

COUNCIL PROCEEDINGS

REGULAR

October 20, 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 20th day of October 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: Tim Carsrud, Ted Jerred, Robin Kuntz, Kevin McGrath, Dan Barks, and Mayor Louise Carter-King.

Staff present: J. Carter Napier, City Administrator; Charlie Anderson, City Attorney; Pam Boger, Administrative Services Director; Patrick Davidson, Asst. City Attorney; Kendall Glover, Utilities Director; Dustin Hamilton, Development Services Director; Tom Pitlick, Finance Director; Brent Wasson, Lieutenant; Ken Rogers, Chief Building Inspector; Levi Jensen, Utilities Project Manager; Geno Palazzari, Communications Manager; Patti Davidsmeier, Community & Gov't Relations Manager; and Karlene Abelseth, City Clerk.

Thereupon the following proceedings were had and taken:

Invocation

The Invocation was given by Pastor Dan Martin of Westside Baptist Church.

Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop 6466.

Approval of General Agenda

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

Approval of Minutes

Special Meeting - September 29, 2015

Pre-Meeting - October 6, 2015

Regular Meeting - October 6, 2015

Ordinance Second Reading

ORDINANCE 15-28

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF 40 FOOT WIDE GENERAL UTILITY EASEMENT LOCATED ON GILLETTE TECH CENTER PHASE III A RESUBDIVISION OF LOT 3, BLOCK 5, GILLETTE TECH CENTER PHASE I AND TRACT D GILLETTE TECH CENTER PHASE II, AS SHOWN ON THE EXHIBIT "A" MAP, IN THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

ORDINANCE 15-29

AN ORDINANCE APPROVING AND AUTHORIZING THE EXTENSION OF THE
BOUNDARIES OF THE CITY OF GILLETTE, WYOMING, AND
ANNEXATION OF A TRACT OF LAND KNOWN AS THE KINTZ ADDITION,
CONTIGUOUS AND ADJOINING THE PRESENT CITY BOUNDARIES AND
ESTABLISHING A C-O, OFFICE AND INSTITUTION ZONING DISTRICT, SUBJECT
TO ALL PLANNING REQUIREMENTS

New Business - Consent Agenda

Approval of a water service agreement with Eagle Ridge.

Bills & Claims

LOS ANGELES-ALLIANT INSUR	31,361.24
ROBERTA JO WOOD, MARILYN	1,750.00
JOHN WILLARD THOMPSON	1,750.00
MSDSPRO LLC	990.00
RECORD STEEL AND CONSTRU	167,221.80
BOYS AND GIRLS CLUB OF CA	33,500.00
LOS ANGELES-ALLIANT INSUR	1,500.00
CENTURYLINK - LAW ENFORCE	85.00
ACCESS DATA CORPORATION	1,119.00
ADECCO EMPLOYMENT SERVICE	825.72
ADVANCED CUTTING SYSTEMS	795.00
ALSCO	1,402.26
ANDREANNA PIERCE	50.00
ANIMAL MEDICAL CENTER OF	879.03
ANIXTER POWER SOLUTIONS	11,225.31
ARROW PRINTING AND GRAPHI	85.00
ASSURE CO RISK MANAGEMENT	500.00
LEGEND COMMUNICATIONS OF	3,212.00
BIG HORN TIRE INC	8,674.92
BLACK CAT CONSTRUCTION LL	2,340.00
BORDER STATES ELECTRIC	51,970.00
BUSINESS MAILING SOLUTION	385.00
CAMPBELL COUNTY PREDATORY	10,089.66
CAMPBELL COUNTY PUBLIC LA	271,420.40
CAMPBELL COUNTY HIGH SCHO	300.00
CAMPBELL COUNTY HOSPITAL	224.50
CAMPBELL COUNTY CLERK OFF	8.50
CAMPBELL COUNTY ENGINEERS	1,417.50
CAMPBELL COUNTY PUBLIC HE	163.00
CAMPBELL COUNTY TREASURER	165,793.69
CARRILLO, TRINA	200.00
CDW GOVERNMENT INC	6,426.46
CENTURYLINK	371.28
CENTURYLINK	2,811.08
CHILDREN'S HOME SOCIETY	125.00
CITY OF GILLETTE - PETTY	127.93
CLARK SAFETY INC MONTE RU	1,100.00
COLLECTION PROFESSIONALS	63.83
COLLINS COMMUNICATIONS IN	9,236.81
CONTRACTORS SUPPLY INC	5,507.19
CPO-WYOMING	650.00
CPS DISTRIBUTORS	371.50
CUES INC	254.13
CUMMINS ROCKY MOUNTAIN IN	1,302.90
DALE BUCKINGHAM ARCHITECT	85.00
DANA KEPNER COMPANY INC	3,490.55
DEPARTMENT OF ENERGY	365,865.66
DESERT MOUNTAIN CORPORATI	10,902.51
DILLEY, MATT & LORA	211.34
DOWL LLC	112.50

