

1 **City Council Minutes**  
2 **September 26, 2022**  
3

4 **CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL:** Mayor René Kemper called the meeting to order  
5 at approximately 5:30 p.m. and led the assembly in the Pledge of Allegiance.

6 **Roll Call was taken with the following City Council members present:** Mayor René Kemper;  
7 Councilperson John Bartling; Councilperson Ron McNare; Councilperson Kim Pexton; and Councilperson  
8 Monty Gilbreath was absent.

9 **Also Present:** JD Cox, City Administrator; Chaz Schumacher, City Clerk; Todd Byerly, PD Chief; Mary  
10 Nicol, Administrative Services Director/Treasurer; Clara Chaffin, Community Development Director; John  
11 Harbarger, Public Works Director; Josh Oberlander, Water/Wastewater Supervisor; John Stearns,  
12 Utilities Supervisor; Mike Armstrong, City Attorney; Members of the City of Douglas Police Department  
13 and their families.

14  
15 **Disclosures by City Council Members:** None.  
16

17 **Consent Agenda:**

18 ***Item 3a. Corrections, Additions, and Approval of Agenda – September 26, 2022***

19 ***Item 3b. Minutes, City Council Work Session: September 12, 2022***

20 ***Item 3c. Minutes, Regular City Council Meeting: September 12, 2022***

21 **Councilperson McNare moved, seconded by Councilperson Bartling to approve the Consent Agenda as**  
22 **presented, no discussion. Motion carried 4-0.**  
23

24 **Public Comments:**

25 **Paul Johnson, 20 Wulff Road:** Mr. Johnson presented information to the council regarding the situation  
26 of a water tap on his property that is being disputed, along with neighboring properties taps. He  
27 purchased the property and built his home with a water tap that was verified by city staff and he went  
28 through all the steps to ensure it was valid. He's received a letter saying he doesn't have rights to the  
29 water and the tap will be cut off on September 28<sup>th</sup>. As Mr. Johnson has retained an attorney, he was  
30 informed communication on the matter should happen between the attorneys. Mr. Johnson informed  
31 council he has reached out to the sheriff's office and will have them present if the city comes to cut the  
32 line.  
33

34 **Jen Hanson:** Ms. Hanson spoke in regard to the property at 419 Windriver Drive, located directly south  
35 of her parents' property. The landowner was mis-informed by the city and placed the house across  
36 setback lines. Ms. Hanson met with Community Development Director Chaffin on August 10<sup>th</sup> but has  
37 not received any answers as to what will happen. She was informed there are 3 options available to the  
38 landowner to resolve the issue, but she has not heard anything on the status. Ms. Hanson was informed  
39 the council would be discussing the matter and someone would reach out to her by the end of the week.  
40

41 **Presentations/Proclamations:**

42 ***Item 5a. City of Douglas Police Department: Swearing in of New Officers: Willis Knight & Thomas Jones***

43 Mayor Kemper formally swore in Willis Knight & Thomas Jones. Members of the City Council and the  
44 audience congratulated the officers and welcomed them into their roles in the community.

45

**46 Item 5b. Proclamation: Childhood Cancer Awareness Week in Douglas – October 23-29**

47 Councilperson Bartling read the proclamation into the record. Bartling shared news that our community  
48 lost a beautiful 5-year-old who in the previous week to leukemia. Mayor Kemper asked for a moment of  
49 silence in memory of her.

50

**51 Public Hearings:****52 Item 6a. Ordinance No. 1012, an Ordinance Amending Chapter 9.20 of Douglas Municipal Code  
53 Pertaining to Possession of Tobacco by Minors, First Reading**

54 Mayor Kemper opened the public hearing at approximately 5:49 p.m. Chief Byerly provided an overview  
55 of why the amendment is needed to bring the city's ordinances in line with state statutes. No public  
56 comment. Public hearing closed at approximately 5:50 p.m.

57 **Councilperson Bartling moved, seconded by Councilperson Pexton to approve Ordinance No. 1014 as  
58 presented on its first reading. Motion carried 4-0.**

59

**60 Item 6b. Resolution No. 2022-25, a Resolution Authorizing Converse County School District #1 to  
61 Proceed with a Type B Development for Construction of a Gymnasium, Press Box, Bleachers, and  
62 Athletic Fields at 801 W. Richards Street (Middle School Site, Block 10)**

63 Mayor Kemper opened the public hearing at approximately 5:51 p.m. Ron Yount, representing the  
64 school district, was connected via conference call. Community Development Director Chaffin provided  
65 the council with an overview of the project and the surrounding zoning and developments. The Planning  
66 & Zoning Commission did recommend that brick be used to tie the addition into the existing structure.  
67 Parking will be sufficient with additional spaces located on a proposed roadway that the details have not  
68 been finalized on to date as the roadway will need to be addressed through a separate agreement  
69 between the school district and the city. No public comments. Councilperson McNare thanked staff and  
70 the planning commission for reviewing the parking space requirements, he requested the council see  
71 the roadway agreement before it's approved. Chaffin indicated it will require council approval. Public  
72 hearing closed at approximately 5:58 p.m.

