

**City Council Meeting Minutes
July 8, 2019**

The regular meeting of the Douglas City Council was held on Monday, July 8, 2019, at 5:30 p.m. in the Council Chambers of City Hall at 101 N. 4th 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. Councilmember Gilbreath stated he would abstain from voting on Council Action Items numbers 5.I., 5.II., and 5.VI. due to conflicts; Councilmember Pexton stated she would abstain from voting on Council Action Items numbers 5.I. and 5.II. due to conflicts; and Mayor Kemper stated she would abstain from voting on Council Action Item number 5.VII. due to a conflict.

Consent Agenda: Councilmember Bartling moved to approve the Consent Agenda as presented: **Item 2.I. Corrections, Additions, and Approval of Agenda for July 8, 2019; Item 2.II. Consideration of Resolutions and Ordinance by Title Only; Item 2.III. Warrant Register, June 2019; Item 2.IV. Minutes, Regular City Council Meeting, June 24, 2019.** Councilmember Gilbreath seconded; no discussion and motion approved 5-0.

Presentations to Council/Public Hearings: **Item 3.I. Resolution 2007, Authorizing Submission of an Abandoned Mine Lands Public Facility Grant Application to the State Loan and Investment Board on Behalf of the Governing Body for the City of Douglas for the Water Treatment Plant Slow Sand Filter Replacement Project:** Mayor Kemper opened the public hearing; City Administrator Teichert provided an overview of this item, including the application deadline and SLIB Board hearing dates; estimated and budgeted project costs; and the total amount of funding available from the Abandoned Mine Lands fund. There were no questions from Council and no comments in favor or opposition

48 of the resolution; public hearing closed. Councilmember Hertz
49 moved to approve Resolution 2007 as presented; Councilmember
50 Pexton seconded; no discussion and motion approved 5-0.

51 **Public Comments:** Jessica and Justin McGuire approached Council
52 expressing concerns regarding the state of their property at
53 1208 Townsend Court; they are experiencing severe slope erosion
54 into the N. Platte River to the point that it is threatening
55 their home and their neighbor's home. They met with Converse
56 County Emergency Management Director, Russ Dalgarn, who advised
57 them to come to City Council. They explained the sluffing began
58 in May 2018; they have been advised by geotechnical engineers to
59 have soil core samples obtained and evaluated, and then have the
60 property surveyed based upon that data. Administrator Teichert
61 explained that he has met with Russ Dalgarn and provided photos
62 to Council. He further explained that there may be Homeland
63 Security grant funds available. Another option may be CDBG
64 (Community Development Block Grant) funds. Dave Angiolillo
65 approached Council expressing frustration regarding an insurance
66 claim he had filed earlier this year due to a water leak in the
67 street which he claims caused sand to get into his service line,
68 thereby causing damage to several lines and appliances within
69 his home. For subsequent water line leaks and breaks, he was
70 advised by the City to shut the water off to his house until the
71 repairs were made. He spoke about the history of the
72 infrastructure and the consistent issues that the water lines in
73 this area experience. The City's general liability insurance
74 carrier, LGLP (Local Government Liability Pool) conducted an
75 investigation, resulting in a denial of his claim; he stated
76 that he was never contacted. Director Harbarger clarified that
77 his staff was contacted during the investigation by LGLP, and
78 that Windriver Drive is in the 5-year capital construction plan
79 for replacement; however, it is not the worst water line in the
80 City's infrastructure. Administrator Teichert added that
81 projects are scheduled to allow water, sewer, street, curb, and
82 gutter to all be replaced at the same time to avoid cutting into
83 new streets in order to make water and sewer repairs. Following
84 final comments and discussion, Administrator Teichert stated the
85 he would speak with LGLP regarding the claim process as well as
86 customer service but cautioned Council against the City becoming
87 involved in any way in the outcome of investigations.

88 **Council Items:** Item 5.I. Resolution 2006, Approving the
89 Proposition for Imposition of a One Percent (1%) Specific
90 Purpose Sales and Use Excise Tax in Converse County, Wyoming,
91 Said Proposition to be Placed on the Ballot at an Election to be
92 Held in Converse County on Tuesday, November 5, 2019:
93 Councilmembers Gilbreath and Pexton left Council Chambers.
94 Councilmember Bartling moved to approve Resolution 2006 as

