

City Council Minutes
August 14, 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); Todd Byerly, PD Chief (PC); Clara Chaffin, Community Development Director (CDD); John Harbarger, Public Works Director (PWD); Mike Armstrong, City Attorney; Kristen Shaw, Team & Community Liaison (TCL).

Item 1a. Pledge of Allegiance

Chaz Kokesh led the assembly in the Pledge of Allegiance.

Disclosures by City Council Members: None.

Consent Agenda:

Item 3a. Corrections, Additions, and Approval of Agenda – August 14, 2023

Item 3c. Warrant Register: July 2023

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

Public Comments: None.

Council Action Items:

Item 5a. Ordinance No. 1023, an Ordinance Amending Chapter 5.16 of Douglas Municipal Code Concerning the Process of Regulation and Issuance of Alcoholic Liquor or Malt Beverages as it Relates to Sales Tax Delinquency or Compliance Violations and to Furthermore Amend the Chapter in Order to Comply with Actions Taken During the 2023 Legislative Session, First Reading

CC provided an overview of the ordinance, stating this would enable the council to have greater flexibility in addressing violations and to additionally allow language for defining “entertainment” as it relates to the revised Bar & Grill License requirements. **Councilperson McNare moved, seconded by Councilperson Schmidt to approve Ordinance No. 1023 as presented on its First Reading. Motion carried 5-0.**

Item 5b. Ordinance No. 1027, an Ordinance Creating Section 10.48.080 Pertaining to Curb Markings, Second Reading

CDD noted that no changes had been made to the ordinance since the first reading. **Councilperson Hershberger moved, seconded by Councilperson Schmidt to approve Ordinance No. 1027 as presented on its Second Reading. Motion carried 5-0.**

Item 5c. Ordinance No. 1028, an Ordinance Establishing an Overlay Zoning District of the South Douglas Residential Historic District to Recognize the Significance of the Neighborhood in Representing the History of the Growth of Douglas and the Architectural Trends of Our Early History Creating Section 16.4.4.7(F) and Amending Table 4-1 of the Douglas Municipal Code, Second Reading

45 CDD Chaffin notes there were no changes since the first reading and additionally, the Douglas Historic
46 Preservation Commission would like to thank the City Council for designating this district. **Councilperson**
47 **Bartling moved, seconded by Councilperson McNare to approve Ordinance No. 1028 as presented on**
48 **its Second Reading. Motion carried 5-0.**

49

50 ***Item 5d. Ordinance No. 1030, an Ordinance Amending Section 13.04.110 of the Douglas Municipal***
51 ***Code for the City of Douglas, Wyoming, Regarding Curb Stop Installation and Access, First Reading***
52 PWD provided an overview of the ordinance, noting it would enable staff to move vehicles off of curb
53 stops in order to access them for shut offs, and to tow the vehicles if necessary. **Councilperson McNare**
54 **moved, seconded by Councilperson Bartling to approve Ordinance No. 1030 as presented on its First**
55 **Reading. Motion carried 5-0.**

56

57 ***Item 5e. Resolution No. 2023-30, a Resolution Authorizing the City Administrator to Enter into Certain***
58 ***Contracts on Behalf of the City***

59 Attorney Armstrong provided an overview, noting this would enable the City Adminisitrator to enter into
60 contracts that are less than \$10,000, allowing for efficiency with contracts. **Councilperson McNare**
61 **moved, seconded by Councilperson Schmidt to approve Resolution No. 2023-30 as presented. Motion**
62 **carried 4-1; Councilperson Hershberger voting Nay.**

63

64 ***Item 5f. Amendment No. 1 to Contract – City Administrator***

65 Attorney Armstrong noted this amendment is per the council decision to increase pay and provide a
66 bonus, in addition to extending the City Administrator’s contract. **Councilperson Hershberger moved,**
67 **seconded by Councilperson Schmidt to approve Amendment No. 1 to the Contract for City**
68 **Administrator with J.D. Cox, as presented. Motion carried 5-0.**

69

70 ***Item 5g. Contingency Request: Consultancy Agreement – Public Management Center, University of***
71 ***Kansas***

72 CA provided an overview of the agreement, noting it represents the rollout of the Strategic Doing and
73 being able to fully develop it. The services offered by the University would address internal processes,
74 while coordinating with the Wyoming Business Council who will address external processes.

