

1 City Council Minutes
2 February 27, 2023
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4 **CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL:** Mayor Pro-Tem Kim Pexton called the meeting to
5 order at approximately 5:30 p.m. **Roll Call was taken with the following City Council members present:**
6 Mayor Pro-Tem Kim Pexton; Councilperson Ron McNare; Councilperson Matt Schmidt; Councilperson
7 Perry Hershberger; Mayor René Kemper was absent. **Also Present:** JD Cox, City Administrator; Chaz
8 Kokesh, City Clerk; Todd Byerly, PD Chief; Mary Nicol, Administrative Services Director/Treasurer; Clara
9 Chaffin, Community Development Director; John Harbarger, Public Works Director; Mike Armstrong, City
10 Attorney.

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12 **Disclosures by City Council Members:** None.

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14 **Consent Agenda:**

15 ***Item 3a. Corrections, Additions, and Approval of Agenda – February 27, 2023***

16 ***Item 3b. Minutes: Regular City Council Meeting – February 13, 2023***

17 Councilperson McNare moved, seconded by Councilperson Schmidt to approve the consent agenda as
18 presented. Motion carried 4-0.

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20 **Public Comments:** None.

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22 **Public Hearings:**

23 ***Item 5a. Resolution No. 2023-05, a Resolution Authorizing a Conditional Use Permit for Claire Mayes***
24 ***to Operate a Preschool in an R-1 Neighborhood Residential Zone at 321 N. 4th Street (Original Town of***
25 ***Douglas, Part of Outlot F)***

26 Mayor Pro Tem Pexton opened the public hearing at approximately 5:32 p.m. Community Development
27 Director Chaffin provided an overview of the application, background of the property, and
28 recommendations by the Planning & Zoning Commission for approval with conditions. No comments in
29 favor or opposition were given. Councilperson Schmidt requested the sex offender registry be checked
30 and provided to the applicants so they can be made aware if they have sex offenders in their
31 neighborhood. Councilperson Hershberger inquired into if the neighbors were sent letters. Chaffin
32 indicated they were. Councilperson McNare stated this very much needed and should be a good
33 addition to the community. Public Hearing closed at approximately 5:34 p.m. **Councilperson**
34 **Hershberger moved, seconded by Councilperson McNare to approve Resolution No. 2023-05 as**
35 **presented with the recommended conditions. Motion carried 4-0.**

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37 ***Item 5b. Resolution No. 2023-06, a Resolution Approving the PRB Minor Subdivision, Lots 4 and 5,***
38 ***Converse County, Wyoming***

39 Mayor Pro Tem Pexton opened the public hearing at approximately 5:35 p.m. Community Development
40 Director Chaffin provided an overview of the application, background of the property, and
41 recommendations by the Planning & Zoning Commission for approval with conditions. No comments in
42 favor or opposition were given. Public Hearing closed at approximately 5:37 p.m. **Councilperson McNare**
43 **moved, seconded by Councilperson Schmidt to approve Resolution No. 2023-06 as presented. Motion**
44 **carried 4-0.**

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Item 5c. Liquor License Renewal Applications, License Term of April 1, 2023 through March 31, 2024

Mayor Pro Tem Pexton opened the public hearing at approximately 5:38 p.m. Clerk Kokesh provided an overview of licenses being renewed, providing updates on those applications pending additional documentation. There was one licensee not renewing their restaurant license. Staff is recommending the renewal of Kota LLC's retail license that is currently in a non-operational status and the property listed for sale. Staff provided an overview of Coopers Arena LLC's microbrewery renewal application and their commitment to meet the minimum requirements for production within the next 10 months, staff has no objections to the renewal of their license with the condition they meet the production requirement. Public Hearing closed at approximately 5:41 p.m.

Item 5c1. Licensee Applicants with No Violations During Previous Three License Terms and Applications Considered Complete: Beggar LLC DBA The Liquor Cabinet (Retail); CIB, LLC DBA College Inn (Retail); Douglas Liquors LLC DBA Douglas Discount Liquors and Tobacco (Retail); Four Seasons Chinese Restaurant DBA Four Seasons Chinese Restaurant (Restaurant); H-4-U Inc. DBA Plains Trading Post (Retail); Homax Oil Sales Inc. DBA Sunset Liquor (Retail); Pinz LLC DBA House of Pinz (Retail); Kota LLC DBA White Wolf Saloon (Retail); Moose Lodge No. 602 DBA Moose Lodge (Limited Retail "Club"); Round Rock Entertainment LLC DBA LaBonte Bar (Retail); Samuel Mares Post No. 8 DBA American Legion (Limited Retail "Club"); TBK Club LLC DBA Douglas Community Club 19th Tee (Retail); Restaurant Central LLC DBA Ranahan Steakhouse (Bar & Grill); Underwood Ventures, Inc. DBA Northgate Liquor & Lounge (Retail); Three Boys, Inc. DBA The Waterhole (Retail); Los Espinos, Inc. DBA La Costa Mexican Restaurant (Restaurant)

Councilperson Hershberger moved, seconded by Councilperson Schmidt to approve the liquor license renewal applications for those licensees with no violations as presented for the license term of April 1, 2023, through March 31, 2024. Motion carried 4-0.

