

**City Council Meeting Minutes**  
**April 22, 2019**

The regular meeting of the Douglas City Council was held on Monday, April 22, 2019, at 5:30 p.m. in the Council Chambers of City Hall at 101 N. 4<sup>th</sup> Street, Douglas, Wyoming.

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL:** Mayor Kemper called the meeting to order and led the assembly in the Pledge of Allegiance. Upon roll call the following were present:

Mayor:	Rene' Kemper
Council Members:	John Bartling
	Monty Gilbreath
	Kim Pexton
	Karl E. Hertz

**Others Present:**

City Administrator	Jonathan Teichert
City Clerk	Karen Rimmer
City Treasurer	Mary Nicol
Chief of Police	Ron Casalenda
Public Works Director	John Harbarger
Community Dev. Director	Clara Chaffin
IT Director	Gary Schwarz

**Disclosures by City Councilmembers:** Mayor Kemper asked for disclosures of any conflicts of interest for Council members; there were none.

**Consent Agenda:** Councilmember Bartling moved to approve the Consent Agenda as presented: **Item 2.I. Corrections, Additions, and Approval of Agenda for April 22, 2019; Item 2.II. Consideration of Resolutions and Ordinance by Title Only; Item 2.III. Minutes, Regular City Council Meeting, April 8, 2019; Item 2.IV. Minutes, City Council Work Session, April 8, 2019; Item 2.V. Minutes, Joint City Council/County Commissioner Work Session, April 17, 2019; 2.VI. Minutes, Regular Planning and Zoning Commission Meeting, April 15, 2019.** Councilmember Pexton seconded; no discussion and motion approved 5-0.

**Proclamations/Special Recognitions:** **Item 3.I. Proclamation, Arbor Day 2019:** Councilmember Gilbreath read the proclamation declaring Friday, May 10, 2019, as Arbor Day within the City of Douglas.

**Presentations to Council/Public Hearings:** **Item 4.I. Public Hearing, Resolution 1996, Authorizing Bighorn Construction and Reclamation, LLC to Proceed with a Type B Development for the Construction of an Office, Shop and Construction Yard in a PLI-Planned Light Industrial Zone at 915 North 4th Street (Northgate Development Subdivision, Block 11, Lot 2), Douglas, Wyoming:** Mayor Kemper opened the public hearing; Director Chaffin provided the staff report, including purpose of this development; vicinity map and location; size; zoning; existing

48 and surrounding land use; history; proposed project details;  
49 additional infrastructure requirements; and reviewing agencies  
50 and correlating comments. City staff and the Planning and Zoning  
51 Commission recommended approval as presented. There were no  
52 comments from the applicant and no comments in favor or  
53 opposition of the resolution. Mayor Kemper closed the public  
54 hearing. Councilmember Hertz moved to approve Resolution 1996 as  
55 presented; seconded by Councilmember Gilbreath; no discussion  
56 and motion approved 5-0. **Item 4.II. Public Hearing, Resolution**  
57 **1997, Authorizing a Conditional Use Permit for the Keeping of**  
58 **Fowl in an R-2 Medium Density Residential Zone at 1541 Meadow**  
59 **Lane (Stone River Meadows #2, Lot 70), City of Douglas:** Mayor  
60 Kemper opened the public hearing; Director Chaffin provided the  
61 staff report, including purpose; vicinity map and location;  
62 size; zoning; existing and surrounding land use; history; and  
63 staff analysis including two comments received prior to the  
64 public hearing in opposition of the application. City staff and  
65 the Planning and Zoning Commission recommended approval with  
66 conditions as presented. There were no comments from the  
67 applicant and no additional comments in favor or opposition of  
68 the resolution. Following questions and comments from Council,  
69 Mayor Kemper closed the public hearing. Councilmember Pexton  
70 moved to approve Resolution 1997 as presented; seconded by  
71 Councilmember Bartling; no discussion and motion failed 0-5.  
72 **Item 4.III. Public Hearing, Resolution 1998, Approving the**  
73 **Halverson Minor Subdivision, Being Portions of Lots 4 and 8, The**  
74 **SE 1/4 SW 1/4 of Section 33, Township 33 North, Range 71 West,**  
75 **Converse County, Wyoming:** Mayor Kemper opened the public  
76 hearing; Director Chaffin provided the staff report, including  
77 purpose of development; vicinity map and location; size;  
78 existing and surrounding land use; history; proposed project  
79 details; and staff analysis. This property is located in the  
80 county and therefore not subject to zoning. City staff and the  
81 Planning and Zoning Commission recommended approval as presented  
82 with reservations as to future development of the property given  
83 the lack of county zoning regulations. Director Chaffin answered  
84 Council and staff questions including potential future  
85 annexation. There were no comments from the applicant and no  
86 comments in favor or opposition of the resolution. Mayor Kemper  
87 closed the public hearing. Councilmember Bartling moved to  
88 approve Resolution 1998 as presented; seconded by Councilmember  
89 Gilbreath; no discussion and motion approved 4-1 with  
90 Councilmember Bartling opposing the motion. **Item 4.IV. Show**  
91 **Cause Hearing, Los Espinos, Inc. DBA LaCosta Mexican Restaurant,**  
92 **Sales Tax Delinquency:** Mayor Kemper opened the show cause  
93 hearing; the City Clerk provided a staff report for the City,  
94 including an overview of the violation and sales tax

