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

Show Cause Hearing:

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

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

Public Hearings:

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

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

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

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

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

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

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

Mayor Kemper opened the public hearing at approximately 6:14 p.m. Community Development Director Chaffin distributed a map detailing the proposed vacation of property and provided history of area. A petition was received from an adjacent property owner and confirmed qualifying. It was reviewed by the Planning & Zoning Commission where one objection was received regarding access to another property for development and use, the commission recommended the two property owners work together to create a workable solution. Comments received from Mike Hageman regarding access to lots 11 & 12, as he feels the alley would be the best option for doing so as those lots are developed and used. Jim Willox stated he recently purchased lots 8, 9, & 10 and adjacent property owners have confirmed they are okay with the vacation request. Brief discussion followed regarding an existing fence in the alley. Kemper closed the public hearing at approximately 6:25 p.m.

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

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

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

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

<u>Council Action Items:</u>

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

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

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

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

Item 8c. Agreement: CGI Banners

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

Item 8d. Agreement: Little Box Elder Spring Easement

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

Item 8e. Bid Award: Public Works Pickup

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

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

Item 8f. Bid Award: Public Works Track Loader
Councilperson Gilbreath moved, seconded by Councilperson Bartling to approve the bid from M&R Equipment for a compact track loader, with the optional land leveler in the amount of $58,230.00 and further authorize the City Administrator to execute all associated documents. Motion carried 5-0.

Item 8g. Approval of Expenditure: Sheep Mountain Well Lining
Councilperson Pexton moved, seconded by Councilperson Gilbreath to approve the tank repair work by Amtech Tank Lining and Repair in the amount of $89,980.00 for the emergency repair of the Sheep Mountain tank and further authorize the City Administrator to approve contingency work in the amount not to exceed 10% as well as sign all associated documents with the project. Motion carried 5-0.

Item 8h. Agreement: EPA Brownfield Assessment Agreement with Ayers and Associates Inc.
Councilperson Bartling moved, seconded by Councilperson McNare to approve the agreement between Converse County, City of Douglas, and Town of Glenrock collectively and Ayres and Associates Inc. to draft the EPA Brownfield Assessment Grant, in the amount of $3,000 per entity, pending further review, and further authorize the City Administrator to sign all associated documents. Community Development Director Chaffin provided background on the application, entities involved, and potential projects, no discussion. **Motion carried 5-0.**

Item 8i. Agreement: Sunrise Engineering
Councilperson McNare moved, seconded by Councilperson Pexton to approve the agreement between City of Douglas and Sunrise Engineering, and further authorize the City Administrator to sign all associated documents. Motion carried 5-0.

<u>Council Discussion & Non-Action Items:</u>
Item 9a. Quarterly Financial Reports: 1st Quarter of Fiscal Year 2023
Item 9b. Dashboards: September 2022
Item 9c. Minutes: Converse County Tourism & Promotion Board: August 23, 2022
Item 9d. Treasurer's Report: September 2022

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

Councilperson McNare recognized PD officer Luca Dowd for putting together the Bryan Gross memorial golf tournament with money going towards the K9 program, and he also received a call from a resident who was stopped by PD Officer Triston Johnson, and he thanked him for his professionalism and positive interaction.

<u>Executive Session</u>: None.

<u>Adjourn:</u>

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

ATTEST:

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René Kemper, Mayor

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Chaz Schumacher, City Clerk
Published November 9, 2022