Item 5c2. Licensee Applicants with Violations During Previous Three License Terms and Application Considered Complete: P&Z Inc. DBA Double D Liquors (Retail); Barkandi Inc. DBA Indian Curry House (Retail); Coopers Arena LLC DBA The Arena (Retail); The Depot LLC DBA The Depot (Restaurant)

Councilperson McNare moved, seconded by Councilperson Hershberger to approve the liquor license renewal applications for those licensees with violations as presented for the next license term of April 1, 2023, through March 31, 2024. Motion carried 4-0.

Item 5c3. Licensee Applicants Recommended for Consideration: Coopers Arena LLC DBA The Arena (Microbrewery)

Councilperson Hershberger moved, seconded by Councilperson Schmidt to approve the renewal of a Microbrewery Permit for Coopers Arena LLC DBA The Arena with condition the 50-barrel production is met within the next 10 months, for the term of April 1, 2024, through March 31, 2024. Motion carried 4-0.

Council Action Items:

Item 6a. Pawnbroker Application: Douglas Pawn, Annual Renewal

Councilperson McNare moved, seconded by Councilperson Schmidt to approve the pawnbroker application for Douglas Pawn for the term of March 1, 2023, through February 28, 2024. Motion carried 4-0.

89 **Item 6b. Professional Services Agreement Amendment No. 2: City Attorney Services**
90 Councilperson McNare moved, seconded by Councilperson Hershberger to approve Amendment No. 2
91 to the Professional Services Agreement Between the City of Douglas and Peasley & Armstrong LLP for
92 Attorney Services, as presented. Motion carried 4-0.

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94 **Item 6c. Settlement Agreement: Paul & Mary Johnson**

95 Councilperson Schmidt moved, seconded by Councilperson McNare to approve the Settlement
96 Agreement with Paul & Mary Johnson, as presented. Motion carried 4-0.

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98 **Council Action Items Previously Tabled:**

99 **Item 7a. Ordinance No. 1020, an Ordinance Supporting the Continuation of the Optional 1% Sales Tax,**
100 **Second Reading**

101 Councilperson Schmidt moved, seconded by Councilperson McNare to remove Ordinance No. 1020
102 from the table for consideration on its second reading. Motion carried 4-0.

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104 Councilperson Hershberger moved, seconded by Councilperson Schmidt to approve Ordinance No.
105 1020 as presented on its second reading. Motion failed 1-3; Councilperson McNare, Councilperson
106 Hershberger, and Mayor Pro Tem Pexton voting Nay.

107

108 **Council Discussion & Non-Action Items:**

109 **Item 8a. Department Reports: Administrative Services/Treasurer Department, Public Works**

110 **Department, Community Development Department, Clerk Department, Police Department, IT Services**

111 **Item 8b. Quarterly Reports: Aid to Others**

112 **Item 8c. Dashboards: January 2023**

113 **Item 8d. Treasurer's Report: January 2023**

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115 **Administrator's Report:**

116 **Item 9a.** Administrator Cox provided an update on current grant applications. Cox took a moment to
117 share that the city's thoughts and prayers are with Mayor René Kemper and that we will remain
118 #KemperStrong.

119

120 **Good People Doing Good Things:**

121 **Item 10a.** Councilperson McNare read into the record a letter received from Sally Oban, owner of Blend
122 Coffee, commending the Public Works crew on their excellent work of clearing the roadways from the
123 last snowstorm. McNare also commended the Public Works crew for their outstanding job of clearing
124 the snow. Councilperson Hershberger also thanked the Public Works crew, commending them for their
125 awesome job.

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127 **Community Updates/Events Calendar:**

128 **Item 11a. NOTICE: Possible Quorum: Employee Event on February 28, 2023 at Moose Lodge #602, 122**
129 **N. 2nd Street, Douglas, from 5:30-7:30 p.m.**

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131 Councilperson Hershberger noted the commendation from Sergeant Toman to a number officers for
132 their actions on January 13th during a response for a medical emergency and their determination of illicit

133 drug use in the home. The leadership and teamwork that was displayed reflects highly on the members
134 of the Douglas PD. Hershberger thanked the department for their work.

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136 **Executive Session:** None.

137

138 **Adjourn:**

139 **Councilperson McNare moved, seconded by Councilperson Schmidt to adjourn the February 27, 2023,**
140 **Regular City Council meeting at approximately 5:57 p.m. Motion carried 4-0.**

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142 **ATTEST:**

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Chaz Kokesh

Chaz Kokesh, City Clerk

Published March 22, 2023

Kim Pexton

Kim Pexton, Mayor Pro Tem