DRM INC	43,217.64
DXP ENTERPRISES INC	493.75
WAYNE E. ECKAS, P.E.	8,590.99
EDGE CONSTRUCTION SUPPLY	153.96
ENERGY CAPITAL ECONOMIC D	30,000.00
ENERGY LABORATORIES INC	67.50
FAIRMONT SUPPLY COMPANY	498.16
FARMER BROTHERS COMPANY	815.90
LISA K FINKEY	120.00
FIREMASTER DEPT 1019	4,894.10
FIRST AMERICAN TITLE	250.00
FORCE AMERICA INC	100.01
UNTAMED DESIGN LLC	966.44
FRANDSON SAFETY INC	1,071.00
DALE HELSPER	375.00
GILLETTE ENERGY ROTARY CL	71.50
GILLETTE HOCKEY ASSOCIATI	5,000.00
GILLETTE PRINTING COMPANY	93.65
GILLETTE WINNELSON COMPAN	718.88
GOURMET ON THE GO LLC	468.00
GREEN EARTH SUPPLY	3,588.00
GREEN STEPS INC	4,015.00
GW CONSTRUCTION, LLC	3,370.00
HLADKY CONSTRUCTION	15,239.08
HOMAX OIL	49,767.15
HUNTER, HOLLY	30.64
INTERNATIONAL INSTITUTE O	195.00
IMPACT RECOVERY SYSTEMS,	679.45
INTEGRATED INFORMATION SO	700.00
INTER-MOUNTAIN LABS INC	80.00
INTERSTATE COMPANIES INC	135.93
IT OUTLET INC	69,310.00
JENNIFER IVORY	50.00
JACKS HEAVY EQUIPMENT	627.28
JLC SIGN SYSTEMS INC	13.50
JOHNSON CONTROLS INC	2,655.76
JOURNAL COMMUNICATIONS IN	3,575.00
DEBRA SEMPLE	1,805.00
KOIS BROTHERS EQUIPMENT C	996.31
KRIZ-DAVIS COMPANY	12,015.44
ROBIN KUNTZ	14.98
LANNAN'S SUPPLY COMPANY	36.52
LONG BUILDING TECHNOLOGIE	11,814.93
LONG'S PLUMBING & HEATING	5,189.20
LOUISE CARTER KING	23.73
MAGLIN CORPORATION	27,162.25
MCM GENERAL CONTRACTORS	52,314.07
MIDLAND IMPLEMENT CO INC	1,214.07
BRIAN HARTLE	300.00
CHARLIE ANDERSON	59.45
CRAIG BELECKY	300.00
DANIEL KLUVER	300.00
DAWN STROSCHEIN	130.00
DUSTIN HAMILTON	111.70
ERIC WELTMER	300.00
GRANT MUNN	461.50
GREG LINGRUEN	66.24
JACQUIE ARY	481.00
JERRY MARTINEZ	86.79
JOHN AGUIRRE	42.38
KENDALL WIGGER	300.00
MARK WERNSMANN	300.00
PATRICK DAVIDSON	24.01
RAY LONG	80.00

