

**City Council Minutes
October 24, 2022**

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

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

Also Present: JD Cox, City Administrator; Todd Byerly, PD Chief; Mary Nicol, Administrative Services Director/Treasurer; Clara Chaffin, Community Development Director; John Harbarger, Public Works Director; Mike Armstrong, City Attorney; Members of Wild Ranch 4-H Club.

Pledge of Allegiance: led by members of the Wild Ranch 4-H Club: Megan Stoltenberg, Jimmy Stoltenberg, Gus Stoltenberg, Laura Stoltenberg, Preston Sorensen, Sarah Stoltenberg – Adult Leader.

Disclosures by City Council Members: None.

Consent Agenda:

Item 3a. Corrections, Additions, and Approval of Agenda – October 24, 2022

Item 3b. Minutes, City Council Work Session: October 10, 2022

Item 3c. Minutes, Regular City Council Meeting: October 10, 2022

Item 3d. Warrant Register: September 2022

Councilperson Bartling moved, seconded by Councilperson Gilbreath to approve the Consent Agenda as presented, no discussion. Motion carried 5-0.

Public Comments:

David Hill, 1 Prairie Road: Mr. Hill has lived here for 45 years, he attended a Planning & Zoning Commission meeting to speak about no sidewalks on Richards Street, he was advised the city has applied for a grant to replace them. Hill would like to know why it has taken 45 years for sidewalks on Richards Street. Mayor Kemper requested Administrator Cox look into the matter.

Barbara Gubbels, 899 N. Shoshone: Ms. Gubbels provided the council with background on the usage of irrigation water at 12 Wulff Road, including lineage of property owners, timeline of meter installations and the city easement. Mayor Kemper requested Administrator Cox to follow up with Ms. Gubbels.

Proclamations/Presentations:

Item 5a. Local Heroes Recognition Proclamation

Councilperson McNare read the proclamation into the record

Item 5b. Recognition of Service: Blake Palmer – City of Douglas Planning & Zoning Commission

Members of City Council thanked Mr. Palmer for being on the commission.

Item 5c. Swearing in Deputy City Attorney: Pierce Peasley

Mayor Kemper swore in Deputy City Attorney

45 **Show Cause Hearing:**

46 ***Item 6a. Show Cause Hearing: Coopers Arena LLC – Retail Liquor License, Sales Tax Delinquency***

47 Mayor Kemper opened the hearing at approximately 5:53 p.m. Administrative Services
 48 Director/Treasurer Nicol read the staff report into the record, staff doesn't recommend any actions be
 49 taken. Annette Cooper, Owner of Coopers Arena LLC, read a prepared letter previously sent to members
 50 of the city council. Cooper stated business owners were told sidewalks would remain accessible
 51 downtown during construction, however her husband was not able to access them for 2-3 months.
 52 Cooper provided background on the damage her property received due to a water leak caused by Hot
 53 Iron, she attached the invoice for the damages to her letter, to date she has not heard from Hot Iron.
 54 Her business along with many others were very impacted by the construction downtown, she knows of
 55 two others that will be facing possibly closing, her taxes have been paid and she's in good standing with
 56 the state. Discussion followed. Kemper advised Administrator Cox to follow up with Mrs. Cooper.
 57 Kemper closed the hearing at approximately 6:09 p.m. No action taken by council.

58

59 **Public Hearings:**

60 ***Item 7a. Transfer of Retail Liquor License: Chutes Restaurant***

61 Mayor Kemper opened the public hearing at approximately 6:09 p.m. Community Development Director
 62 Chaffin provided a staff report. No further comments. Kemper closed the public hearing at
 63 approximately 6:11 p.m. No further discussion.