95 presented; seconded by Councilmember Hertz. Discussion followed
96 regarding Council's recognition of the possible controversial
97 nature of this ballot measure which is why they feel any
98 decision regarding a new rec center needs to be made by the
99 voters of Converse County. Resolution 2006 is one of the first
100 steps to bring this decision to the voters. No further
101 discussion and motion approved 3-0 with Councilmembers Gilbreath
102 and Pexton abstaining from the vote. **Item 5.II. Douglas Rec**
103 **Center Joint Powers Board Agreement:** Councilmembers Gilbreath
104 and Pexton continued to remain absent from Council Chambers.
105 Councilmember Hertz moved to approve the Douglas Rec Center
106 Joint Powers Board Agreement as presented; Councilmember
107 Bartling seconded. Administrator Teichert stated that it was his
108 understanding that this item was in need of further revisions
109 before being approved. Councilmembers Hertz and Bartling
110 rescinded their motion and second. Councilmember Bartling moved
111 to table this item; seconded by Councilmember Hertz. Following
112 brief discussion, motion approved 3-0 with Councilmembers
113 Gilbreath and Pexton abstaining from the vote. Following the
114 vote, Councilmembers Gilbreath and Pexton returned to Council
115 Chambers. **Item 5.III. Deferred Development Agreement Between**
116 **the City of Douglas and Ashby Construction, Meadow Acres**
117 **Subdivision:** Councilmember Hertz moved to approve deferred
118 development agreement as presented, and further authorize the
119 City Administrator to sign all associated documentation;
120 Councilmember Pexton seconded. Discussion followed regarding
121 Council action several years ago regarding this area and the
122 development of Windriver. Director Chaffin stated the meeting in
123 question was January 25, 2016 in which Resolution 1888 was
124 approved; there is no mention of the improvement of Windriver in
125 either the minutes or the resolution, nor does Ashby
126 Construction have the financial means to connect Windriver to W.
127 Richards Street at this time. She clarified the types of
128 properties that would be developed in the area (single family
129 and twin homes) and that water and sewer would be looped and
130 emergency access would be required (no public access).
131 Administrator Teichert added that it is in the best interest of
132 the City to not develop a street in full within a phased project
133 in order to avoid expensive long-term maintenance of city
134 infrastructure with no development around it. No further
135 discussion and motion approved 5-0. **Item 5.IV. Bid**
136 **Recommendation, West Richards Street Bridge Rehabilitation**
137 **Project:** Councilmember Gilbreath moved to approve the bid as
138 recommended and accept the bid from Reiman Corp. in the amount
139 of \$112,580.00 and further authorize the City Administrator to
140 execute all documentation as necessary; seconded by
141 Councilmember Hertz; no discussion and motion approved 5-0. **Item**

142 **5.V. Community Service Grant Agreements, FY2020: Boys and Girls**
143 **Club of Douglas; Converse Area New Development Organization**
144 **(CANDO) D/B/A The Enterprise; Children's Advocacy Project;**
145 **Converse County Aging Services/Douglas Senior Center; Converse**
146 **Hope Center; Douglas Community Club; Douglas Youth Hockey; Fire**
147 **Suppression Authority; Here to Help Foundation of Wyoming; Human**
148 **Resource Council D/B/A Community Service Block Grant (CSBG);**
149 **Laramie Peak Humane Society; Solutions for Life; Wyoming Child**
150 **and Family Development:** Councilmember Bartling moved to approve
151 the Community Service Grant Agreements for Boys & Girls Club of
152 Douglas; CANDO/The Enterprise; Children's Advocacy Project;
153 Converse County Aging/Senior Center; Converse Hope Center;
154 Douglas Community Club; Douglas Youth Hockey; Fire Suppression
155 Authority; Here to Help Foundation of Wyoming; HR Council/CSBG;
156 Laramie Peak Humane Society; Solutions for Life; and Wyoming
157 Child and Family Development as presented; Councilmember Pexton
158 seconded. No discussion and motion approved 5-0. **Item 5.VI.**
159 **Community Service Grant Agreement, Converse County School**
160 **District #1 (CCSD#1) Recreation Board, FY2020:** Councilmember
161 Gilbreath removed himself from Council Chambers. Councilmember
162 Pexton moved to approve the Community Service Grant Agreement
163 for the CCSD#1/Rec Center as presented; seconded by
164 Councilmember Bartling; no discussion and motion approved 4-0
165 with Councilmember Gilbreath abstaining from the vote. Following
166 the vote, Councilmember Gilbreath returned to Council Chambers.
167 **Item 5.VII. Community Service Grant Agreement, Youth Development**
168 **Services, FY2020:** Mayor Kemper passed the gavel to Mayor pro tem
169 Bartling and then removed herself from Council Chambers.
170 Councilmember Hertz moved to approve the Community Service Grant
171 Agreement for Youth Development Services as presented;
172 Councilmember Gilbreath seconded; no discussion and motion
173 approved 4-0 with Mayor Kemper abstaining from the vote.
174 Following the vote, Mayor Kemper returned to Council Chambers.
175 **Department Reports: Item 5.I. Administrative Services Dept./City**
176 **Treasurer:** Mary Nicol, Administrative Services Director, stated
177 she and her department are preparing for the FY2019 audit in
178 October; closing out FY2019 items; and working through FY2020
179 tasks. July is when pest control charges will be on city bills.
180 Her department is also working on online bill pay and beginning
181 the process to update the financial software for the City; the
182 new software will determine what the City's online bill pay and
183 account access will look like. **Item 5.II. City Clerk:** Karen
184 Rimmer, City Clerk, stated she is processing a lot of various
185 permits; 56 permits have been processed so far in 2019, the same
186 amount as this time last year. There is currently a city-
187 appointed board vacancy on the Converse County Tourism Board
188 which the City is advertising for; applications will be accepted

189 until the board position is filled. She is also working on
190 FY2019 year end and FY2020 items, and was recently appointed as
191 the WAMCAT (WY Association of Clerks and Treasurers) Board Vice
192 President. **Item 5.III. Community Development Department:** Clara
193 Chaffin, Community Development Director, stated that her
194 department is in full swing for residential and commercial
195 building; since the last department report, 18 additional
196 building permits have been issued, the largest of which is the
197 Boys & Girls Club. The Heritage Square parking lot is currently
198 closed to public access due to that project but should be open
199 again prior to WY State Fair. She also provided an overview of
200 various building projects underway. The EPA (Environmental
201 Protection Agency) Brownfield Grant process continues; her
202 department has reached out to property owners and have learned
203 that several of these potential qualifying properties have
204 undergone some assessments. Code compliance issues and solutions
205 continue, including one serious violation, which they are
206 working through. **Item 5.IV. Police Department:** Ron Casalenda,
207 Chief of Police, stated that the upgrades to the City financial
208 software will also impact his department in a positive manner as
209 it will allow court fines to be paid via avenues that do not
210 exist now. The two new Police vehicles are here and operational.
211 He has hired one new officer since the last department update,
212 who is doing well, and graduation of two officers from the WY
213 Law Enforcement Academy will be August 2, 2019 at 11:00 a.m.
214 **Item 5.V. Public Works Department:** John Harbarger, Public Works
215 Director, provided updates on several projects: High Plains
216 Construction will be beginning the sewer line replacement
217 project between N. 5th and N. 6th Streets, Center to Poplar, this
218 week with estimated completion the end of August/beginning of
219 September. The upcoming dog park is now in the design phase with
220 completion anticipated for this fall. The Little Boxelder Spring
221 Transmission Line project continues; the line is now
222 approximately 1.5 miles from the springhouse, and the first bore
223 under I-25 is complete. **Item 5.VI. City Administrator:** Jonathan
224 Teichert, City Administrator, explained that he is working
225 towards several deadline dates: comments for the BLM
226 Supplemental EIS (Environmental Impact Study) are due by July
227 25, 2019; the AML Grant application submission deadline is July
228 15, 2019; comments are due to WYDEQ (Wyoming Dept. of
229 Environmental Quality) for the Cedar Springs Wind III Project by
230 August 9, 2019; the EPA fiber extension grant that he is working
231 on is due on August 1, 2019; and Rocky Mountain Power is taking
232 comments on their IRP (Integrated Resource Plan) until September
233 15, 2019. Following Council questions, Administrator Teichert
234 stated that he has met with the owners of the old Shopko
235 building, and they have been contacted by several business

236 owners, but nothing has been finalized yet that he is aware
237 of. Council and Administrator Teichert also discussed the plans
238 and costs of remodeling City Hall; there are other options, and
239 the City will move forward with having City Hall appraised and
240 work with Amundsen & Associates regarding new construction
241 costs. Council added that the City is not in favor of spending
242 that kind of money on the current facility, and further added
243 that they recognize the need to make Council Chambers more ADA
244 accessible and are glad staff is looking into other options.
245 Mayor Kemper thanked everyone for the updates.

246 **Council Information: Item 7.I. Unapproved Minutes, Regular**
247 **Converse County Tourism Board Meeting, June 20, 2019:** No
248 discussion and no action taken.

249 **Executive Session:** Mayor and Council determined that there was
250 no reason to go into Executive Session at this meeting.

251 **Adjourn:** Councilmember Hertz moved to adjourn the regular
252 Council meeting; Councilmember Bartling seconded; no discussion
253 and motion approved 5-0. Regular meeting adjourned at 6:26 p.m.

254 **ATTEST:**

255

256

257

258 _____
Karen Rimmer, City Clerk

259 Published: July 17, 2019

Rene' Kemper, Mayor