

COUNCIL PROCEEDINGS

REGULAR

March 15, 2016

7:06 p.m.

A meeting of the City Council, of the City of Gillette, County of Campbell, State of Wyoming, was held on Tuesday, the 15th day of March 2016, 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: Dan Barks, Tim Carsrud, Ted Jerred, Kevin McGrath, Billy Montgomery, and Mayor Carter-King.

Council Member absent: Robin Kuntz.

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; Sawley Wilde, Public Works Director; Chuck Deaton, Lieutenant; Steven Peterson, Utilities Manager; 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 Chris McFadden with New Life Wesleyan Church.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilman Jerred.

Approval of General Agenda

It was moved by Councilman Jerred and seconded by Councilman McGrath to approve the General Agenda. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

Approval of Minutes

Executive Session - February 2, 2016

Work Session - February 23, 2016

Pre-Meeting - March 1, 2016

Regular Meeting - March 1, 2016

Ordinance Third Reading - Consent Agenda

ORDINANCE 3884

AN ORDINANCE APPROVING AND AUTHORIZING THE AMENDED CONDOMINIUM PLAT OF BIG TOY STORAGE OF BUILDING "A" TO THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

ORDINANCE 3885

AN ORDINANCE PROVIDING FOR THE REPEAL OF ORDINANCE NO. 3711 WHICH APPROVED AND AUTHORIZED THE CONDOMINIUM PLAT FOR BIG TOY STORAGE, BUILDING B, LOCATED ON A PORTION OF LOT 2, MOON MEADOW ESTATES SUBDIVISION #5 TO THE CITY OF GILLETTE, WYOMING, SUBJECT TO ALL PLANNING REQUIREMENTS

ORDINANCE 3886

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, FOR PROPERTY GENERALLY LOCATED AT 1490 HARVEST MOON DRIVE AND LEGALLY DESCRIBED AS A PORTION OF LOT 2A MOON MEADOW ESTATES NO. 5, A RESUBDIVISION OF LOTS 1 & 2 OF MOON MEADOW ESTATES NO. 5, A RESUBDIVISION OF TRACT R OF MOON MEADOW ESTATES NO. 3, FROM R-4, MULTI-FAMILY RESIDENTIAL DISTRICT TO C-1, GENERAL COMMERCIAL DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

New Business - Consent Agenda

Approval of a mutual non-disclosure agreement between Qwest Corporation, d.b.a. CenturyLink QC, and the City of Gillette.

Approval of a professional services agreement for fiber construction standards with Vantage Point Solutions, Inc., in the amount of \$12,800.

Bills & Claims

EMPIRE RANCH INC	43.04
DAYLEENA BRANDENBURG	148.39
GILLETTE COLLEGE	83,750.00
TWO M COMPANY INC	500.90
ABBOTT, JACOB	123.58
ADOBE SYSTEMS INC	218.57
ALCHEMY ARTS LLC	19,335.00
ALLEY, CINDY	359.94
ALSCO	2,552.38
AM SIGNAL INC	496.85
ANIXTER POWER SOLUTIONS	2,748.38
ARROW PRINTING AND GRAPHICS INC	85.00
ASSOCIATED CONSTRUCTION ENGINEERING INC	420.00
AT ARCHITECTURE	21,506.25
AUTOMATED MERCHANT SYSTEMS INC	20,103.06
AVI SYSTEMS	15,507.00
BADOUR, STACEY	72.39
BEAR'S NATURALLY CLEAN	34.80
BEARLODGE LTD INC	2,507.50
BLACK CAT CONSTRUCTION LLC	30,295.90
BLAZEK, JEREMY	205.71
BORDER STATES ELECTRIC	1,610.00
BOSS ENTERPRISES INC	900.00
BREN, CINDY	143.55
UPSTATE WHOLESALE SUPPLY, INC	27,895.00
CAMPBELL COUNTY MASTER GARDENERS	250.00
CAMPBELL COUNTY SENIOR CITIZEN CENTER	1,163.00
CAMPBELL COUNTY HOSPITAL DISTRICT	449.00
CAMPBELL COUNTY ENGINEERS	73,396.75
CASA 6TH JUDICIAL DISTRICT COURT	50.00

