

City Council Minutes
July 24, 2023

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL: Mayor Kim Pexton called the meeting to order at approximately 5:30 p.m. **Roll Call was taken with the following City Council members present:** Mayor Kim Pexton; Councilperson Ron McNare; Councilperson Matt Schmidt; Councilperson Perry Hershberger; Councilperson John Bartling. **Also Present:** JD Cox, City Administrator (CA); Chaz Kokesh, City Clerk (CC); Mary Nicol, Administrative Services Director/Treasurer (ASD); Avery Cowardin, PD Sergeant (PS1); Clara Chaffin, Community Development Director (CDD); Josh Oberlander, Water & Wastewater Supervisor (WWS); Mike Armstrong, City Attorney; Kristen Shaw, Team & Community Liaison (TCL).

Item 1a. Pledge of Allegiance

Jen Goodwin led the assembly in the Pledge of Allegiance.

Disclosures by City Council Members: None.

Consent Agenda:

Item 3a. Corrections, Additions, and Approval of Agenda – July 24, 2023

Item 3b. Minutes: Regular City Council Meeting – July 10, 2023

Item 3c. Warrant Register: Fiscal Year 2023 Year End

Councilperson Bartling moved, seconded by Councilperson Hershberger to approve the consent agenda as presented. Motion carried 5-0.

Public Comments:

Hannah Hammon – Douglas business owner: Ms. Hammon spoke on behalf of Advanced Animal Care and her husband Dr. Hammon, regarding Ordinance No. 1024. Hammon stated the ordinance is just a bandaid, the feral cat issue is a county issue and releasing them outside city limits adds to the problem. The root of the problem is the lack of a functioning animal shelter, it doesn't meet a number of guidelines for housing animals. Hammon would like the council to consider funding the shelter and improvements to it.

Cindy Porter – Douglas resident: Ms. Porter spoke in regard to Laramie Peak Humane Society and its creation as a non-profit no-kill animal shelter. Porter stated the current shelter is over-crowded and because of that the Police Department and Animal Control Officer wants to be able to euthanize. The real problem is there are so many court ordered holds in the shelter, those holds are anywhere from 60 days to 6 months and are taken care of by the shelter even though the animals are there for the Police Department and Sherrif's Office. Porter asked if the new jail could have an area to house these animals as they are essentially wards of the court. Porter inquired into if a joint review committee has been put together to look into the matter. Porter requested the ordinance to be tabled until further review.

Ginger Sinnard – County resident: Ms. Sinnard stated she has taken in feral cats in the past, as they are routinely dropped off in the county, she asked if that's the plan now, to drop them off in the county. Sinnard requested the ordinance be tabled so a panel could be formed by the Police Department, Sherrif's Office, veterinarians, the City, and the County to develop a plan. Sinnard expressed concern that the shelter is being micromanaged by the city.

45

46 **Presentations/Proclamations:**47 ***Item 5a. Introduction: Morryah McCurdy, Executive Director, The Enterprise***

48 CA introduced Morryah McCurdy to the City Council and members of the audience. Morryah provided
 49 an overview of her experience what she intends to bring to the community of Douglas and to Converse
 50 County. She is very excited to work with City Council and would like to set up a meeting with everyone.

51

52 ***Item 5b. Presentation: Alan Mandel, Trail Co.: Wyoming Pathways***

53 Mr. Mandel provided background on his experience as a professional trail builder, presented his
 54 conceptions for a trail system in Douglas. He invited everyone to attend the public meeting on August 7th
 55 in the commons area of the high school at 5:30 p.m. They are hoping to build the trails in Spring 2024
 56 and the process will take about 8 weeks to complete.

57

58 **Public Hearings:**

59 ***Item 6a. Resolution No. 2023-22, a Resolution Authorizing a Conditional Use Permit for Marissa Beard***
 60 ***to Operate a Preschool in an R-1 Neighborhood Residential Zone 302 South 5th Street (Original Town of***
 61 ***Douglas, Block 26, Lots 1 & 2)***

62 Mayor Pexton opened the public hearing at approximately 5:50 p.m. CDD provided an overview of the
 63 application and property. The application is in keeping with previous ones for this property, where there
 64 are up to four providers at any given time. Recommendation from Planning and Zoning Commission to
 65 approve with two conditions, that it is specific to the applicant and the location, and that the applicant
 66 adhere to state guidelines. No Public Comments. Pexton closed the public hearing at approximately 5:54
 67 p.m. **Councilperson Schmidt moved, seconded by Councilperson McNare to approve Resolution No.**
 68 **2023-22 as presented. Motion carried 5-0.**

69

70 ***Item 6b. Resolution No. 2023-23, a Resolution Authorizing a Conditional Use Permit for Douglas***
 71 ***Christian Academy to Operate a Private School in an R-1 Neighborhood Residential Zone at 1424***
 72 ***Griffith Way (a Part of Boardman – Roarke Addition)***