SHANE BELECKY	484.00
WAL-MART	57.42
ALYSHIA VIGIL	20.00
ARIEL APARTMENTS	100.00
CHARTER BUSINESS PLANNING	87.50
COURTNIE HANSON	100.00
FAIRWAY ESTATES, LLC	150.00
FAYE GUEDESSE	87.50
JASON MATERI	25.00
JEFFERY RIESLAND	100.00
KATHRINE ZELESKI	189.00
MAVERIK EAST	100.00
MICHAEL TIEFENTHALER	25.00
MOTEL 6	100.00
RAY CASSELL	250.00
SHADOW RISHER	200.00
ABBOTT, TYLER	109.68
ALVARADO, CLEMENTE	178.59
BANKS, JORI	112.19
BAXTER CONSTRUCTION CO	151.06
BRUNS, BREIANN	152.37
CAROTHERS, DANIEL	113.81
CITY OF GILLETTE	111.72
COWLES, TAMI	57.56
DELGADO, SANTIAGO & SIERR	181.23
DESERT RUN APARTMENTS II	42.34
DESERT RUN APARTMENTS II	69.45
DRINKARD, GREGORY & EMILY	181.47
EBY, PAUL & MARIE	68.88
ELLINGTON, GARY	152.73
FARMER, ED & EMMA	86.17
FOOTHILLS APARTMENTS	44.97
FOOTHILLS APARTMENTS	61.28
FUENTES, HECTOR	163.04
GASPERS, STEPHEN	50.00
GATZKE, BRIAN	29.77
GLASS, TARA	151.17
HABBYSHAW, NICOLE & NATHA	23.12
HAMEL, GREGORY	384.53
HIGH NOON ENERGY	305.79
JARDEE, IVAN & BONNIE	159.79
LATHROP, SUSAN & ROBERT	53.09
LICKING, KELLY & LEVI	120.53
MCNEIL, CHAD & KIM	38.91
MILLER, ALYSEN	54.46
MOLNAR, DONALD	187.52
MOORE, JAMES	47.30
PELESKY, JAMES	104.70
PLANT, KAREN	64.23
RAZOR CITY VAPOR	120.03
REDMAN, CHRISTINA & PATRI	151.77
RODAS-BOTELLO, MAGDIEL	166.82
ROMERO, CHRISTOPHER	90.99
SANTIAGO, CARLOS	25.28
SLAWSON, REBECCA & CANNON	88.94
SOUTH FORK APARTMENTS, LL	25.67
SOUTH FORK APARTMENTS, LL	31.42
SOUTH FORK APARTMENTS, LL	33.58
SOUTH FORK APARTMENTS, LL	37.49
SOUTH FORK APARTMENTS, LL	69.88
SPRAGUE, DULCEY	27.28
SWAIN, MELINDA	35.03
THUNDER ROCK LP	37.50
TILLOTSON, JESSE	136.69

