CAMPBELL COUNTY COMMISSI	14500.00
CAMPBELL COUNTY ENGINEERS	88350.25
CAMPBELL COUNTY JUVENILE	151.05
CAMPBELL COUNTY PUBLIC HE	45.00
CASPER STAR TRIBUNE	1451.00
CDW GOVERNMENT INC	715.56
CENTURYLINK	298.09
CENTURYLINK	2799.38
CERTIFIED LABORATORIES	302.30
CHARTER MEDIA	400.00
CHILDREN'S HOME SOCIETY	250.00
CHOICE ADVERTISING	1068.02
CHOPHOUSE RESTAURANT THE	2300.00
CITY OF GILLETTE - PETTY	213.39
CLARK SAFETY INC MONTE RU	1100.00
COLLINS COMMUNICATIONS IN	4598.96
COLUMBINE CONTROL COMPANY	1144.35
CONNELYS GREENHOUSE	119.88
CONSOLIDATED ENGINEERS IN	1547.94
CONTRACTORS SUPPLY INC	7303.77
COOPER POWER SYSTEMS DIVI	3208.00
COP WYOMING LLC	312206.50
CPS DISTRIBUTORS	2385.17
STEVE WARFIELD	218.50
CRESCENT ELECTRIC SUPPLY	36.66
CTA INC	11269.82
CUMMINS ROCKY MOUNTAIN IN	786.14
CURRY GARAGE DOOR COMPANY	626.00
DALE BUCKINGHAM ARCHITECT	2412.36
DANA KEPNER COMPANY INC	6169.99
EJ COLLINS, PE	90895.30
DIEBOLD INC	556.80
DISPLAY SALES	492.00
DLT SOLUTIONS LLC	9978.60
RICHARD DOUGLAS DUMBRILL	3598.19
DOWL LLC	19194.02
DPC INDUSTRIES INC	9495.32
DRM INC	144350.15
DXP ENTERPRISES INC	372.45
DYKMAN ELECTRICAL INC	6574.00
E Z TOWING & RECOVERY INC	137.50
EARTH RATED	365.00
EDGE CONSTRUCTION SUPPLY	153.48
ENERGY LABORATORIES INC	210.00
ENTENMANN ROVIN COMPANY	222.00
ENVIRONMENTAL & CIVIL SOL	1211.54
FAIRMONT SUPPLY COMPANY	1124.98
FARMER BROTHERS COMPANY	999.88
FASTENAL COMPANY	139.60
FIRST AMERICAN TITLE	470.00
FIRST AMERICAN TITLE	125.00
FIRST INTERSTATE BANK OF	201963.56
FLAGSHOOTER LLC	685.55
THOMAS A FORD	40.00

UNTAMED DESIGN LLC	439.00
CRAIG FURMAN	50.00
G & G LANDSCAPING INC	130.95
DALE HELSPER	1120.00
RANDY GALLAWAY	1500.00
GENERAL DYNAMICS C4 SYSTE	4000.00
GILLETTE PRINTING COMPANY	2541.60
GW CONSTRUCTION, LLC	500.00
HD SUPPLY POWER SOLUTIONS	285595.73
HDR ENGINEERING INC	1553.73
HLADKY CONSTRUCTION	18060.00
HOMAX OIL	45325.45
HOT IRON	30670.75
IGEAR	160.00
INTER-MOUNTAIN LABS INC	55.00
INTERMOUNTAIN RECORD CENT	909.96
INTERNATIONAL PUBLIC MANA	940.00
IT OUTLET INC	1342.00
JENNIFER IVORY	50.00
JLC SIGN SYSTEMS INC	1463.20
JOHNSON CONTROLS INC	962.70
JORGENSEN COMPANIES	635.00
KADRMAS LEE & JACKSON INC	15991.25
KAREN'S DELIVERY SERVICE	11.00
DEBRA SEMPLE	1284.00
LEVI KREHMEYER & LICO SIF	18171.16
KRIZ-DAVIS COMPANY	2138.69
LANDSCAPES BY HOLCOMB LLC	30600.00
LONG BUILDING TECHNOLOGIE	7216.00
MANNING WRECKER SERVICE L	80.00
MCM GENERAL CONTRACTORS	165485.67
MEDICAL ARTS LABORATORY	270.00
MIDLAND IMPLEMENT CO INC	87.93
DAN MILLER	280.00
MINING ELECTRICAL SERVICE	18070.32
JESSIE LILE	300.00
ALEX ROZIER	1200.00
ALEX SAMKOVICH	142.60
ALYSSA SCHILLING	75.00
BECKY ELGER	241.49
BRAIDIE BRIGGS	75.00
BRIAN MCCOLLEY	52.65
CARTER NAPIER	40.73
CHAD HOOKER	310.00
DAN BRIDGES	133.99
DEAN WELCH	89.21
DOUD BTS, INC	20050.13
ERIC DEARCORN	36.94
FRANK CONROY	74.20
JASON MARCUS	986.99
JEREMIAH WAGNER	29.99
JEREMY TRAVERSE	142.60
JERRY FITZNER	250.00
JIM HLOUCAL	26.94
JODY ADAMS	162.50
JOE DUBOVSKY	34.09
JOHN AGUIRRE	143.74
KATHRYN HART	75.00
KELLY ALGER	143.52
KYLE SPRAGUE	250.00
MATT DONNER	274.00
MIKE PORTER	98.90
NOLAND PEACOCK	74.76
PATRICK TOTZKE	250.00