73 Mayor Pexton opened the public hearing at approximately 5:54 p.m. CDD provided an overview of the
 74 application and property. There will be off-street parking and the use of the property conforms with
 75 future land use plans. Recommendation from Planning and Zoning Commission to approve. No Public
 76 Comments. Pexton closed the public hearing at approximately 5:56 p.m. **Councilperson McNare moved,**
 77 **seconded by Councilperson Bartling to approve Resolution No. 2023-23 as presented. Motion carried**
 78 **5-0.**

79

80 **Council Action Items:**

81 ***Item 7a. Ordinance No. 1024, an Ordinance Amending Sections 6.04.020 and 6.08.080 of the Douglas***
 82 ***Municipal Code Pertaining to Animals at Large, Final Reading***

83 CA provided an overview of the ordinance, stating the intention of the ordinance is not to tell the animal
 84 shelter how to operate but rather to provide tools to staff on what steps to take when there is no room
 85 at the shelter for more animals. The solutions needed to address the lack of room at the current shelter
 86 will need to be done through short, medium, and long-term solutions, this ordinance provides processes
 87 for right now. CA invited Sergeant Cowardin to read the memo written by PD Chief Byerly regarding the
 88 intended implementation of the ordinance, noting that euthanasia is the absolute last resort as nobody

89 wants to put animals down. CA noted that he did speak with Dean Smylie regarding the ordinance and
 90 that he agreed the proposal is reasonable and that the city should have options. **Councilperson Bartling**
 91 **moved, seconded by Councilperson Schmidt to approve and adopt Ordinance No. 1024 on its final**
 92 **reading with additional language “in concurrence with a veterinarian and command staff” to be added**
 93 **to Sections 6.08.080(B)(2) Feral Cats and 6.08.080(C).** Councilperson Hershberger noted that the
 94 County, City, and Laramie Peak Humane Society are in conversations regarding a new facility; the
 95 problem is not the animals, it’s the people, and they are trying to address that. Hershberger read the
 96 original ordinance language to the audience stating this policy has been in place for years, ideally a TNR
 97 program can be done and a better facility utilized, but it’s going to take everyone working together.
 98 Councilperson Bartling reiterated that the city is not out euthanize animals, it would only happen with
 99 the concurrence of the officer, veterinarian, and command staff. **Motion carried 5-0.**

100
 101 ***Item 7b. Ordinance No. 1026, an Ordinance Amending Section 15.04.010(c) of the Douglas Municipal***
 102 ***Code Pertaining to Building Permits, Final Reading***

103 CDD stated this ordinance remains unchanged from its previous approval. **Councilperson Hershberger**
 104 **moved, seconded by Councilperson McNare to approve and adopt Ordinance No. 1026 as presented**
 105 **on its final reading. Motion carried 5-0.**

106
 107 ***Item 7c. Ordinance No. 1027, an Ordinance Creating Section 10.48.080 Pertaining to Curb Markings,***
 108 ***First Reading***

109 CDD Chaffin provided an overview of the ordinance, noting that it would adopt the uniform traffic codes
 110 identification system for curb markings, the ordinance outlines what each color means. **Councilperson**
 111 **Schmidt moved, seconded by Councilperson Hershberger to approve Ordinance No. 1027 as presented**
 112 **on its first reading. Motion carried 5-0.**

113
 114 ***Item 7d. Ordinance No. 1028, an Ordinance Establishing the Overlay Zoning District of the South***
 115 ***Douglas Residential Historic District to Recognize the Significance of the Neighborhood in***
 116 ***Representing the History of Growth of Douglas and the Architectural Trends of Our Early History***
 117 ***Creating Section 16.4.4.7(f) and Amending Table 4-1 of the Douglas Municipal Code, First Reading***

118 CDD provided an overview of the ordinance, noting this process began in 2019. Currently the city has a
 119 North Douglas district and so this would be for the south portion. It includes 139 properties and this
 120 ordinance would identify it on our zoning maps, it would not prohibit property owners from making
 121 changes to their properties. **Councilperson McNare moved, seconded by Councilperson Hershberger to**
 122 **approve Ordinance No. 1028 as presented on its first reading. Motion carried 5-0.**

123
 124 ***Item 7e. Funding Agreement: Fire Suppression Authority***

125 CC noted this is the funding agreement that is signed annually for the budgeted funding for the Fire
 126 Suppression Authority and is in line with previous years. **Councilperson Bartling moved, seconded by**
 127 **Councilperson Hershberger to approve the Funding Agreement as presented for the Fiscal Year 2024**
 128 **with the Converse County Fire Suppression Authority. Motion carried 5-0.**

129
 130 ***Item 7f. Warrant Register: Itemized Payments***

131 CA noted these are a carryover from the previous city council meeting. **Councilperson Bartling to**
 132 **approve the warrant for Ron McNare as presented. Motion carried 4-0; Councilperson McNare**

133 **abstained. Councilperson McNare moved, seconded by Councilperson Hershberger to approve the**
 134 **warrant for Matthew Schmidt as presented. Motion carried 4-0; Councilperson Schmidt abstained.**
 135