VODENIK, MICHELLE	96.79
ZIMMERSCHIED, SARA	71.21
MOTOROLA GOVERNMENT MARKE	12,683.16
NEWMAN SIGNS INC	50.93
NEWS RECORD	10,337.86
NORCO INC	3,319.88
OCCUPATIONAL TESTING INC	775.25
ONE CALL OF WYOMING COPR	417.75
ONLINE INFORMATION SERVIC	724.62
OXENFORD CONSULTING LLC	1,500.00
PAINTBRUSH SEWER & DRAIN	21,971.75
PC NATION	411.72
PCA ENGINEERING INC	8,294.93
PINKERTON CONSULTING & IN	347.45
PITNEY BOWES INC	100.28
POWDER RIVER ENERGY CORPO	6,514.23
POWDER RIVER SHREDDERS LL	100.00
PROELECTRIC INC	25,451.59
QUALITY UTILITY EQUIPMENT	603.38
RAILROAD MANAGEMENT CO LL	176.86
RAPID FIRE PROTECTION INC	368.00
RAZOR CITY RENTAL	6.00
RDJ SPECIALTIES INC	1,313.12
RYAN SANITATION	2,789.00
SAFETY-KLEEN SYSTEMS INC	791.81
SALT LAKE WHOLESALE SPORT	6,389.16
SCOTT BROTHERS INC	8,502.90
SOUTHERN COMPUTER WAREHOU	137.66
SHANE SCHULTZ PLUMBING &	864.06
SKILLSOFT CORPORATION	3,265.02
SKIP TO MY LOU CATERING	2,725.00
SOLOMON ELECTRIC SUPPLY	255.00
SOURCEGAS	2,293.25
SPIEGEL & MCDIARMID LLP	12,324.63
SPRING CREEK DESIGNS	125.00
STOTZ EQUIPMENT	134.35
STRATA INC	2,431.00
STUART C IRBY CO	613.49
SUNDANCE EQUIPMENT COMPAN	200.12
THAR'S FEED & RANCH SUPPL	125.00
THAT EMBROIDERY PLACE	331.60
THUNDER BASIN VETENARIAN	50.00
TIM CARSRUD	21.50
TITAN MACHINERY INC	170.60
TYLER TECHNOLOGIES INC	30,350.00
VERIZON WIRELESS	1,551.42
VISIONARY COMMUNICATIONS	453.64
WAGONER, JEFF	211.73
WARNE CHEMICAL & EQUIPMEN	1,198.00
WASTE CONNECTIONS, INC.	726.30
FERGUSON ENTERPRISES, INC	1,835.30
WESCO RECEIVABLES CORP	15,752.67
WESTERN SERVICES LLC	3,000.00
WESTERN STATIONERS	3,080.33
WESTERN WASTE SOLUTIONS I	10,216.30
WILLBROS CONSTRUCTION LLC	211.68
WOODARD, MICHELLE	200.04
WWQ & PCA ASSOC	340.00
WYOMING DEPARTMENT OF HEA	1,095.00
WYOMING ASSOCIATION MUNIC	110.00
WYOMING CONFERENCE BUILDI	150.00
WYOMING DEPT OF TRANSPORT	779.31
WYOMING WORK WAREHOUSE IN	152.99
XEROX CORPORATION	1,932.13

YOUTH EMERGENCY SERVICES	37,500.00
AT ARCHITECTURE	7,170.35
BRUCE ENGINEERING SERVICE	19,087.75
CITY CLERK OFFICE	4,775.20
CONSOLIDATED ENGINEERS IN	24,616.98
RICHARD DOUGLAS DUMBRILL	6,257.55
DOWL LLC	46,557.75
DRM INC	250,125.77
EARTH WORK SOLUTIONS	366,273.27
ENVIRONMENTAL & CIVIL SOL	21,700.25
FIRST NATIONAL BANK OF GI	132,696.33
FIRST NORTHERN BANK OF WY	4,242.99
HDR ENGINEERING INC	92,481.57
HLADKY CONSTRUCTION	349,571.02
HOT IRON	484,139.49
KADRMAS LEE & JACKSON INC	30,384.72
MELGAARD CONSTRUCTION COM	193,928.18
MOA WYOMING INC	170,292.06
MORRISON MAIERLE INC	47,796.29
PCA ENGINEERING INC	75,834.18
POWDER RIVER CONSTRUCTION	828,364.04
S & S BUILDERS	507,517.32
SCHUTZ FOSS ARCHITECTS PC	21,638.70
SIMON CONTRACTORS	370,548.52
VAN EWING CONSTRUCTION	96,601.68
FIRST INTERSTATE BANK OF	103.95
TOTAL ADMINISTRATION SERV	490.62
WYODAK RESOURCES DEVELOPM	34,431.49
BLUE CROSS BLUE SHIELD OF	11,754.60
BLUE CROSS BLUE SHIELD OF	38,410.71
BLUE CROSS BLUE SHIELD OF	30,977.84
EXPRESS SCRIPTS INC	36,750.18
EXPRESS SCRIPTS INC	8,044.39

It was moved by Councilman Jerred and seconded by Councilman Barks 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, Barks, and Mayor Carter-King. The Presiding Officer declared the motion carried.