ROB KENNELLY	170.00
ROBERT MILES	297.50
RYAN MUSSELL	100.00
SHAWN FRANKLIN	5.36
TANYA WILLIAMS	218.05
TAYLOR SCHNERINGER	75.00
THOMAS BRANTZ	628.50
TINA KLEIN	75.00
TREVOR JOHNSON	156.30
WENDY STEIN	70.00
DEWAIN MYERS	320.00
FAIRWAY ESTATES LLC	150.00
KYLE MCGEE	450.00
SHADOW RISHER	400.00
WAL-MART	289.16
AMANDA WALL	271.69
BRENT WILLIAMS	640.00
COLTON SELL	100.00
DAVID ZARATE	75.00
DEBORAH PETTY	200.00
ELISE GEIER	100.00
HELSMAN MANAGEMENT SERVIC	150.00
JAMES MCRAE	225.00
JORDAN GLICK	300.00
K-MART	175.00
KUM & GO	18.78
MISTY HENAGHAN	150.00
PENNY SANDER	71.50
RAY CASSELL	250.00
SCOTT BULLARD	100.00
SCOTT SETTLES	250.00
SUSAN LEMPKA	227.50
TONJA SLATER	100.00
BOB PORTER	346.35
ABIGAIL SPILLUM	141.03
ANDREA BLAKE	122.05
ANGELA MARIE RODRIGUEZ	68.12
BRAXTON STORY	42.80
BRITTINEY BROSE	173.52
BRITTNEY MURRAY	7.26
CAROLYN SCOTT	209.56
CHANCE TROMBLE	88.74
CHRIS EDWARDS	36.42
CITY OF GILLETTE	50.87
CITY OF GILLETTE	79.57
CITY OF GILLETTE	163.25
DARRYL BOWER	23.57
DAVID TURNER	83.58
DEVON ROPER	146.61
DRANDEN CONRAD	70.96
ELISE GEIER	174.14
ELM COURT APTS	97.18
GINNA ARCEO	87.88
HER BODY SHOP LLC	187.86
JAKE GRIFFIN	143.52
JOSHUA SINCLAIR	201.57
KARMEN & CHESTON EDWARDS	45.04
KATHERINE & DUSTIN EVENSO	184.54
KOSTIANTYN IANTSEN	159.39
LEAH PARNICKY	107.76
LEVI & CHRISTINA MCDONALD	12.17
LISA TRIPPETT	108.36
MARK RUMFELT	248.42
MARY JANE GEDROSE	136.01