CENTURYLINK	344.57
CENTURYLINK	2,808.77
CHAMBERS, BROOKE	186.83
CITY OF BUFFALO	2,375.00
CNA SURETY	100.00
COLLINS COMMUNICATIONS INC	4,399.32
CONSOLIDATED ENGINEERS INC	5,810.01
CONTRACTORS SUPPLY INC	4,325.87
CRUM ELECTRIC SUPPLY COMPANY	2,564.80
CUMMINS ROCKY MOUNTAIN INC	572.41
CURRY GARAGE DOOR COMPANY	3,020.00
DESERT MOUNTAIN CORPORATION	32,061.91
CAROL ANN TREIDE	169.00
DIEBOLD INC	5,376.67
DOWL LLC	47,796.21
DRAPER, STEPHEN	67.82
DRM INC	83,975.48
DXP ENTERPRISES INC	28.50
WAYNE E. ECKAS, P.E.	11,670.00
EMPLOYMENT TESTING SERVICES INC	175.00
ENERGY LABORATORIES INC	457.00
FARMER BROTHERS COMPANY	284.50
FARMER CO-OP	111.97
FASTENAL COMPANY	729.99
FEDEX	430.52
FIRST INTERSTATE BANK OF GILLETTE	19,935.00
FIRST NATIONAL BANK OF GILLETTE	69,261.56
FRANDSON SAFETY INC	256.00
CRAIG FURMAN	50.00
GADES SALES COMPANY INC	3,198.65
GILLETTE MAIN STREET	2,500.00
GILLETTE REPRODUCTIVE HEALTH	15,000.00
GILLETTE STEEL CENTER	1,839.00
GILLETTE WINNELSON COMPANY	50.92
GIT-R-DONE SITE SERVICES, INC	120.00
GOVOLUTION, LLC	1,301.30
GRAYBAR ELECTRIC COMPANY, INC	16,437.86
GROVES-KUBACHER, ANNIE	90.00
GROVES-KUBACHER, ANNIE	94.20
HATZENBIHLER, KEVIN & KIM	152.32
HDR INC - US ENGINEERING ACCOUNTS RECEIVABLE	25,838.62
HENDRICKS, DEVYN	205.65
HLADKY CONSTRUCTION	783.65
HOMAX OIL	19,660.71
HOMES & MORE, CLASSIFIEDS & MORE	349.00
HOT HEAD VAPOR	411.16
INTER-MOUNTAIN LABS INC	75.00
INTERNATIONAL LEAGUE OF CITIES	1,000.00
INTERSTATE COMPANIES INC	906.46
IRETON, JOANNE & SEAN	205.71
IT OUTLET INC	5,000.00
JENNIFER IVORY	50.00
JLC SIGN SYSTEMS INC	39.95
JOHNSON CONTROLS INC	6,968.13
KADRMAS LEE & JACKSON INC	16,931.77

