

City Council Regular Minutes  
October 14, 2024

**1. Call to Order, Roll Call, and Pledge of Allegiance**

Mayor Kim Pexton Called the meeting to order at approximately 3:59p.m. Roll Call was taken with the following City Council Members present: Councilperson Ron McNare; Councilperson Perry Hershberger; Councilperson Matt Schmidt; Councilperson John Bartling and Mayor Kim Pexton. Mayor Pexton led the assembly in the Pledge of Allegiance.

Also present: J.D. Cox, City Manager; Mike Armstrong, City Attorney; Clara Chaffin, Community Development Director; Sonya Ortega, City Clerk; Kendal Detwiler, Human Resources Director; Todd Byerly, Chief of Police; John Harbarger, Public Works Director.

**2. Disclosures by City Council Members**

Councilperson McNare will abstain from voting on item 9f and 9g.

**3. Approval of General Agenda (Corrections or Additions)**

Councilperson Matt Schmidt moved to approve the General Agenda as presented. Seconded by Councilperson Perry Hershberger. Motion carried 5-0.

**4. Public Comments**

None.

**5. Presentations**

**a. Introduction: Landfill Operator Bryce Tschida**

City Manager Cox introduced Bryce Tschida as the new landfill operator.

**b. Introduction: Parks Maintenance Richard Chase**

City Manager Cox introduced Rich Chase as the new parks maintenance.

**c. Promotion: Cemetery Sexton Amber Goosen**

Mayor Pexton announced the promotion of Amber Goosen as the Cemetery Sexton.

**6. Discussion Items**

**a. WaterWise Update-1. Level 1 Study Update; 2. System Usage & Consumption Targets; 3. Groundwater Exploration; 4. Water Treatment Plant HDR Study**

Supervisor Oberlander provided a report of the WaterWise Update. Threshold

was reached and The City will do a leak detection survey this fall to try to identify weak components within the water system. Possibly revising 5 year capital plan to target weak areas and we are on track to be completed by May 2025. Supervisor Oberlander discussed with council the Western Sky Well. Council believes we should move forward. RM stated water is our most important issue and if there is some way to progress then we should. Supervisor Oberlander requests we do a budget amendment, Council agrees for budget amendment

**b. Notification: Sales Tax Hold Received & Released: College Inn Bar**

City Clerk Ortega gave staff report. Council decided against a show cause hearing for College Inn Bar.

**c. EWC Funding: Discussion**

Commissioner Willox provided report. Estimated cost is 6.1M and there are 4M between grant and participating parties. we are saving 300k by doing a red steel building. There are potentials for grants. We have 500k match money available through the state. Commissioners will have a discussion tomorrow. Commissioner Willox will provide further information as he gets it.

**7. Approval of Consent Docket**

Councilperson John Bartling moved to approve the Consent Docket as presented. Seconded by Councilperson Ron McNare. Motion carried 5-0.

**a. Minutes**

**Special Council Meeting Minutes: September 19, 2024**

**b. Bills & Claims**

**Warrant Register: September 2024**

**c. Other – Consent**

**8. Public Hearing**

None

**9. Council Action Items**

**a. Safe Streets for All (SS4A): RFQ Award**

Director Chaffin provided a staff report. RFQ received. A pedestrian bridge

would fall under this.

Councilperson Perry Hershberger moved to approve awarding the Safe Streets for All (SS4A) Comprehensive Action Plan grant work to Ayres Associates and authorize the City Manager to sign all associated documentation. Seconded by Councilperson Matt Schmidt. Motion carried 5-0.

**b. Planning and Zoning Commission: Appointment**

Director Chaffin stated there were 2 positions opened up, Dave Patterson has been on Planning Commission for 1 term and applied to renew his term. There are a couple of applications for the second available position and the appointment will be brought forward to the next Council Meeting.

Councilperson Ron McNare moved to appoint Dave Patterson to the Planning and Zoning Commission for a three-year term ending October 25, 2027. Seconded by Councilperson John Bartling. Motion carried 5-0.

**c. WYDOT Gas Line Relocation Reimbursement Agreement**

Director Harbarger provided staff report; he reached out to WYDOT and they agreed to cover this cost. Once the line is relocated, the City will send in invoices and will be reimbursed by WYDOT. The City pays upfront.