MATT KLEPPER	61.80
MERARI LIMA	101.13
PRO LINE CONSTRUCTION	354.36
RAYMOND & JANELL HANCOCK	80.91
RODNEY GERARD	89.92
RODNEY HILL	175.69
ROSA MOSBY	47.63
ROSE CROSTON	221.59
ROSE CROSTON	341.14
SAFARI SALON & SPA	243.25
SAMANTHA WAGNER	116.62
SHANE KIRSCH	75.70
STEPHEN & KALI PEPPERDINE	61.43
TASHA SCRIBNER	31.61
TERESA LYSHER	132.78
VALERIE DOUGHERTY	16.08
MUNICIPAL TREATMENT EQUIP	1107.65
NEENAH FOUNDRY CO	4999.00
NEVE'S UNIFORM INC	2608.02
NEWS RECORD	384.88
NORCO INC	6806.25
NORTON CONSTRUCTION	12000.00
NOVELL INC	1699.20
OCCUPATIONAL TESTING INC	1870.00
PAINTBRUSH SEWER & DRAIN	18376.00
PCA ENGINEERING INC	1538.00
PETE LIEN & SONS INC	854.00
PLANT SHACK	2103.80
POKEYS BBQ	1060.00
POWDER RIVER CONSTRUCTION	1660.00
POWDER RIVER ENERGY CORPO	6483.44
POWDER RIVER POWER	17.49
POWDER RIVER SHREDDERS LL	332.50
POWDER RIVER MOWING LLC	5943.99
POWDER RIVER OFFICE SUPPL	3954.00
PRO FORCE LAW ENFORCEMENT	2460.35
PROELECTRIC INC	69657.81
PROTECH COMPUTING SERVICE	1592.07
RAIN FOR RENT	2897.03
RAPID FIRE PROTECTION INC	775.00
RECORD STEEL AND CONSTRUC	36450.00
REDROCK TOWING LLC	72.50
ROCKY MOUNTAIN BUSINESS E	677.10
ROCKY MOUNTAIN HOIST SERV	372.00
ROTO ROOTER SEWER SERVICE	650.00
SAFARILAND LLC	415.20
SCOTT BROTHERS INC	253.20
SHANE SCHULTZ PLUMBING &	1085.94
SIGNBOSS LLC	1090.81
SIMON CONTRACTORS	313.75
SIR SPEEDY	1190.75
SKIP TO MY LOU CATERING	158.75
SOURCEGAS	5986.52
SOUTHWESTERN EQUIPMENT CO	86.96
SPIEGEL & MCDIARMID LLP	7908.72
STRATA INC	1087.50
STUART C IRBY CO	61.45
SUNDANCE EQUIPMENT COMPAN	47.09
SUNGARD PUBLIC SECTOR INC	7617.01
THAT EMBROIDERY PLACE	1473.51
TRUGREEN CHEMLAWN	55248.00
UNIVERSAL ATHLETIC SERVIC	1995.72
U S POSTAL SERVICE/HASLER	15397.00
VANTAGE POINT SOLUTIONS I	15000.00

VERIZON WIRELESS	1234.52
WARNE CHEMICAL & EQUIPMEN	3909.00
FERGUSON ENTERPRISES, INC	1101.50
WESCO RECEIVABLES CORP	46226.71
WESTERN SERVICES LLC	5500.00
WYOMING ASSOCIATION MUNIC	200.00
WYOMING PEACE OFFICER ASS	610.00
WYOMING WATER SOLUTIONS	48.65
XYLEM WATER SOLUTIONS USA	27968.96
Y ENVIRONMENTAL	3313.79
ZOETIS INC	221.00
GILLETTE WINNELSON COMPAN	4.58
BLACK HILLS POWER & LIGHT	74945.57
BLACK HILLS POWER & LIGHT	343.95
BLACK HILLS POWER & LIGHT	221168.00
BLACK HILLS POWER & LIGHT	130269.87
BLACK HILLS WYOMING LLC	173381.27
BLACK HILLS WYOMING LLC	3333.00
BLACK HILLS WYOMING LLC	86227.00
FIRST INTERSTATE BANK OF	207.90
FIRST INTERSTATE BANK OF	415.80
FIRST INTERSTATE BANK OF	323.70
S J LOUIS CONSTRUCTION, I	1458215.58
TOTAL ADMINISTRATION SERV	38.47
TOTAL ADMINISTRATION SERV	529.00
TOTAL ADMINISTRATION SERV	48.00
UMB BANK	113830.05
WYODAK RESOURCES DEVELOPM	208097.86
WYODAK RESOURCES DEVELOPM	34431.49
DELTA DENTAL OF WYOMING	21717.75
CAMPBELL COUNTY COORDINAT	1993.02
CAMPBELL COUNTY COORDINAT	155.00
BLUE CROSS BLUE SHIELD OF	80449.08
BLUE CROSS BLUE SHIELD OF	40794.94
BLUE CROSS BLUE SHIELD OF	19051.34
EXPRESS SCRIPTS INC	24523.22
EXPRESS SCRIPTS INC	8690.28
EXPRESS SCRIPTS INC	23220.16

It was moved by Councilman Jerred 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 Carsrud and seconded by Councilman Jerred to approve a conflict claim for Mayor Carter-King for Powder River Office Supply in the amount of \$5,864.09. 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

Mayor Carter-King proclaimed Friday, July 10, 2015, as the *125th Anniversary Day of Statehood*. Charlene Busk, Campbell County Historical Society Treasurer, explained the proclamation.

For the Good of the Community

Councilman Barks expressed gratitude to the Campbell County Parks and Recreation Department for another great 4th of July Celebration.

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. There were none.