Approval of Conflict Claims - General Agenda

It was moved by Councilman McGrath and seconded by Councilman Barks to approve a conflict claim for Councilman Carsrud in the amount of \$21.50 for internet reimbursement. 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, Barks, and Mayor Carter-King. Councilman Carsrud abstained. The Presiding Officer declared the motion carried.

It was moved by Councilman Barks and seconded by Councilman McGrath to approve a conflict claim for Mayor Carter-King in the amount of \$23.73 for internet reimbursement. 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, Barks, Carsrud, and Jerred. Mayor Carter-King abstained. The Presiding Officer declared the motion carried.

It was moved by Councilman Jerred and seconded by Councilman Barks to approve a conflict claim for Councilman Kuntz in the amount of \$14.98 for internet reimbursement. Mayor Carter-King asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Barks,

Carsrud, Jerred, and Mayor Carter-King. Councilman Kuntz abstained. The Presiding Officer declared the motion carried.

Oral Comments

For the Good of the Community

Mayor Carter-King announced the resignation of Council Member Forrest Rothleutner and thanked him for his service on the Governing Body.

Councilman Barks reported on the recently updated population signs 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 several phone calls and emails received regarding the issuance of the retail liquor license.

Ordinance Second Reading

ORDINANCE 15-25

AN ORDINANCE TO AMEND THE GILLETTE CITY CODE, TO ADOPT AND AMEND THE 2015 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL EXISTING BUILDING CODE AND REPEAL SECTION 5-I-11 *ADOPTION OF CONSTRUCTION DESIGN REQUIREMENTS FOR NEW HEALTHCARE FACILITIES AND HEALTHCARE FACILITY ALTERATIONS AND ADDITIONS*

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

ORDINANCE 15-26

AN ORDINANCE TO AMEND SECTION 5-IV-1(a) AND SECTION 5-IV-3(a) OF THE GILLETTE CITY CODE CONCERNING PLAN REVIEW AND PERMIT FEES

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

ORDINANCE 15-27

AN ORDINANCE TO ENACT STANDARDS FOR RESIDENTIAL FIRE SUPPRESSION SYSTEM LICENSES, BY AMENDING SECTION 5-III-5 AND SECTION 5-III-7 OF THE GILLETTE CITY CODE, ENACTING ARTICLE III (D) *RESIDENTIAL FIRE*

SUPPRESSION SYSTEM LICENSES, AND RENUMBERING GILLETTE CITY CODE
SECTIONS AFTER 5-III-23.

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

New Business

It was moved by Councilman Carsrud and seconded by Councilman Barks to approve a professional services agreement for design and bidding services associated with the concrete apron repair Z1-R4 (Southern Drive Tank) and driveway repair Z1-R5 (Hidden Valley Tank) project with Morrison-Maierle, Inc., in the amount of \$29,953 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the repairs of the two tanks. It is anticipated, from a budgetary standpoint, that this could amount to as much as \$425,000 in terms of the full scope of the project. Councilman Jerred asked the age of the concrete. Mr. Napier reported that he did not have this information available, however, staff would gather the information for the upcoming General Information Packet. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Barks, Carsrud, Jerred, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve a bid award for the Gillette Madison Pipeline Project, Contract #2a, to Layne Christensen Company, in the amount of \$14,027,028. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this is an extensive well project. There will be three (3) wells drilled as part of the scope of this project. Three (3) bid proposals were received with Layne Christensen Company appearing to be the low bidder with respect to the alternate and base bid they submitted. The engineer's estimate for the project was approximately, \$14,800,000. Jason Lamb, Boart Longyear Drilling Services, asked the Council to practice their right to negotiate terms and conditions and consider the amount of money that would be saved by looking at the base bids. According to Mr. Lamb, it would be a 1.5 million dollar savings on the base bids and a \$100,000 savings on the alternative bids. In closing, he asked, if the other drilling company is awarded the bid, to keep Boart Longyear Drilling Services in mind for future projects. Councilman Barks commented on the timing urgency and Councilman Jerred asked if Mr. Lamb's company has drilled holes in this area. Mr. Lamb stated that he has not, but would like the opportunity to show the different methods and tools being used. Nathan Anderson, District Manager, Layne Christensen Company's Denver office, reported on the successful drilling projects regarding the first two Madison test wells. He pointed out verbiage in the bid spec's regarding the award of a bid and the consideration of both the base bid and additive alternatives in making the determination. He then pointed out issues that were encountered in drilling the first two wells and stated that the issues were covered under the added alternatives. He added that Layne Christensen Company responded to the bid with no clarifications and no qualifiers. His company understands the terms and the risks. Councilman Jerred asked if Mr. Anderson is confident that the three wells will be drilled in the allotted amount of time. Mr. Anderson confirmed he is confident that the three wells will be drilled in the allotted amount of time; they have the same tools and the same tool pusher. Councilman