KOIS BROTHERS EQUIPMENT COMPANY	2,170.00
KRIZ-DAVIS COMPANY	4,369.12
ROBIN KUNTZ	14.98
LANNAN'S SUPPLY COMPANY	48.68
LIND, MICHAEL W	146.19
LOUISE CARTER KING	23.73
LUTZ, THOMAS	206.12
MCINTOSH, CRIMSON	92.06
MCM GENERAL CONTRACTORS	699.43
MIDLAND IMPLEMENT CO INC	153.59
BETH COCKRUM	76.14
MICHAEL COLE	243.78
MIKE POTER	79.93
NATALIE BUCKWALD	413.20
RANDY MILLIRON	279.79
STEVEN PETERSON	125.82
SARAH DECKER	580.00
4T PAWN	10.00
ALYSHIA VIGIL	50.00
CHADIA PATTERSON	100.00
CINDELIN MCCALLUM-PORTER	80.00
CITY OF GILLETTE	51.38
JIM RODGERS	23.62
JORDAN GLICK	300.00
KATHI CATES	100.00
MIKE HAGERMAN	100.00
SCOTT SETTLES	250.00
TIFFANY MIKOLICH	1,248.97
TINA JACKSON	100.00
TODD CRASE	200.00
TONJA SLATER	100.00
WAL-MART	200.83
WENDELL BLEVINS	218.98
CORTEZ, MIGUEL	81.59
DEATON, BROOKELYN & COLE	174.62
DFM, LCC	27.45
DILLMAN, TRAVIS	51.66
DUNCAN, KEVIN	166.62
EDGAR, KEVIN	100.03
GFS CORPORATION	111.44
GFS CORPORATION	272.04
GRAY, AARON	56.52
HOLMES, CINDY	156.80
JOHNSTON, CUSTER	166.92
LYNCH, MARK	94.47
MANN, SCOTT	21.95
MCDUGALD, ANGEL	150.71
MY JUNK YOUR TRUNK	214.53
NELSON, ELIZABETH & CHARLES	355.42
ODOAN, DEBBIE	125.29
REICHERT, JARED	80.90
SANDERS, HENRY	117.28
SHULTZ, PAMELA	29.90
THOMPSON, TYSON	120.75
WEAVER, ZAKERY	129.22

MONTGOMERY, EMELL & DESIREE	151.06
MORRISON MAIERLE INC	27,874.28
BJ NELSON/NELSON AUTO GLASS	200.00
NEVE'S UNIFORM INC	681.62
NEW CAREER FAIR	100.00
NEWS RECORD	6,864.40
NORCO INC	3,597.63
NORTON CONSTRUCTION	179,415.00
PAPER PLUS	50.22
PARAGON PRINT SYSTEMS INC	8,149.80
PCA ENGINEERING INC	32,637.06
PICKETT, TIFFANY	152.55
PINKERTON CONSULTING & INVESTIGATION	61.85
POKEYS BBQ	925.00
POPP, ALARIC	103.91
POWDER RIVER CONSTRUCTION	75,157.92
POWDER RIVER ENERGY CORPORATION	761.21
PROELECTRIC INC	138.00
QUALITY UTILITY EQUIPMENT SUPPLY & TOOLS INC	1,099.27
RAILROAD MANAGEMENT CO LLC	176.86
RAMIREZ, MARIA	205.62
RESOURCE ACTION PROGRAMS	897.00
ROBISON, JELISA	205.67
ROCKY MOUNTAIN BUSINESS EQUIPMENT LLC	162.54
RODRIGUEZ, MELISSA	65.59
THE ROOT GROUP	1,192.80
ROTO ROOTER SEWER SERVICE	500.00
RYAN SANITATION	387.75
SAFETY SOLUTIONS	1,135.00
SCHULTZ, KRISTYN	168.94
SCHUTZ FOSS ARCHITECTS PC	13,276.60
SHERWIN WILLIAMS	18.99
SIGNBOSS LLC	682.30
SOLOMON ELECTRIC SUPPLY	45.00
SOURCEGAS	16,426.83
SOUTHWESTERN EQUIPMENT COMPANY	1,478.02
STRATA INC	2,936.25
JAIME REYNOLDS	200.00
T & T CRANES	1,390.00
TATE, TASHIKA & JAMIE	55.99
TEMPERATURE TECHNOLOGY, INC	240.00
THAR'S FEED & RANCH SUPPLY	66.00
EMPTY SEA	365.00
THOMAS, TIFFANY & MIKE	131.20
THUNDER BASIN VETENARIAN CLINIC	106.00
TIM CARSRUD	21.50
TITAN MACHINERY INC	1,312.45
TECHNICAL MARKETING MFG INC	17,254.15
TRANSOURCE SERVICES CORP	1,589.08
TRENT, SCOTT ALLEN	30.18
UNIVERSAL ATHLETIC SERVICE	500.00
UNIVERSITY OF WYOMING TECHNOLOGY TRANSFER CENTER	55.00
U S POSTAL SERVICE	450.00
U S POSTAL SERVICE/HASLER INC	35,000.00
VAN EWING CONSTRUCTION	548,196.09