Ordinance Second Reading

ORDINANCE 15-14

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR A PORTION OF LOT A2, TRACT M, SUNBURST SUBDIVISION NO. 3, FROM M-H, MOBILE HOME DISTRICT, TO C-1, GENERAL COMMERCIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman Rothleutner and seconded by Councilman Kuntz to approve the foregoing Ordinance on second reading. 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.

ORDINANCE 15-15

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, LEGALLY DESCRIBED AS A PORTION OF TRACT 2C, ENERGY PARK THIRD ADDITION, FROM M-H, MOBILE HOME DISTRICT, TO C-1, GENERAL COMMERCIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approve the foregoing Ordinance on second reading. Mayor Carter-King asked for discussion. City Administrator Napier stated that pursuant to the direction received during discussion of the first reading of the Ordinance, a document agreement has been prepared that is being reviewed by both the current owner and the buyer. Upon their approval, the use of the property would be specifically related to a storage unit facility. Staff's recommendation was to approve the second reading, as is. The agreement will be presented to council preliminary to the third reading of the Ordinance, in which case Council will then determine if the agreement is appropriate before proceeding with the final approval of the Ordinance. Councilman Jerred asked if the Developer were to sell the property before the storage unit was built, would the usage restriction remain with the property. City Attorney Anderson stated the restrictive covenant would remain with the recorded plat, binding the lot forever. Councilman McGrath stated that he was absent for the first reading of the Ordinance, however, in speaking with residents in the area, most offered resistance to the changes proposed in the Ordinance. Mayor Carter-King stated that many residents addressed the Council with their concerns at the first reading of the Ordinance. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Rothleutner, Barks, Carsrud, Jerred, Kuntz, and Mayor

Carter-King. Council Members voting nay: McGrath. The Presiding Officer declared the motion carried.

New Business

It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approved a request from Good Times Liquor & Lounge, LLC, to relocate their dispensing room and change the dispensing room description from a 50' X 70' room in the middle of the building to a 4,155 square foot room on the east side of the building. Mayor Carter-King asked for discussion. City Administrator Napier stated that this request is to relocate the dispensing room to another part of the facility. This type of request is consistent and appropriate for approval by Council. 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.

RESOLUTION 2526

A RESOLUTION TO ESTABLISH A PROCEDURE FOR THE ISSUANCE OF RETAIL LIQUOR LICENSES

It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approve the foregoing Resolution to seek applications for the available retail liquor license. Mayor Carter-King asked for discussion. Councilman Jerred requested an explanation for the audience. City Administrator Napier explained that due to population increases, over the past five years, the State of Wyoming has issued an additional retail liquor license to the City of Gillette. Staff is proposing, with the acceptance of the Resolution, to establish a time frame by which entities interested in receiving the retail liquor license could apply to the Council. The application deadline would be August 7, after which applicants would be scheduled to meet with the Council to discuss, in detail, how they plan to utilize the retail liquor license if they are chosen to receive that asset. The Resolution outlines the deadlines and application process for the possible issuance of the retail liquor license. Councilman Jerred stated that applicants have 30 days to prepare for the process. Councilman Barks stated that Council may or may not award the liquor license based on the applications. City Administrator Napier stated that the Council is under no obligation to issue the liquor license. After the discussion, 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.

RESOLUTION 2527

A RESOLUTION DECLARING THE BLEACHERS, SPECTATOR SEATING AND PLAYING FIELDS AT DALBEY PARK AND THE ENERGY CAPITAL SPORTS COMPLEX "TOBACCO FREE"

It was moved by Councilman Rothleutner and seconded by Councilman Carsrud to amend the foregoing Resolution by changing the verbiage in the title from "Smoke Free" to "Tobacco Free". Councilman Barks asked legal counsel if amending the title would achieve the results of regulating a completely tobacco free facility. City Attorney Anderson stated that amending the title of the Resolution would not affect the verbiage in the Resolution, in that it would still restrict the use of cigarette, pipe, cigar, and electronic