95 delinquencies/liquor holds in general; history of violations for  
96 the license holder; former Council actions in similar  
97 situations; and conclusions and recommendations. Mr. Jose Lopez,  
98 Douglas location manager, spoke on behalf of the license holder,  
99 Los Espinos, Inc. He provided an explanation of how this  
100 violation occurred and answered Council questions regarding how  
101 he intends to mitigate this type of violation occurring in the  
102 future. Following final Council comments and questions, Mayor  
103 Kemper closed the show cause hearing. No further action was  
104 taken by Council.

105 **Public Comments:** Mel Glover, Superintendent of the Pioneer  
106 Museum, Camp Douglas, and Fort Fetterman, approached Council to  
107 provide an overview of his request for Community Service Grant  
108 funds for FY2020. His request is primarily for staff for Fort  
109 Fetterman and minor repairs at the Museum. He explained funding  
110 cuts on the state level are the impetus for his request and  
111 answered Council questions. Council thanked him for the work he  
112 is doing; his request will be considered as part of the FY2020  
113 budget process. Kara Eberspecher, owner of the Princess Theater,  
114 approached Council to discuss concerns with the N. 3<sup>rd</sup> Street  
115 improvement project; she provided petition she created titled  
116 "Rethink N. 3<sup>rd</sup> Street Revamp" containing approximately 200  
117 signatures to the Clerk. She expressed concerns pertaining to  
118 the decreased number of parking spaces in the current plan due  
119 to what she feels are unnecessary trees and sidewalk bump-outs.  
120 She stated that she was in favor overall of the project but not  
121 these aspects of it. Council members asked questions and  
122 provided some insight and history of this design, which began  
123 with the Douglas Master Plan adoption in 2014 and continued with  
124 a Downtown Needs Assessment in 2015, and is a priority project  
125 due to the condition of the water lines and storm sewer drainage  
126 in this area. The Clerk explained for the record how the public  
127 can sign up for notifications regarding City Council regular and  
128 work session meetings. Stacey Poppinga, owner of This-n-That  
129 Thrift Store, approached Council and provided a letter from  
130 MaryAnn Russell, owner of a hair salon on N. 3<sup>rd</sup> Street, stating  
131 opposition to the N. 3<sup>rd</sup> Street improvements. Ms. Poppinga  
132 expressed concerns with the project, primarily reduced parking  
133 spaces and inaccuracies in the design plans. John Hunt, owner  
134 of Headstrong Brewery, approached Council and also expressed  
135 concerns with the N. 3<sup>rd</sup> Street Improvement project regarding  
136 parking and snow removal, as well as a specific business  
137 operating out the City Parking lot between N. 2<sup>nd</sup> and N. 3<sup>rd</sup>  
138 Streets; he stated this area will need to be utilized by  
139 downtown customers during this project. He stated he is in favor  
140 of the project overall. Stacey Poppinga again approached  
141 Council and asked additional questions regarding status of

142 design and anticipated start date. Brian Hardy approached  
143 Council and expressed concerns with the inaccuracies that he  
144 claims to have found within the design plans for the project. He  
145 is also concerned about the reduction in parking and had  
146 questions regarding the bidding process and start date for this  
147 project. Following brief discussion amongst Council and staff,  
148 Mayor and Council thanked all speakers for their comments.