Councilperson John Bartling moved to approve the agreement between Black Hills Wyoming LLC and the City of Douglas in the amount of \$26,486.00 to relocate the gas main on the 2nd St. bridge and furthermore authorize the City Manager to sign all associated documents. Seconded by Councilperson Matt Schmidt. Motion carried 5-0.

**d. WWTP Cell Bypass: Change Order #2**

Director Harbarger provided staff report. This includes a 96 day extension due to a delay in equipment.

Councilperson Matt Schmidt moved to approve WWTP Cell Bypass Change Order #2 in the amount of \$7,308.46 and authorize the City Manager to sign all associated documents. Seconded by Councilperson Ron McNare. Motion carried 5-0.

**e. Resolution 2024-37: A Resolution Prohibiting Parking On Commerce Drive**

Director Chaffin provided Staff report; motion failed to move.

**f. Warrant Register: September 2024 - K&R Construction, LLC**

City Manager Cox advised there was a conflict announced earlier in the meeting and we are recommending approval.

Councilperson John Bartling moved to approve Warrant Register September 2024-K&R Construction, LLC. as presented. Seconded by Councilperson Matt Schmidt. Motion carried 4-0.

**g. City Hall: Change Order No. 4 (Deduct)**

Director Chaffin provided a staff report; Councilpersons Hershberger and Schmidt do not agree with the amount The City is requesting to spend on a

time capsule. Councilperson McNare stated that the company that builds these capsules is more than just a stainless steel box section, there is a discussion included along with other items in this package. The Mayor advised to change the motion to take out the time capsule. Mayor Pexton entertains a motion with changes.

Councilperson John Bartling moved to approve Change Order No. 4 with the exception of the time capsule and deduct for coping at top of wall and authorize the City Manager to sign all associated documents. Seconded by Councilperson Perry Hershberger. Motion carried 4-0.

**10. Public Comments**

None

**11. Finance**

None

**12. City Manager's Report**

City Manager Cox provided a report and a hand-out. He is going to attend the meeting of the Joint Justice Center on Thursday and will be proposing a revised agreement and bylaws that will be combined. "Red's Report" has been added to the City Manager Report. The Cemetery Tour was highlighted as being highly successful as they had the highest turnout they've ever had. City Manager Cox thanked Council at Oktoberfest and that it was a great success with 1500 attendees. Continuing to work on the city app "Discover Douglas". 7 trails Type b will be going to Planning Commission next week and will be added to the 28th Council meeting. Retail Coach continues to work to build relationships with potential firms. The City is continuing to strive to keep the pool expedited and work through our city engineers to subcontract with EDA to keep it moving along and we are still hopeful to have a pool this next summer. The 112 downtown are out for proposals and due back the 17th. Changes at City Hall are substantial. The Sheep Mountain Well was completed early.

**13. Council Information**

Councilperson Hershberger commented on how awesome Oktoberfest was and suggests moving to Jackalope Square next year and shutting down that part of town and involve the whole city. Councilperson Hershberger also asked about redoing the alley behind Double D's and Director Harbarger advised that it is part of the ongoing project right now. Councilperson Hershberger stated that we as a city need to make sure we are also following the requirements of tree height over sidewalks as well. Councilperson Bartling made a comment on how nice Adams Street is and tasked the Police Department on keeping a close watch at the corner of Jefferson St and Fetterman St as there is someone creating large ruts and tearing the corner up.

**a. Tourism Board: August 2024 Minutes**

**b. Douglas Urban Systems Advisory Committee: 2024 Minutes**

**14. Good People Doing Good Things**

Mayor Pexton thanked multiple subjects for putting very hard work into Oktoberfest. Councilperson Schmidt thanked the Clerk and Deputy Clerk for setting up NEWY. Councilperson McNare stated it did not go unnoticed that we were there for them and not asking them for money. Mayor Pexton advised we are the only city that hosts the JAC and really only in the region involved with our Legislators. Councilperson Hershberger thanks Mayor Pexton for Fact Friday and that it is much appreciated by the council and the citizens.

**15. Community Update**

**a. Event Calendar**

**16. Executive Session**

**17. Adjourn**

Mayor Pexton called the meeting to adjourn at approximately 5:27pm  
Councilperson Perry Hershberger moved to adjourn the Regular City Council Meeting of October 14, 2024. Seconded by Councilperson Ron McNare.  
Motion carried 5-0.

Kim Pexton, Mayor

ATTEST:

Sonya Ortega, City Clerk  
Published: October 23, 2024