Barks asked if more wells will need to be drilled in the future. Utilities Project Manager Jensen confirmed there will be, when the demand is there for future wells. Seven wells are anticipated in the future and the location for the next phase of the well field is being reviewed. The timeline is approximately, five to ten years, depending on population growth. Mr. Lamb stated that he does not agree with Mr. Anderson's comments regarding the successful drilling project of the Madison wells. When liquidated damages are entertained and paid out, he doesn't feel as if this was a successful project. Councilman McGrath commented that he supports awarding the bid to Layne Christensen Company as the State is also in agreement with awarding the bid to this company. After the discussion, roll was called on the motion with the following results. Council Members voting aye: McGrath, Barks, Carsrud, Jerred, Kuntz, and Mayor Carter-King. The Presiding Officer declared the motion carried.

RESOLUTION 2542

A RESOLUTION CONCERNING THE FINANCING OF THE CONSTRUCTION AND EQUIPMENT OF A DORMITORY ON THE NORTHERN WYOMING COMMUNITY COLLEGE DISTRICT/GILLETTE COLLEGE CAMPUS, TO BE LEASED BY THE CITY OF GILLETTE, WYOMING, FROM THE GILLETTE COLLEGE STUDENT HOUSING PHASE II STATUTORY TRUST; AUTHORIZING AND APPROVING THE SITE LEASE, THE LEASE PURCHASE AGREEMENT, A PURCHASER AGREEMENT, WRITTEN PROCEDURES RELATING TO TAX-EXEMPT OBLIGATIONS OF THE CITY, AND RELATED DOCUMENTS AND TRANSACTIONS; RATIFYING ACTION PREVIOUSLY TAKEN; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE THEREOF.

It was moved by Councilman Jerred and seconded by Councilman Carsrud to approve the foregoing Resolution concerning the financing of the construction and equipment of a dormitory on the Northern Wyoming Community College District/Gillette College Campus, to be leased by the City of Gillette, Wyoming, from the Gillette College Student Housing Phase II Statutory Trust. Mayor Carter-King asked for an explanation of the request. City Administrator Napier explained the resolution will allow staff to move forward with the closing that will create the statutory trust that allows for the issuance of Certificates of Participation. He informed Council that the Resolution distributed at the Pre-Meeting is the one to be considered for approval versus the Resolution that was in the Council packet. It is his understanding that the only correction is to the dollar amount. City Attorney Anderson explained that the final price for the project was determined today. He then reported on other agreements that will be approved in the Resolution, as well. Councilman Jerred asked if local lending institutions showed any interest. Mr. Napier reported that no local lending institutions showed interest. Councilman Kuntz asked for the dollar amount. City Attorney Anderson reported \$11,650,000 is the amount of the certificate; the City is also spending \$1,000,000 that was budgeted for this project. Mayor Carter-King asked if there is a completion date. Development Services Director Hamilton reported the goal for the project is to be open in the fall of 2016. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Barks, Carsrud, Jerred, Kuntz, McGrath, and Mayor Carter-King. The Presiding Officer declared the motion carried.