64 **Councilperson McNare moved, seconded by Councilperson Bartling to approve the transfer of a retail**
 65 **liquor license currently issued to Gurwinder Singh DBA Chutes Restaurant & Bar to Barkandi Inc. DBA**
 66 **Indian Curry House for the remainder of the current license term ending March 31, 2023. Motion**
 67 **carried 5-0.**

68

69 ***Item 7b. Resolution No. 2022-27, a Resolution Authorizing a Conditional Use Permit for Leoma Kriebel***
 70 ***to Operate a Daycare at 720 Hamilton Street (Original Town of Douglas, Lot 7, Block 56)***

71 Mayor Kemper opened the public hearing at approximately 6:11 p.m. Community Development Director
 72 Chaffin provided a review of the application and background on the property. Proposed hours for the
 73 daycare are 6am to 6pm Monday through Friday. Recommendation from Planning & Zoning Commission
 74 and staff to approve with conditions. No additional comments. Kemper closed the public hearing at
 75 approximately 6:13 p.m.

76 **Councilperson Pexton moved, seconded by Councilperson Gilbreath to approve Resolution No. 2022-**
 77 **27 as presented. Motion carried 5-0.**

78

79 ***Item 7c. Ordinance No. 1017, an Ordinance Vacating the Alley between Lot 8 and Lots 9, 10, 11, and***
 80 ***12: Block 46 in the Original Town of Douglas Subdivision, Douglas, Wyoming, First Reading***

81 Mayor Kemper opened the public hearing at approximately 6:14 p.m. Community Development Director
 82 Chaffin distributed a map detailing the proposed vacation of property and provided history of area. A
 83 petition was received from an adjacent property owner and confirmed qualifying. It was reviewed by the
 84 Planning & Zoning Commission where one objection was received regarding access to another property
 85 for development and use, the commission recommended the two property owners work together to
 86 create a workable solution. Comments received from Mike Hageman regarding access to lots 11 & 12, as
 87 he feels the alley would be the best option for doing so as those lots are developed and used. Jim Willox
 88 stated he recently purchased lots 8, 9, & 10 and adjacent property owners have confirmed they are okay

89 with the vacation request. Brief discussion followed regarding an existing fence in the alley. Kemper
90 closed the public hearing at approximately 6:25 p.m.

91 **Councilperson Pexton moved, seconded by Councilperson McNare to approve Ordinance No. 1017 on**
92 **its first reading. Motion carried 5-0.**

93

94 ***Item 7d. Ordinance No. 1016, an Ordinance Vacating the South 20 feet of the West Clay Street Right-***
95 ***of-Way from West Grant Street to the Northeast Corner of Riverview, Lots 11 and 12, Block 3, and***
96 ***vacate the East 15 Feet of the First Street West Right-of-Way from West Clay Street to West Poplar***
97 ***Street, Douglas, Wyoming, First Reading***

98 Mayor Kemper opened the public hearing at approximately 6:26 p.m. Community Development Director
99 Chaffin reviewed a map of the proposed vacation of property and provided a history of the same. The
100 petition received is confirmed qualified and vacation recommended by Planning & Zoning Commission.
101 There were no objections received, staff recommends approval. Kemper closed the public hearing at
102 approximately 6:29 p.m.

103 **Councilperson Pexton moved, seconded by Councilperson Bartling to approve Ordinance No. 1016 as**
104 **presented on its first reading. Motion carried 5-0.**

105

106 **Council Action Items:**

107 ***Item 8a. Ordinance No. 1012, an Ordinance Amending Chapter 9.20 of Douglas Municipal Code***
108 ***Pertaining to Possession of Tobacco by Minors, Final Reading***

109 **Councilperson Bartling moved, seconded by Councilperson Gilbreath to approve Ordinance No. 2012**
110 **as presented on its final reading. Motion carried 5-0.**

111

112 ***Item 8b. Ordinance No. 1015, an Ordinance Amending Maps 6.31-1 of the Douglas Municipal Code,***
113 ***Second Reading***

114 **Councilperson McNare moved, seconded by Councilperson Pexton to approve Ordinance No. 1015 as**
115 **presented on its second reading.** Community Development Director Chaffin informed council the maps
116 would be made clickable when updated and as reference the update would exclude an additional 250
117 properties from being eligible as short-term rentals. **Motion carried 5-0.**

118

119 ***Item 8c. Agreement: CGI Banners***

120 **Councilperson Pexton moved, seconded by Councilperson Bartling to approve the agreement with CGI**
121 **Digital and further authorize the City Administrator to execute associated documents. Motion carried**
122 **5-0.**