VANWYHE, KATE & NICK	205.66
VERIZON WIRELESS	2,260.58
VILLAREAL, ANGELICA	143.24
VISIONARY COMMUNICATIONS	969.14
FERGUSON ENTERPRISES, INC #1701	745.00
WAUSAU EQUIPMENT COMPANY INC	5,093.31
WESCO RECEIVABLES CORP	25,649.55
WEST PLAINS ENGINEERING	542.50
WESTERN STATIONERS	739.69
WESTERN WASTE SOLUTIONS INC	10,428.80
WOOD, DANICA	52.32
WYOMING ASSOCIATION OF RURAL WATER SYSTEMS	385.00
WYOMING ASSOCIATION MUNICIPALITIES	1,300.00
WYOMING CONFERENCE MUNICIPAL COURTS	100.00
WYOMING DEPT OF TRANSPORTATION	423.82
WYOMING MACHINERY CO	1,712.80
WYOMING POLICE SERVICE DOG CLUB	270.00
WYOMING SECRETARY OF STATE	30.00
XEROX CORPORATION	883.43
BLACK HILLS POWER & LIGHT	183,924.02
BLACK HILLS POWER & LIGHT	730,853.00
BLACK HILLS POWER & LIGHT	1,200.00
BLACK HILLS WYOMING LLC	308,187.00
BLACK HILLS WYOMING LLC	3,395.00
WYODAK RESOURCES DEVELOPMENT CORP	35,089.02
WYOSTAR	2,000.00
BLACK HILLS POWER & LIGHT	508.00
BLACK HILLS POWER & LIGHT	79,173.89
BLACK HILLS WYOMING LLC	250,192.07
WYODAK RESOURCES DEVELOPMENT CORP	(250,158.92)
WYODAK RESOURCES DEVELOPMENT CORP	207,021.59
WYODAK RESOURCES DEVELOPMENT CORP	191,992.37
WYOMING STATE REVENUE AND TAX	102,431.20
WYOSTAR	1,978,611.99
BLUE CROSS BLUE SHIELD OF WYOMING	11,264.96
EXPRESS SCRIPTS INC	19,554.58
BLUE CROSS BLUE SHIELD OF WYOMING	12,330.00
BLUE CROSS BLUE SHIELD OF WYOMING	133,852.20
EXPRESS SCRIPTS INC	24,955.60

It was moved by Councilman McGrath and seconded by Councilman Barks to approve the Consent Agenda. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carries.

Approval of Conflict Claims - General Agenda

It was moved by Councilman Jerred 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. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Montgomery, McGrath, and Mayor Carter-King voting aye. Councilman Carsrud abstained. The motion carried.

It was moved by Councilman Barks and seconded by Councilman Carsrud 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. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, and McGrath voting aye. Mayor Carter-King abstained. The motion carried.

It was moved by Councilman McGrath 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. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

Oral Comments

The Mayor and Council congratulated the Pronghorn Men's Basketball Team for winning their first game at the national level; the boys and girls high school basketball team for taking third place in the state championships; and Gillette's local hockey for making it to the play-offs.

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.

Ordinance First Reading

ORDINANCE 16-06

AN ORDINANCE AMENDING SECTIONS 7-17 AND 17-19 OF THE GILLETTE CITY CODE TO REVISE RATES FOR PLANT INVESTMENT FEES AND SYSTEM DEVELOPMENT CHARGES

It was moved by Councilman Barks and seconded by Councilman McGrath to approve the foregoing Ordinance on first reading. Mayor Carter-King asked for an explanation regarding the request. City Attorney Anderson explained that these charges were developed for the regional water system and are the rates for connections to the transmission system. He explained how the rates came about and added, the rates were reviewed and approved by the Regional Water Panel, which was established by Joint Powers Agreement between the City and the County. With the exception of the 1.5" meter size, the fees are the same. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