149 **Council Items: Item 6.I. Bid Recommendation, New Specified Tee**  
150 **Mower, Douglas Community Club Motion:** Councilmember Hertz moved  
151 to accept the bid from Stotz Equipment in the amount of  
152 \$32,600.00 as presented and further moved to authorize the City  
153 Administrator to approve all associated documentation; seconded  
154 by Councilmember Gilbreath; no discussion and motion approved 5-  
155 0. **Item 6.II. Bid Recommendation, New Specified VFD Pump System**  
156 **Control for 5 HP, 40 HP, and 100 HP Pumps, Douglas Community**  
157 **Club:** Councilmember Bartling moved to accept the bid from  
158 Granite Peak Pump Service Inc. in the amount of \$38,365.84 as  
159 presented and further moved to authorize the City Administrator  
160 to approve all associated documentation; Councilmember Gilbreath  
161 seconded; no discussion and motion approve 5-0. **Item 6.III. Bid**  
162 **Recommendation, Douglas Park Cemetery Expansion Project:**  
163 Councilmember Pexton moved to accept the bid from Chalk Buttes  
164 Landscaping in the total amount of \$304,160.00 as presented and  
165 further moved to authorize the City Administrator to approve all  
166 associated documentation; seconded by Councilmember Hertz; no  
167 discussion and motion approved 5-0. **Item 6.IV. Bid**  
168 **Recommendation, Washington Park Pump Replacement Project:**  
169 Councilmember Pexton moved to accept the bid from Chalk Buttes  
170 Landscaping in the amount of \$92,374.00 as presented and further  
171 moved to authorize the City Administrator to approve all  
172 associated documentation; Councilmember Gilbreath seconded; no  
173 discussion and motion approved 5-0. **Item 6.V. Bid**  
174 **Recommendation, Douglas Pathway Project (TAP Grant):** Brooke  
175 Bulgrin, P.E., Inberg-Miller Engineers, approached Council and  
176 provided an overview of the project; grant funds received from  
177 WYDOT; the City's required fund match; overview and engineer's  
178 estimated construction costs for Schedules A and B; overall  
179 engineering costs; and the bid tabulation results. Following  
180 further questions and discussion, Councilmember Gilbreath moved  
181 to accept the bid from Powder River Construction in the amount  
182 of \$226,636.00 for both Schedule A and B as recommended  
183 contingent upon approval of the recommendation from WYDOT, and  
184 further moved to authorize the City Administrator to approve all  
185 associated documentation; Councilmember Bartling seconded; no  
186 further discussion and motion approved 4-1 with Councilmember  
187 Gilbreath opposing the motion.

188 **Council Information:** Item 7.I. Sales Tax Report, April 2019;  
189 Item 7.II. Treasurer's Report, March 2019; Item 7.III. Quarterly  
190 Financial Statement, Quarter Ending March 31, 2019; Item 7.IV.  
191 Dashboards, March 2019: Councilman Gilbreath stated that the  
192 City has collected 221.22% of the FY2019 budget and is now  
193 averaging \$1.327 million per month in sales tax income. The  
194 Clerk stated for the record that the Arbor Day celebration will  
195 take place at Douglas Upper Elementary School at 2:00 p.m. on May  
196 10, 2019. No further discussion and no action taken.

197 **Adjourn:** Councilmember Bartling moved to adjourn the regular  
198 Council meeting; Councilmember Hertz seconded; no discussion and  
199 motion approved 5-0. Regular meeting adjourned at 7:07 p.m.

200 **ATTEST:**

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Karen Rimmer, City Clerk

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205 Published: May 1, 2019

Rene' Kemper, Mayor