75 **Councilperson Bartling moved, seconded by Councilperson McNare to authorize \$42,490 from General**
76 **Fund Contingency to be transferred to Miscellaneous Contractual and Professional Development and**
77 **that Agreement with Public Management Center of the University of Kansas be approved and**
78 **furthermore authorize the City Administrator to sign all associated documents. Motion carried 5-0.**

79

80 ***Item 5h. Contingency Request: Landfill Road Improvements***

81 CA provided an overview, noting this would authorize \$500,000 for the reconstruction of the Landfill
82 Road. The County Commissioners have agreed to pay \$500,000 towards the reconstruction costs and
83 the additional amount authorized would cover the remaining costs. **Councilperson McNare moved,**
84 **seconded by Councilperson Hershberger to authorize the allocation of contingency funds to**
85 **architect/engineering/survey and improvements other than building accounts in the amount of**
86 **\$500,000 for design and construction of the landfill road and furthermore authorize the City**
87 **Administrator to sign all associated documents. Motion carried 5-0.**

88

89 ***Item 5i. Bid Award – Douglas City Street Slurry Seal Project for 2023-24***

90 PWD provided an overview, noting this would be for 90,000 square yards of roadway. The City is able to
 91 extend the lifetime of their roadways. Brief discussion followed. **Councilperson Schmidt moved,**
 92 **seconded by Councilperson Bartling to accept the bid from Asphalt Preservation, LLP in the amount of**
 93 **\$227,538.10 for the Douglas City Street Slurry Seal Project and authorize the City Administrator to sign**
 94 **all associated documents. Motion carried 5-0.**

95

96 ***Item 5j. Bid Award – Parks Department: Midsize 4x4 Pickup***

97 PWD stated there were no bids received for this item and the approved recommendation would allow
 98 staff to solicit bids and move forward with purchasing a vehicle. **Councilperson Hershberger moved,**
 99 **seconded by Councilperson Schmidt to authorize the fleet manager for the City of Douglas to solicit**
 100 **various dealerships to purchase a vehicle that meets specifications as originally bid for \$45,000 or less**
 101 **and to furthermore authorize the City Administrator to sign all associated documents. Motion carried**
 102 **5-0.**

103

104 ***Item 5k. Bid Award – Planning Department: Midsize SUV AWD***

105 PWD stated there were no bids received for this item and the approved recommendation would allow
 106 staff to solicit bids and move forward with purchasing a vehicle. **Councilperson Bartling moved,**
 107 **seconded by Councilperson McNare to authorize the fleet manager for the City of Douglas to solicit**
 108 **various dealerships to purchase a vehicle that meets specifications as originally bid for \$25,000 or less**
 109 **and to furthermore authorize the City Administrator to sign all associated documents. Motion carried**
 110 **5-0.**

111

112 ***Item 5l. Bid Award – Water Department: 1 Ton 4x4 Pickup with Utility Box***

113 PWD stated there was one bid received but it was more than the \$62,000 budgeted, however the bid
 114 received for the wastewater vehicle came in under budget and he is asking to utilize the remaining funds
 115 from that budgeted amount towards this vehicle purchase. **Councilperson McNare moved, seconded by**
 116 **Councilperson Bartling to accept the bid from Fremont Chevrolet for a 2023 Chevrolet Silverado 3500**
 117 **Crew Cab for the sum of \$68,242.00 and to furthermore authorize the City Administrator to sign all**
 118 **associated documents. Motion carried 5-0.**