New Business - General Agenda

It was moved by Councilman Jerred and seconded by Councilman Carsrud to accept public improvements for the City Hall Remodel Project - Phase III completed by Hladky Construction, Inc., of Gillette, Wyoming in the total amount of \$2,277,931.34. Mayor Carter-King asked for discussion. There was none. Council was

asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Barks and seconded by Councilman McGrath to reject all bids for the School Zone Crossings - Phase II Project (1% Project and Wyoming Department of Transportation, Transportation Alternative Grant). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that the concern regarding the proposals that were received is, that even at the lowest bid level, it is still significantly higher than what was anticipated for the project. The bids received are so far in excess above the engineer's estimates that staff desires to re-design and re-bid the project. Therefore, staff is recommending that Council reject this series of proposals. Mayor Carter-King asked if there will be a difference in the project when it is re-bid. Mr. Napier replied that it would not be substantially different, however, there will be parts being redesigned, pursuant to Council's direction. Mayor Carter-King asked how much this will delay the project. Development Services Hamilton stated that this is an in-house design project and staff is working on the design changes. He is hoping that the changes will be complete within a couple weeks and put back out for bid. The goal is to complete the project prior to school beginning. Council asked for the difference between the bid and the estimate of the project. Mr. Hamilton reported that three (3) bids were received: Powder River Construction in the amount of \$255,906.96; Hladky Construction in the amount of \$269,619.32; and S & S Builders in the amount of \$280,820.20. The budgeted amount for the project is approximately, \$180,000. Lance Walker, Project Manager for Powder River Construction, expressed concerns with regard to the rejection of the bids. He stated that he agrees the bid submitted is over the engineer's estimate, however, one of the major items is a trench drain. The difference was over \$50,000 between the engineer's estimate and the contractor's estimate. The re-design will remove the trench drain. It is not uncommon to cost evaluate projects; 3rd Street Plaza is an example. The bids were approximately, \$400,000 over budget. He worked with his electrical engineers, got the price down, and the bid was awarded. Mr. Walker then stated another concern is that their bid prices were released to the public via the City's website and he has to assume that their bid prices were public knowledge. The City's engineering staff was notified immediately. He is requesting that Council allow Powder River Construction the opportunity to review the project with City staff so they can provide a cost engineering price to see if they can get within the budget amount. Council inquired if the 3rd Street Plaza project was done the way it was explained by Mr. Walker, why couldn't the same be done for this project. Mr. Hamilton stated, in the case of the 3rd Street Plaza, items were removed from the project; there was not a fundamental design change as there is for this project. Council asked by doing this, would it cause a disadvantage for Powder River Construction to re-bid. Mr. Hamilton stated there was a glitch in the Novus system where internal bid numbers were released to the public for a short period of time. He added that the design will be different when put out for bid again. The component regarding the drainage will change substantially. Council asked, if the bids were not rejected, would that lock the City into the bid amount, or does it give staff the flexibility to re-negotiate. Mr. Hamilton stated that he would not recommend awarding the bid, as staff would want to change the recommendation. His point is that this was designed in-house and most of the redesign is complete. In order to level the playing field on a different scope of work, his recommendation would be to reject the bids. If Council

chooses not to reject the bids, he would propose that staff have the opportunity to amend this motion. City Attorney Anderson stated that Wyoming Statutes allows for the rejection of bids. If Council does not reject the bids, then a motion would need to be made to award a bid. Council asked if Powder River Construction could be allowed to work with staff. Mr. Anderson stated the concern that Council might receive would be from the other bidders who could think that Powder River Construction was being given an unfair advantage. The problem that Director Hamilton has suggested, is with re-designing a part of the project and the other bidders would not have the chance to weigh-in. Mr. Walker stated although he sees that the other contractors could have an issue with this, it is a common practice in the construction industry. After the discussion, it was moved by Councilman Barks and seconded by Councilman Carsrud to table this item until the April 5th meeting. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried and the item tabled until April 5, 2016.