73 **Councilperson McNare moved, seconded by Councilperson Pexton to approve Resolution No. 2022-25  
74 as presented. Motion carried 4-0.**

75

**76 Item 6c. Resolution No. 2022-26, a Resolution Authorizing a Conditional Use Permit to Sean and Shea  
77 Lehnen to Allow the Short-Term Rental of the Dwelling in a R-1 Residential Zoning District at 733 S. 5<sup>th</sup>  
78 Street (Original Town of Douglas, Block 59, Lot 8)**

79 **Councilperson Bartling moved, seconded by Councilperson McNare to table Resolution No. 2022-26 to  
80 allow time for the council to review materials. Motion carried 4-0.**

81

**82 Council Action Items:****83 Item 7a. Amending Resolution No. 2022-21 to Clarify Grant Amount Applied for in the Original ARPA  
84 submittal for the Douglas Middle School Lift Station**

85 **Councilperson Pexton moved, seconded by Councilperson Bartling to approve the amendment to  
86 Resolution No. 2022-21 to reflect grant amount applied for to be \$1,455,000, rather than reflecting  
87 total estimated project cost of \$2,275,000. Motion carried 4-0.**

88

89 **Item 7b. Planning & Zoning Commission Appointments**  
90 Councilperson Bartling moved, seconded by Councilperson McNare to appoint Jay Hancock and Robin  
91 Velasquez to the City of Douglas Planning & Zoning Commission, each for a three-year term beginning  
92 October 26, 2022 and ending October 25, 2025. Motion carried 4-0.

93  
94 **Item 7c. Change Order No. 2 – 8.5 Alley & 9<sup>th</sup> Street Improvements Project**  
95 Councilperson McNare moved, seconded by Councilperson Pexton to approve Change Order No. 2 for  
96 a decrease of \$48,821.20 for the 8.5 Alley Water, Sewer, and Street Reconstruction Project with the  
97 final contract price of \$700,723.80 and further authorize the City Administrator to sign all documents  
98 associated with the contract. Motion carried 4-0.

99  
100 **Item 7d. Bid Award – City Hall Roof**  
101 Councilperson Pexton moved, seconded by Councilperson Bartling to accept the bid from Limmer  
102 Roofing Co. in the amount of \$86,000 for the City Hall Roof Replacement Project and further authorize  
103 the City Administrator to execute contracts and all associated documents. Motion carried 4-0.

104  
105 **Item 7e. Community Christmas Tree Funding**  
106 Councilperson Bartling moved, seconded by Councilperson Pexton to table this item until another  
107 option of lights can be researched. Motion carried 4-0.

108  
109 **Council Discussion & Non-Action Items:**

110 **Item 8a. Minutes: Converse County Tourism Promotion Board – July 19, 2022**

111 **Item 8b. Dashboards – August 2022**

112 **Item 8c. Treasurer’s Report – August 2022**

113  
114 **Administrator’s Report:**

115 **Item 9.** Administrator Cox stated he is looking forward to the scarecrow contest this year as all 3 main  
116 departments of the city will be participating in an internal contest as well as the city-wide contest.

117  
118 **Executive Session:**

119 Councilperson Pexton moved, seconded by Councilperson McNare to Recess into Executive Session for  
120 the purpose of considering litigation to which our governing body is or may be a party, in accordance  
121 with W.S. §16-4-405(a)(iii). Motion carried 4-0.

122  
123 The City Council went into Executive Session at approximately 6:08 p.m.

124  
125 **Adjourn:**

126 Councilperson McNare moved, seconded by Councilperson Bartling to adjourn the September 26,  
127 2022 Regular City Council meeting. Motion carried 4-0. Meeting adjourned at approximately 7:42 p.m.

128  
129 **ATTEST:**

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131 \_\_\_\_\_  
132 René Kemper, Mayor

133 Chaz Schumacher, City Clerk  
134 Published October 5, 2022