RESOLUTION 2543

A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE RESUBDIVISION OF TRACT B1, RC RANCH PHASE 1, TO THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

It was moved by Councilman Jerred and seconded by Councilman Barks to approve the foregoing Resolution approving and authorizing the final plat for the resubdivision of Tract B1, RC Ranch, Phase I, to the City of Gillette, Wyoming, subject to all Planning requirements. Mayor Carter-King asked for discussion. Councilman Jerred noted that this is the portion that will serve the new fire station. Roll was called on the motion with the following results. Council Members voting aye: Carsrud, Jerred, Kuntz, McGrath, Barks, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Carsrud and seconded by Councilman McGrath to authorize the Chophouse to apply for the available retail liquor license. Mayor Carter-King stated that four very good applicants were considered and this was a very hard decision. Brent Eischeid, Chophouse, thanked the Council for their service and the opportunity to apply for the retail liquor license. He then reported that he is willing to tie stipulations to the issuance of the retail liquor license and explained their upcoming remodeling efforts. Mayor Carter-King inquired about the stipulations as part of the consideration for the liquor license. City Attorney Anderson stated that notes from the presentation and power point would be used in the verbiage regarding stipulations for the issuance of the liquor license. Discussions with the applicant regarding these stipulations have taken place and the applicant indicated he would agree to them. Mayor Carter-King reminded everyone that this consideration is not to award the liquor license, but to begin the application process only. There will be a public hearing, at which time the issuance of the liquor license will be considered. Councilman Kuntz reported the many calls and questions he has received. Councilman Jerred stated that consideration needs to be taken on what will generate new income for the City. Debra Heron, Walmart, thanked the Council for their public service and time regarding this matter. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Carsrud, and Mayor Carter-King (who explained that she did not want a tie and, therefore, would vote with the majority). Voting nay: Jerred and Barks. The Presiding Officer declared the motion carried.

RESOLUTION 2544

A RESOLUTION TO PROVIDE WATER TO THE BENNOR IMPROVEMENT AND SERVICE DISTRICT ON AN EMERGENCY BASIS.

It was moved by Councilman Carsrud and seconded by Councilman McGrath to approve the foregoing Resolution to provide water to the Bennor Improvement and Service District on an emergency basis. Utilities Director Glover explained that the Bennor Improvement and Service District is under an EPA mandate to find an alternative water source, immediately. This will put in place the ability to include this water district, on an emergency basis, and that they be charged the anticipated Madison water rate for regional customers. Councilman Jerred noted that the Bennor Improvement and Service District has agreed to the voluntary restricted watering schedule. Lynn Gray thanked the Council for their consideration in this matter. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Barks, Carsrud, Jerred, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman McGrath and seconded by Councilman Barks to accept public improvements for the School Zone Crossings Phase I Project, installed by Powder River Construction, Inc., in the amount of \$236,117.79 (1% Project). Councilmen McGrath and Jerred

commented on the visibility of the beacons. City Administrator Napier added that this project is also a partnership with WYDOT in an 80/20 format and reported a savings of over \$14,000. After the explanation, roll was called on the motion with the following results. Council Members voting aye: McGrath, Barks, Carsrud, Jerred, Kuntz, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Carsrud and seconded by Councilman Barks to accept public improvements for the Raymond Street Improvements Project installed by Melgaard Construction Company, Inc., in the amount of \$301,902.75 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the improvements and timeliness of the project. After the explanation, roll was called on the motion with the following results Council Members voting aye: Barks, Carsrud, Jerred, Kuntz, McGrath, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Jerred and seconded by Councilman Barks to approve a professional services agreement for design and bidding services associated with the Pavement Management System 2016 Schedule A Project, with Morrison-Maierle, Inc., in the amount of \$110,214 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this is a pavement management project that will include several areas near Brooks Avenue. Mr. Napier expressed concern regarding the impact it could have on the community where Brooks Avenue crosses the railroad; there may be a closing of this crossing for a time. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Jerred, Kuntz, McGrath, Barks, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Barks and seconded by Councilman Carsrud to accept public improvements for the Gurley Overpass Pier 5 and Abutment 2 Structural Repair Project, completed by S&S Builders, LLC, in the amount of \$159,611.96 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the project. There were no delays and the project netted a savings of over \$8,000. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Barks, Carsrud, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Carsrud and seconded by Councilman McGrath to approve a professional services agreement for evaluating, modeling, and updating the City of Gillette's Transportation Master Plan, with DOWL, in the amount of \$131,819 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the Transportation Plan and stated that it is time to update the Plan in order to be relevant into the future. After the explanation, roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Barks, Carsrud, Jerred, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve a professional services agreement for design associated with the Boxelder Road enhancements from Emerson Avenue to Hwy 59, with PCA Engineering, Inc., in the amount of \$125,192 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this aspect of the project will provide for the design to straighten out the "S" curve on Boxelder Road from Emerson Avenue, east, to Hwy 59.