It was moved by Councilman McGrath and seconded by Councilman Jerred to accept the guaranteed maximum price (GMP) proposal prepared by Hladky Construction, Inc., for the Campbell County Fire Station No. 3 Project, in the amount of \$3,583,555. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Jerred and seconded by Councilman Montgomery to approve a bid award for the 2015 Sanitary Sewer Main Replacement to Hot Iron, Inc., in the amount of \$1,407,957.43 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the project and the areas that are included. There were four bids received with the engineer's estimate at approximately, \$1.6 million dollars. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman McGrath and seconded by Councilman Jerred to approve a professional services agreement for construction management services associated with the 2015 Sanitary Sewer Main Replacement Project with HDR Engineering in the amount of \$170,766 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this is the professional services agreement to provide the construction management oversight for the sanitary sewer main replacement. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Barks and seconded by Councilman Carsrud to approve a bid award for the 2015 Water Main Replacement to Powder River Construction, Inc., in the amount of \$1,877,786.35 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the project and the areas that are included. There were a number of bids received and the engineer's estimate was \$2.2 million dollars. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King. The motion carried.

It was moved by Councilman McGrath and seconded by Councilman Jerred to approve a professional services agreement for construction management services associated with the 2015 Water Main Replacement Project with Kadrmas, Lee & Jackson, Inc., in the amount of \$172,300 (1% Project). Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the agreement for services and stated that staff is recommending approval. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Barks and seconded by Councilman McGrath to approve a bid award for the Gillette Madison Pipeline Project, Contract #4E, to Garney Companies, Inc., in the amount of \$19,614,100. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained that this project involves final links of pipeline installation that results in a transmission line between Pine Ridge and Moorcroft. He added that the anticipated cost of the project was approximately, \$27,500,000. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King. The motion carried.

It was moved by Councilman Barks and seconded by Councilman McGrath to approve an amendment to the professional services agreement for construction phase services for Contract #4E of the Gillette Madison Pipeline Project with Burns & McDonnell Engineering Co., in the amount of \$2,471,670. Mayor Carter-King supposed that this is the oversight services for the previous bid award. City Administrator Napier concurred. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Barks and seconded by Councilman Jerred to approve a bid award for the Gillette Madison Pipeline Project Contract #6 to COP Wyoming, LLC, in the amount of \$1,924,432. Mayor Carter-King asked for an explanation regarding the request. City Administrator Napier explained the fundamental difference between the apparent low bidder, Mountain View Building and COP Wyoming, is with regard to the demonstration of experience which would be more consistent with a project of this nature. Having reviewed what was presented to staff, and to the engineering firm of Burns & McDonnell Engineering, it is apparent that the qualifications of the apparent low bidder are not satisfactory with the qualifications of COP Wyoming. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

It was moved by Councilman Carsrud and seconded by Councilman McGrath to approve an amendment to the professional services agreement for construction phase services for Contract #6 of the Gillette Madison Pipeline Project with Burns & McDonnell Co., in the amount of \$159,620. Mayor Carter-King asked for discussion. There was none. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

Special Orders of the Day

Mayor Carter-King opened a public hearing to take public comment on proposed Ordinances to revise rates for wastewater, electrical