123

124 ***Item 8d. Agreement: Little Box Elder Spring Easement***

125 **Councilperson Bartling moved, seconded by Councilperson Gilbreath to authorize the Mayor to sign**
126 **an Amendment to Agreement to Grant a Right-of-Way and Access Easement between the City of**
127 **Douglas and Green Valley Ranch, brief discussion followed. Motion carried 5-0.**

128

129 ***Item 8e. Bid Award: Public Works Pickup***

130 Administrator Cox stated bids received for the pickup and track loader were both over budget, with the
131 track loader being more critical in necessity, staff is recommending rejecting of the pickup bids.

132 Councilperson Gilbreath moved, seconded by Councilperson McNare to reject all bids for a 2023 half-
 133 ton truck and budget for a pickup in the 2023/2024 budget. Motion carried 5-0.

134

135 ***Item 8f. Bid Award: Public Works Track Loader***

136 Councilperson Gilbreath moved, seconded by Councilperson Bartling to approve the bid from M&R
 137 Equipment for a compact track loader, with the optional land leveler in the amount of \$58,230.00 and
 138 further authorize the City Administrator to execute all associated documents. Motion carried 5-0.

139

140 ***Item 8g. Approval of Expenditure: Sheep Mountain Well Lining***

141 Councilperson Pexton moved, seconded by Councilperson Gilbreath to approve the tank repair work
 142 by Amtech Tank Lining and Repair in the amount of \$89,980.00 for the emergency repair of the Sheep
 143 Mountain tank and further authorize the City Administrator to approve contingency work in the
 144 amount not to exceed 10% as well as sign all associated documents with the project. Motion carried 5-
 145 0.

146

147 ***Item 8h. Agreement: EPA Brownfield Assessment Agreement with Ayers and Associates Inc.***

148 Councilperson Bartling moved, seconded by Councilperson McNare to approve the agreement
 149 between Converse County, City of Douglas, and Town of Glenrock collectively and Ayres and
 150 Associates Inc. to draft the EPA Brownfield Assessment Grant, in the amount of \$3,000 per entity,
 151 pending further review, and further authorize the City Administrator to sign all associated documents.
 152 Community Development Director Chaffin provided background on the application, entities involved,
 153 and potential projects, no discussion. Motion carried 5-0.

154

155 ***Item 8i. Agreement: Sunrise Engineering***

156 Councilperson McNare moved, seconded by Councilperson Pexton to approve the agreement
 157 between City of Douglas and Sunrise Engineering, and further authorize the City Administrator to sign
 158 all associated documents. Motion carried 5-0.

159

160 **Council Discussion & Non-Action Items:**

161 ***Item 9a. Quarterly Financial Reports: 1st Quarter of Fiscal Year 2023***

162 ***Item 9b. Dashboards: September 2022***

163 ***Item 9c. Minutes: Converse County Tourism & Promotion Board: August 23, 2022***

164 ***Item 9d. Treasurer's Report: September 2022***

165

166 **Administrator's Report:**

167 ***Item 10.*** Administrator Cox stated November will be free landfill day, customers can utilize their bills for
 168 one free load. Cox has been reviewing the strategic plans with Community Development Director
 169 Chaffin, which will lead to discussions with the council and then capital planning and the budget. Mayor
 170 Kemper has been appointed to fulfil the WAM Wyoming Prevention Alliance position on Wyoming
 171 Chiefs & Police board.

172

173 Councilperson McNare recognized PD officer Luca Dowd for putting together the Bryan Gross memorial
 174 golf tournament with money going towards the K9 program, and he also received a call from a resident

175 who was stopped by PD Officer Triston Johnson, and he thanked him for his professionalism and positive
176 interaction.

177

178 **Executive Session: None.**

179

180 **Adjourn:**

181 **Councilperson Pexton moved, seconded by Councilperson Bartling to adjourn the October 24, 2022,**
182 **Regular City Council meeting. Motion carried 5-0. Meeting adjourned at approximately 6:45 p.m.**

183

184 **ATTEST:**

185

186

René Kemper, Mayor

187

Chaz Schumacher, City Clerk

188
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