cigarette (e-cigarette) smoking. Mayor Carter-King asked if this restriction would also include chewing tobacco. City Attorney Anderson replied that changing the motion would only modify the title of the Resolution and would not change the verbiage within the Resolution. City Administrator Napier suggested that the verbiage could include "all tobacco products" in the list of restricted items. Councilman Jerred asked how the restrictions would be enforced. Councilman Barks commented that from past experience with establishing policies similar to this, most people tend to police themselves and obey the rules, especially with the acceptance of smoke free zones in today's society. Councilman Jerred commented that chewing tobacco was not as obvious as smoking a cigarette, and he felt it would be more difficult to police. Councilman Kuntz stated that because this is a Resolution, not an Ordinance, the policy would not be enforced by the issuance of citations, it would be controlled by signage. Councilman Rothleutner retracted the amendment to the Resolution and restated the motion as "A Resolution Declaring the Bleachers, Spectator Seating and Playing Fields at Dalbey Park and the Energy Capital Sports Complex "Tobacco Free", and adding the verbiage of "tobacco products" to the list of restrictions. Roll was called on the amendment with the following results. Council members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Barks, Carsrud, and Mayor Carter-King. It was moved by Councilman Rothleutner and seconded by Councilman Jerred to approve the amended Resolution declaring the bleachers, spectator seating and playing fields at Dalbey Park and the Energy Capital Sports Complex tobacco free. 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 Office declared the motion carried.

Resolution No. 2528

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING UNDER THE WYOMING TRANSPORTATION ALTERNATIVES PROGRAM, (TAP) PROGRAM, ADMINISTERED BY THE WYOMING DEPARTMENT OF TRANSPORTATION.

It was moved by Councilman Rothleutner and seconded by Councilman Carsrud to approve the foregoing Resolution authorizing the filing of an application for funding under the Wyoming Transportation Alternatives Program, (TAP) Program, administered by the Wyoming Department of Transportation. Mayor Carter-King asked City Administrator Napier to explain the Resolution. City Administrator Napier explained that the Resolution would allow the City to apply for grant funding to construct a pathway that connects the Dalbey Park Fishing Lake area to the Energy Capital Sports Complex, primarily along the Sinclair right-of-way. It is anticipated that the program will be approximately a \$330,000 project, funded on an 80% basis, the match of which would be provided through the 1% Project in the Pathways program. Councilman Barks asked if the project will continue if the grant funding is unsuccessful. City Administrator Napier stated that if the grant funding is unsuccessful, the project will be brought before Council to determine an alternate means of funding. After the discussion, 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 Barks to table the consideration for the approval of a real estate listing agreement and authorization to publish a notice of land sale and call for sealed bids to sell the house and lot at 2000 Autumn Court within the City of Gillette. 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 to table the item carried.

It was moved by Councilman Rothleutner and seconded by Councilman Carsrud to approve a bid award for the base bid and additive alternate #1 for the AVA building roof replacement to Hladky Construction, Inc., in the total amount of \$254,619. Mayor Carter-King asked for discussion. Councilman Rothleutner explained that the discrepancy between the verbiage on the agenda and the motion was due to the fact that the approval will not include the additive alternate #2, therefore, the total dollar amount was reduced. After the discussion, 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 Gillette Madison Pipeline Phase III Rehabilitation Project to WBI Energy Corrosion Services in the Amount of \$547,490. 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.

Appointments

It was moved by Council President Rothleutner and seconded by Councilman Jerred to appoint Billy Montgomery to the Board of Adjustment; William Yount to the Investment Advisory Committee; and Bill Ellingson and Cindy Reardon to the Planning Commission. 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, Carsrud, and Mayor Carter-King. The Presiding Officer declared the motion carried. Mayor Carter-King expressed thanks to the appointees for volunteering to serve the community.

Administrator's Report

Mayor Carter-King asked for an Administrator's report. City Administrator Napier reported there was no report.

Special Orders of the Day

Mayor Carter-King opened into a public hearing for a zoning map amendment for Lots 5 and 6, Block 5, Moon Shadow No. 2 First Filing, from C-O, Office and Institution District, to C-P, Planned Neighborhood Business District. Mayor Carter-King asked for discussion. Hearing none, Mayor Carter-King closed the public hearing.

ORDINANCE NO. 15-16

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP
OF THE CITY OF GILLETTE, WYOMING,
FOR LOTS 5 AND 6, BLOCK 5, MOON SHADOW NO. 2 FIRST FILING,
FROM C-O, OFFICE AND INSTITUTION DISTRICT,
TO C-P, PLANNED NEIGHBORHOOD BUSINESS DISTRICT,
SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman McGrath and seconded by Councilman Jerred to approve the foregoing Ordinance on first reading. 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.

Executive Session

It was moved by Councilman Carsrud and Seconded by Councilman McGrath to move into an Executive Session on real estate. 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.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 7:35 p.m. The next regularly scheduled meeting will be Tuesday, July 21, 2015.

Mayor Louise Carter-King

(S E A L)

ATTEST:

Cindy Staskiewicz, Deputy City Clerk
Publication Date: July 15, 2015