Councilman Barks asked for a timeline of the project. Development Services Director Hamilton explained that the budget only provides for the design at this point. The budget will also provide for an interim traffic light located at Kmart's north approach. The actual construction has not been budgeted for. After the discussion, roll was called on the motion with the following results. Council Members voting aye: McGrath, Barks, Carsrud, Jerred, Kuntz, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman McGrath and seconded by Councilman Carsrud to approve a professional services agreement for design and bidding services associated with the Alley 2016 Pavement Management System, with Bruce Engineering, Inc., in the amount of \$35,983 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the conditions of the alleys and that the downtown area will be the benefactor of the alley improvement project. Steve Bruce thanked the Council for their consideration. Councilman McGrath asked that the citizens in the area be notified regarding the project. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Barks, Carsrud, Jerred, Kuntz, McGrath, and Mayor Carter-King. The Presiding Officer declared the motion carried.

Appointments

It was moved by Councilman McGrath and seconded by Councilman Barks to appoint Councilman Tim Carsrud as Council President for the remainder of 2015 and for 2016. 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, Barks, and Mayor Carter-King. Councilman Carsrud abstained. The Presiding Officer declared the motion carried.

It was moved by Council President Carsrud and seconded by Councilman Barks to appoint Matt Stroop to the Parks & Beautification Board. 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, Barks, Carsrud, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Council President Carsrud and seconded by Councilman Barks to table the appointment of a City Board Member to the Boys and Girls Club Board. Roll was called on the motion with the following results. Council Members voting aye: Kuntz, McGrath, Barks, Carsrud, Jerred, and Mayor Carter-King. The Presiding Officer declared the motion carried and the appointment tabled.

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 a public hearing to consider amendments to the Gillette City Budget for FY2015/2016. City Administrator Napier explained the items with respect to the amendment request. He assured Council that more dollars are not being requested; the primary function of the amendment is to carry dollars forward from projects that were budgeted in the previous fiscal year in order to book those projects in the new fiscal year. He added that a large

part of the amendment has to do with the Madison Pipeline. After the explanation, Mayor Carter-King closed the public hearing.

RESOLUTION 2545

A RESOLUTION AMENDING THE GILLETTE CITY BUDGET FOR THE 2015-16 FISCAL YEAR PURSUANT TO W.S. 16-4-113

It was moved by Councilman Jerred and seconded by Councilman Carsrud to approve the foregoing Resolution amending the Gillette City Budget for FY2015/2016. Mayor Carter-King asked for discussion. There was none. Roll was called on the motion with the following results. Council Members voting aye: McGrath, Barks, Carsrud, Jerred, Kuntz, and Mayor Carter-King. The Presiding Officer declared the motion carried.

Mayor Carter-King opened into a public hearing for a zoning map amendment for a portion of Tract B1, RC Ranch Phase I, from A, Agricultural District, to C-1, General Commercial District. City Administrator Napier explained the amendment request is to change the zoning from agricultural to C-1, general commercial. As a side note, a portion of the land in question will be dedicated to the development of a new road known as Wenger Drive to primarily access the new fire station.

ORDINANCE 15-30

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR A PORTION OF TRACT B1, RC RANCH PHASE 1, FROM A, AGRICULTURAL DISTRICT, TO C-1, GENERAL COMMERCIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

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

Adjournment

There was no further business to come before the Council and the meeting was adjourned at 8:06 p.m. The next regularly scheduled meeting will be Monday, November 2, 2015.

Mayor Louise Carter-King

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk
Publication Date: October 28, 2015