and water services. Dave Allison, citizen, spoke to the Council of his concerns regarding the proposed revision to rates. Mr. Allison brought to Council's attention a recent news article stating that the City saved \$15 million in power generation, and with these savings, why is there a need for an electrical rate increase. Councilman Barks stated that if the City hadn't saved this money, the increase would have been that much more to make up the \$15 million. Having this asset lowered the price to the community. City Administrator Napier added, to be clear with regard to the article that Mr. Allison is referring to, this is an accumulative figure that was presented to Council with not only the purchase of CT II, but also the purchase of WYOGEN III, and what would have been incurred over the years of being in the production business in terms of avoided costs; avoided costs are different than savings. The reality is, the City did not gain \$15 million dollars; there was a savings in the expense of trying to keep up with rising power costs over a period of 10 years, or more. He added a savings, versus avoided costs, is significant, and the headline published in the News Record does not adequately address the distinction. Mr. Allison asked why there is a need for an increase to water rates when a savings to a bid award was previously announced, regarding the Gillette Madison Pipeline Project. Councilman Jerred stated that water rates are not reflected with the Madison Pipeline Project. The funds that he is speaking of are used to build the pipeline, not fund water rates. Mr. Allison stated that One Percent dollars are used to replace most of the City's aging water lines and such, and this should keep water rates down. Mr. Napier stated that if the City did not receive One Percent dollars, to help off-set the costs of the water infrastructure, those improvements would need to be shown in a rate increase to our customer. From that stand point, the City has been able to keep water rates low and there hasn't been a water rate increase for the last four (4) years. With the addition of the Madison Pipeline, and having two (2) water lines to maintain, the City will, from time to time, need to raise water rates. The proposed fee is not technically a rate increase, it is a reconciliation of costs committed to the regional partners, as it pertains to the Joint Powers Agreement that the City is obliged to follow. Since this will be the first year in having the regional system on-line, ostensibly, the fee does need to be incorporated that reconciles the rate customers within the city limits pay, with what customers outside the city limits pay, so rates are the same, again, pursuant to the Joint Powers Agreement. Mr. Allison informed Council of the unemployment rate and asked Council to keep this in mind when reviewing the upcoming budget. Mayor Carter-King informed Mr. Allison that Council is fully aware of the economic state of the community. After the discussion, the public hearing was closed.

ORDINANCE 16-07

AN ORDINANCE TO AMEND SECTION 17-14 (C), 17-14 (F) 1, AND 17-14 (F) 2, AND TO ENACT 17-14 (J) OF THE GILLETTE CITY CODE 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 on first reading. Mayor Carter-King asked staff to announce the proposed rate increase for wastewater service. City Administrator Napier reported the average residential customer would see an increase of \$2.50 per month. Depending on the amount of water used, this amount could be more, or less. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 16-08

AN ORDINANCE AMENDING GILLETTE CITY CODE SECTIONS 17-6.A.1, 17-6.B.1, 17-6.C.1, 17-6.D.1, 17-6.E.1, 17-6.F.5(a), REPEALING SECTION 17-6.G, RENUMBERING SECTIONS 17-6.H THROUGH K -6.G THROUGH J, AMENDING 17-6.G.3 AND ENACTING 17-6. K, TO REVISE RATES FOR ELECTRICAL SERVICE SUPPLIED BY THE CITY OF GILLETTE

It was moved by Councilman Carsrud and seconded by Councilman McGrath to approve the foregoing Ordinance on first reading. Mayor Carter-King asked staff to report on the proposed rate increase for electrical service. City Administrator Napier reported that the average, residential customer, would see an increase of \$5.52 per month; again depending on the amount of electricity used, this amount could be more, or less. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

ORDINANCE 16-09

AN ORDINANCE AMENDING SECTION 17-47 OF THE GILLETTE CITY CODE TO REVISE RATES FOR WATER FURNISHED BY THE CITY OF GILLETTE

It was moved by Councilman McGrath and seconded by Councilman Montgomery to approve the foregoing Ordinance on first reading. Mayor Carter-King asked staff to report on the proposed rate increase for wastewater service. City Administrator Napier reported that the rate payer is not seeing an increase pursuant to consumption; this is a fee that is being incorporated to bring rates consistent to what is being paid on the larger system with both the regional system being on-line and the City's internal system being on-line. The reconciliation fee will be \$5.50. After the explanation, Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King voting aye. The motion carried.

Executive Session

It was moved by Councilman McGrath and seconded by Councilman Montgomery to move into an Executive Session to discuss litigation, personnel, and confidential matters. Council was asked to cast their vote. The vote was recorded as follows: Jerred, Barks, Carsrud, Montgomery, McGrath, and Mayor Carter-King. The motion carried.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 8:13 p.m. The next regularly scheduled meeting will be held on April 5, 2016.

Louise Carter-King, Mayor

(S E A L)

ATTEST:

