

**City Council Meeting Minutes
February 27, 2017**

The Regular Council meeting of the Douglas City Council was held on Monday, February 27, 2017, 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 Jones called the meeting to order and led the assembly in the Pledge of Allegiance. Upon roll call the following were present:

Mayor:	Bruce A. Jones
Council Members:	Leroy Kingery
	John Bartling
	Rene´ Kemper
	Monty Gilbreath

Others Present:

City Administrator	Tony Tolstedt
City Attorney	Eric K. Nelson
City Treasurer	Mary Nicol
City Clerk	Karen Rimmer
Chief of Police	Ron Casalenda
Public Works Director	John Harbarger
Community Dev. Director	Clara Chaffin
IT Director	Gary Schwarz

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

Consent Agenda: Councilmember Bartling moved to approve the Consent Agenda: Item 2.I. Corrections, Additions, and Approval of Agenda for February 27, 2017; Item 2.II. Consideration of Resolutions and Ordinance by Title Only; Item 2.III. Minutes, Regular City Council Meeting, February 13, 2017; Item 2.IV. Minutes, City Council Study Session, February 13, 2017; Item 2.V. Minutes, Planning & Zoning Commission Meeting, February 21, 2017; Councilmember Gilbreath seconded. Discussion: Councilmember Kemper stated the February 13, 2017, minutes need to be corrected as follows: change "HR Council" to "CSBG Board"; no further discussion and motion approved 5-0 with changes to minutes approved as denoted.

Presentation for Council/Public Hearings: Item 3.I. Resolution 1929, Vacating Wilson Subdivision, Block 2, Lots 2-5 and Lots 21-23 and Replatting as Wilson Subdivision, Block 2, Lots 45-54; and Ordinance 989, Changing the Zoning of Wilson Subdivision, Block 2, Lots 45-54 Within the City of Douglas From R-1 Neighborhood Residential to R-2 Medium Density Residential: Mayor Jones opened the public hearing; Community Development Director Chaffin provided the staff report and provided information on the request, purpose, zoning, surrounding and

existing land uses, Douglas Master Plan designation and compliance, history, and recommendations by both staff and the Planning and Zoning Commission, which is to approve as presented. Ron McNare, applicant and property owner, approached Mayor and Council and offered further clarification of the history and changes and answered Council questions. There were no comments in favor or opposition of the Resolution or Ordinance; public hearing closed. Councilmember Kemper moved to approve Resolution 1929 as presented; seconded by Councilmember Kingery; no discussion and motion approved 5-0. Councilmember Kingery moved to approve Ordinance 989 as presented on first reading; Councilmember Bartling seconded; no discussion and motion approved 5-0.

Item 3.II. Liquor License Renewal Applications, License Term April 1, 2017, to March 31, 2018, Licensee Applicants With No Violations During 2016-2017 License Term: 1. American Legion #8, DBA American Legion; 2. College Inn Inc., DBA College Inn; 3. Douglas Community Club Inc., DBA Douglas Community Club; 4. Estate of Underwood Ventures Inc., DBA Northgate Liquor and Lounge; 5. Four Seasons Chinese Restaurant, DBA Four Seasons Chinese Restaurant; 6. H-4-U Inc., DBA Plains Trading Post; 7. Headstrong LLC, DBA Headstrong Brewery (Retail); 8. Headstrong LLC, DBA Headstrong Brewery (Microbrewery); 9. House of Pinz Inc., DBA House of Pinz; 10. Los Espinos Inc., DBA LaCosta Mexican Restaurant; 11. Moose Lodge #602, DBA Moose Lodge; 12. Roundrock Entertainment LLC, DBA LaBonte Bar; 13. Sunset Liquors LLC, DBA Sunset Liquors; 14. The Depot LLC, DBA The Depot: Mayor Jones opened the public hearing; City Clerk Rimmer provided the staff report, including the following for the current term: liquor license changes; compliance checks; upcoming available licenses (not applied for); 2016 annual bar report and police call numbers; alcohol server certification training; appreciation to certain individuals and organizations; and staff recommendation, which is to approve all licenses with no violations with no further requirements. There were no comments from any applicants with no violations, nor were there any comments in favor or opposition of any of these applications. Public hearing closed. Councilmember Gilbreath moved to approve all those liquor license renewal applications with no violations as presented for the license term of April 1, 2017, to March 31, 2018; Councilmember Kemper seconded; Mayor Jones commended these licensees for no violations, and motion approved 5-0.

Item 3.III. Liquor License Renewal Applications, License Term April 1, 2017, to March 31, 2018: License Applicants With Violations During 2016-2017 License Term: 1. Beggar LLC, DBA The Liquor Cabinet: Mayor Jones opened the public hearing; the City Clerk provided the staff report; applicant had one violation during

licensing term for holding a catered event without a permit; no contested case hearing was held. There were no comments from the applicant nor in favor or opposition of the application; public hearing closed. Councilmember Bartling moved to approve the license renewal application for Beggar, LLC, for the license term of April 1, 2017, to March 31, 2018; Councilmember Gilbreath seconded; no discussion and motion approved 5-0. **2. Douglas Liquors, LLC, DBA Douglas Discount Liquors and Tobacco:** Mayor Jones opened the public hearing; the City Clerk provided the staff report; applicant had one violation during licensing term for installing a drive-up window without Council approval; no contested case hearing was held and Council approved the window in January 2016. Following comments from Council, there were no comments from the applicant and no comments in favor or opposition of the application; public hearing closed. Councilmember Kemper moved to approve the license renewal application for Douglas Liquors, LLC, for the license term of April 1, 2017, to March 31, 2018; Councilmember Kingery seconded; no discussion and motion approved 5-0. **3. Friendz, LLC, DBA Friendz:** Mayor Jones opened the public hearing; the City Clerk provided the staff report; applicant had two violations in August, 2016, for a compliance failure and allowing a minor to serve alcohol; a contested case hearing was held due to severity and number of violations within the three year review period. Council asked questions regarding subsequent compliance checks and failures. Applicant was not present and had provided a letter expressing their inability to attend; there were no comments in favor or opposition of the application; public hearing closed. Councilmember Kingery recommended that this license be tabled until the next Council meeting in order to speak to the applicant; Councilmember Kemper so moved; seconded by Councilmember Bartling. The City Clerk and City Attorney answered questions of Council regarding the effect of tabling approval of this license; no further discussion and motion approved 5-0. **4. High Plains Pizza, Inc. DBA Pizza Hut #206:** Mayor Jones opened the public hearing; the City Clerk provided the staff report; applicant had one violation in August, 2016, for a compliance failure; no contested case hearing was held; two compliance checks have been passed since that time. The applicant approached Council and provided an explanation of their enhanced training methods for all staff members. There were no comments in favor or opposition of the application; public hearing closed. Councilmember Kingery moved to approve the license renewal application for High Plains Pizza, Inc., for the license term of April 1, 2017, to March 31, 2018; Councilmember Bartling seconded; no discussion and motion approved 5-0. **5. Kota LLC, DBA White Wolf Saloon:** Mayor Jones

opened the public hearing; the City Clerk provided the staff report; applicant had one violation in May, 2016, for a compliance failure; no contested case hearing was held; three compliance checks have been passed since that time. Carl Strode, owner and applicant approached Council and provided an explanation of how the failure occurred and steps since taken to alleviate further compliance issues. There were no comments in favor or opposition of the application; public hearing closed. Councilmember Bartling moved to approve the license renewal application for Kota, LLC, for the license term of April 1, 2017, to March 31, 2018; Councilmember Gilbreath seconded; no discussion and motion approved 5-0.

6. Menter Corp., DBA The Waterhole: Mayor Jones opened the public hearing; the City Clerk provided the staff report; applicant had one compliance failure in August, 2016; no contested case hearing was held. The second compliance failure was in February 2017; closest meeting to inform Council is this meeting. Jim Menter, owner and applicant, approached Council and provided an explanation of how the failures have occurred and steps taken to alleviate further compliance issues, including reprimands, training, changing to non-smoking, and remodeling. He answered questions from Council and further clarified procedures. There were no comments in favor or opposition of the application; public hearing closed. Councilmember Kemper moved to approve the license renewal application for Menter Corp. for the license term of April 1, 2017, to March 31, 2018; Councilmember Gilbreath seconded; no discussion and motion approved 5-0.

7. P&Z Inc. DBA Double D Liquors: Mayor Jones opened the public hearing; the City Clerk provided the staff report; applicant had one sales tax violation in September, 2016; a contested case hearing was held as required per City Code, at which time applicant adhered to Council requirements; license was not ever suspended. There were no comments from the applicant and no comments in favor or opposition of the application; public hearing closed. Councilmember Gilbreath moved to approve the license renewal application for P&Z, Inc. for the license term of April 1, 2017, to March 31, 2018; Councilmember Kemper seconded; no discussion and motion approved 5-0.

8. Sapporo WY II LLC, DBA Sapporo Steak and Sushi: Mayor Jones opened the public hearing; the City Clerk provided the staff report including applicant had one a compliance failure in August, 2016; no contested case hearing was held. There were no comments from the applicant nor in favor or opposition of the application; public hearing closed. Councilmember Bartling moved to approve the license renewal application for Sapporo WY II, LLC, for the license term of April 1, 2017, to March 31, 2018; Councilmember Kemper seconded. Discussion: Councilmember Kingery requested that it be clarified

for the record whether all those licensees with violations were present as required. It was determined that there were no representatives present on behalf of Beggar LLC or Sapporo WY II LLC; no further discussion and motion approved 5-0. Council requested that the City Clerk send a letter to each of those licensees who were not present and remind them that they were in violation for not being present; all other licensees who were required to attend did so.

Public Comments: Dawn Patterson, owner of P&Z, Inc., DBA Double D Liquors, approached Mayor and Council and stated that she is a TIPS Certified Trainer and holds classes throughout the year. She also provided information regarding an ID scanner app that can be downloaded onto smart phones which they use in their business; Ms. Patterson stated she would be willing to help other licensees with the app or other training needs. Cindy Porter of The Enterprise, and Deb Gorsuch, Main Street Douglas Chairperson, approached Mayor and Council to provide an update on a program coming to Douglas. Wyoming has been chosen as one of five states as a host for a training provided at no cost by the National Main Street Center and the Project for Public Spaces. On May 16th - 18th, approximately sixty people from thirty-five Wyoming communities will come to Douglas to learn how to turn their central business districts into destinations through inexpensive, easily planned, and temporary projects. Douglas was chosen out of twelve other Wyoming communities who submitted proposals. This training will be based around downtown Douglas, so at the conclusion, Douglas will have several projects in place to do while working on long term projects. The five communities from across the nation who participated last year have completed approximately forty projects.

Council Items: **Item 5.I. Ordinance 988, Amending Chapter 8.08.020 of the Douglas Municipal Code to Allow for Staff Authorization of Fireworks Displays, Second Reading:** Councilmember Kemper moved to approve Ordinance 988 as presented on second reading; seconded by Councilmember Kingery. Administrator Tolstedt provided an overview of changes made after first reading, which is to allow fees that can be waived for public events; no further discussion and motion approved 5-0. **Item 5.II. Quitclaim Deed, Between the City of Douglas, Grantor, and Eastern Wyoming Community College District, Grantee, for Property Located at Lot 39, Douglas Business Park, City of Douglas, Wyoming:** Councilmember Kingery moved to approve the Quitclaim Deed as presented; Councilmember Bartling seconded; no discussion and motion approved 5-0. **Item 5.III. Agreement for Purchase of Untrained Dual Purpose K9 Dog Between the City of Douglas, Wyoming, and Kasseburg Canine Training Center, New Market, Alabama:** Councilmember Bartling moved to

approve the dual purpose K-9 agreement as presented; Councilmember Kemper seconded; no discussion and motion approved 5-0. **Item 5.IV. Converse County Joint Justice Center, Painting of Window Frames:** Councilmember Kingery moved to approve the City's proportionate share of the cost as proposed; Councilmember Bartling seconded. Lengthy discussion ensued regarding Council's overall disappointment regarding necessary items being missed by the architects and the number of similar types of errors that have occurred with this project. Following further such discussion, Administrator Tolstedt and Hal Hutchinson, Owner's Representative, answered questions of Council and explained that they are tracking these errors, and in the interest of time, will be addressed with the architect all at one time and adjustments may be made then. Following further discussion, motion approved 5-0.

Council Information: **Item 6.I. Sales Tax Report, February, 2017; Item 6.II. Treasurer's Report, January 2017; Item 6.III. Dashboards, January 2017; 6.IV. Service Line Warranties of America, Annual Royalty Report and Cost Update for the City of Douglas:** No discussion and no action taken.

Executive Session: **Item I. Legal, in Accordance with W.S. §16-4-405(a)(iii):** Councilmember Kingery moved to recess into Executive Session in order to consider litigation to which our governing body is or may be a party in accordance with W.S. §16-4-405(a)(iii); seconded by Councilmember Bartling; no discussion and motion approved 5-0. Regular meeting recessed at 6:41 p.m. and reconvened at 7:07 p.m.

Adjourn: Councilmember Bartling moved to adjourn the regular City Council meeting; seconded by Councilmember Kemper; no discussion and motion approved 5-0. Regular Council meeting adjourned at 7:08 p.m.

ATTEST:

Karen Rimmer, City Clerk
Published: March 8, 2017

Bruce A. Jones, Mayor