136 ***Item 7g. Well Request Approval: Trinity Baptist Church***

137 CDD stated the applicant has made a request for a well, there was previously one in the same location
 138 but became inoperable due to roots, the request requires council and state approval. **Councilperson**
 139 **McNare moved, seconded by Councilperson Schmidt to approve the request from Trinity Baptist**
 140 **Church for an irrigation well at 1424 Griffith Way pending submittal of all completed and required**
 141 **State permits and documents. Motion carried 5-0.**
 142

143 ***Item 7h. Bid Award: Wastewater Treatment Plant Bypass Rehabilitation Project***

144 WWS provided an overview of the project and a history of the current plant. The city received two bids
 145 for this project and is recommending the use of ARPA funds to help fund this project to cover the above
 146 budgeted costs. **Councilperson Hershberger moved, seconded by Councilperson Bartling to accept the**
 147 **bid of \$1,289,700.50 from JR Civil for the Wastewater Treatment Plant Cell Bypass Rehabilitation**
 148 **Project, including the usage of ARPA funds for the project, and furthermore authorize the City**
 149 **Administrator to sign all associated documentation. Motion carried 5-0.**
 150

151 ***Item 7i. Bid Award: Rehabilitation of City Parking Lot South of the Train Depot***

152 WWS provided an overview of the project, the bid being recommended for approval came in under the
 153 budgeted amount. **Councilperson Schmidt moved, seconded by Councilperson McNare to accept the**
 154 **bid from Ramshorn Construction in the amount of \$589,950 for the Douglas Public Parking Lot**
 155 **Improvements Project and furthermore authorize the City Administrator to sign all associated**
 156 **documents. Motion carried 5-0.**
 157

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

159 ***Item 8a. Director's Reports: Police Department, Public Works Department, Clerk Department,***
 160 ***Community Development Department, Administrative Services/Treasurer's Department***

161 ***Item 8b. Minutes: Planning & Zoning Commission: May 15, 2023***

162 ***Item 8c. Minutes: Planning & Zoning Commission: June 19, 2023***

163 ***Item 8d. Minutes: Douglas Historic Preservation Commission: May 17, 2023***

164 ***Item 8e. Minutes: Douglas Historic Preservation Commission: June 21, 2023***

165 ***Item 8f. Minutes: Converse County Tourism & Promotion Board: April 18, 2023***

166 ***Item 8g. Minutes: Converse County Tourism & Promotion Board: May 16, 2023***

167 ***Item 8h. Minutes: Converse County Tourism & Promotion Board: June 20, 2023***

168 ***Item 8i. Dashboards: June 2023***
 169

170 **Administrator's Report:**

171 ***Item 9a.*** CA provided an update of following items: staff is reviewing the possibility of a multi-year
 172 animal licensing, planning to present at next work session; The Blessings in a Backpack program will be
 173 presented at the August 14th work session and will be considered for rollout fairly soon; met with
 174 Converse County School District superintendent to discuss interrelations between the city and school
 175 district and how it can be strengthened, the superintendent is planning to provide a report to the
 176 council on November 13th; there will be a public meeting on July 27th from 4-7 p.m. regarding the rollout

177 of a solar farm in Converse County; continue to have weekly meetings with Morryah McCurdy of the
178 Enterprise and those are going well; warranty work for the downtown project will begin this week; the
179 new jackalope will arrive in one month, planning to have discussions and to involve the Arts & Culture
180 Board for their input on where to locate it; have begun rolling out elements of the Strategic Doing, we're
181 currently at 7% complete on goals, staff is working on a standard document for each of the 62 KPI's to
182 show completion; ASD has created project codes to be used for tracking the KPI's in Caselle; currently
183 working towards finding a consultant for the implementation of the Strategic Doing; along with Chief
184 Byerly and Lieutenant Matthews, attended the graduation of Officer Katy Howard from the Law
185 Enforcement Academy.

186

187 **Good People Doing Good Things:**

188 **Item 10a.** CA recognized Officer Katy Howard for her graduation from the Law Enforcement Academy
189 and having been selected by her peers to offer remarks on behalf of her class. Councilperson Bartling
190 thanked everyone who showed up to the meeting tonight and being involved in the decisions the City
191 Council makes.

192

193 **Community Updates/Events Calendar:**

194 **Item 11a. Event Calendar**

195 TCL reviewed upcoming events.

196 **Item 11b. POSSIBLE QUORUM: July 27, 2023, 4-7pm, Hampton Inn & Suites, Public Meeting for**
197 **Dutchman Solar Project**

198 **Item 11c. POSSIBLE QUORUM: August 10, 2023, 5-9pm, Washington Park, City BBQ**

199

200 **Executive Session:**

201 **Councilperson Hershberger moved, seconded by Councilperson Schmidt to adjourn into Executive**
202 **Session for purpose of considering the appointment, employment, right to practice, dismissal,**
203 **complaints or charges against a public officer, professional person or employee, in accordance with**
204 **W.S. §16-4-405(a)(ii). Motion carried 5-0.**

205

206 **The July 24, 2023 Regular City Council meeting adjourned into Executive Session at approximately 6:48**
207 **p.m.**

208

209 **ATTEST:**

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211

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213

214

Kim Pexton, Mayor

Chaz Kokesh, City Clerk
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