119

120 ***Item 5m. Bid Award – Wastewater Department: ½ Ton 4x4 Pickup***

121 PWD stated there was one bid received, the budget was \$65,000 for this purchase, it was bid out for
 122 FY2023 but the bids received were over budget. **Councilperson Hershberger moved, seconded by**
 123 **Councilperson Schmidt to accept the bid from Fremont Chevrolet for a 2023 Chevrolet Silverado 1500**
 124 **LT Crew Cab for the sum of \$48,280.00 and to furthermore authorize the City Administrator to sign all**
 125 **associated documents. Motion carried 5-0.**

126

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

128 ***Item 6a. Directors Reports: Public Works Department, Police Department, Community Development***
 129 ***Department, City Clerk, Administrative Services/Treasurer's Department***

130 ***Item 6b. Quarterly Reports – Fiscal Year 2023, 4th Quarter – Aid to Others***

131 ***Item 6c. Quarterly Financial Report – Period Ending June 2023***

132 ***Item 6d. Treasurer's Report – June 2023***

133

Administrator's Report:

135 **Item 7a.** CA provided an update of following items: staff is developing ways to celebrate KPI
136 completions; reminder to be at the Annex by 8:15 on Saturday for the parade; the swimming pool is
137 closed for the season; all summer help will be gone by Friday (August 18) with one staying on as a full
138 time employee; working with the animal shelter to address overflow issues and once an agreement is
139 reached an updated Aid to Others agreement will come before the council for approval; planning is
140 under way for the Christmas Tree lighting in December, with plans to incorporate more elements;
141 continue to meet with Morryah McCurdy of the Enterprise, discussing economic development that
142 would benefit not just Douglas but Converse County; Wyoming Business Council is going to be a great
143 partner for the city, with the regional person coming to visit Douglas; the Wyoming Arts Council has
144 learned we're starting an Arts & Culture Board and is discussing holding their next meeting in Douglas;
145 Converse County Tourism & Promotion Board is working with an individual in the film industry who
146 would bring groups here and has already scheduled National Geographic to come for filming.
147 Administrator Cox gave a formal address regarding Clerk Kokesh and her contributions to the City of
148 Douglas as both an employee and community member, wishing her all the best as she leaves the City of
149 Douglas to become the City Clerk in Box Elder, South Dakota.

150

Good People Doing Good Things:

152 **Item 8a.** Councilperson McNare reviewed those people receiving commendations from the Douglas
153 Police Department: Douglas Feed for providing a lifetime supply of food for our K-9 Unit, Red; Officer
154 Byler for purchasing cat food for someone who could not afford it; Jason Goodwin who helped put
155 together the 4th of July Celebration activities; Blake Palmer for the work his department did to set up
156 and tear down for the 4th of July Celebrations; and the Enterprise/Morryah McCurdy for their
157 partnership and the work they've done the last 3 years to make the 4th of July Celebrations a success.
158 Councilperson Hershberger thanked the Douglas Fire Department for putting up all the streamers
159 downtown. Hershberger also commended the Public Works Department for showing up to the Boys &
160 Girls Club event last week, showing the kids the equipment and explaining what they do, and getting
161 them excited about what the city does. Mayor Pexton wished the State Fair crews good luck as they will
162 have a lot going on the next week. Pexton also thanked city staff for putting together the city BBQ, it
163 was nice to see families there.

164

Community Updates/Events Calendar:**Item 9a. Event Calendar**

167 TCL provided an overview of upcoming events.

168

Executive Session: None.

170

Adjourn:

172 Councilperson Bartling moved, seconded by Councilperson Schmidt to adjourn the August 14, 2023,
173 Regular City Council meeting at approximately 6:07 p.m. Motion carried 5-0.

174

ATTEST:

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177
178
179 Chaz Kokesh, City Clerk
180 Published August 30, 2023

Kim Pexton, Mayor