

**COUNCIL PRE-MEETING**  
Tuesday, August 3, 2021 5:30 p.m.  
Casper City Hall - Council Meeting Room

AGENDA

1. Bar & Grill Liquor Licenses
2. Back Nine Addition PUD – Zone Change
3. Agenda Review

Mayor Freel began the pre-meeting session at 5:33 p.m. with Councilmembers Cathey, Engebretsen, Johnson, Pacheco, Pollock and Mayor Freel in attendance. Absent: Lutz. Councilmembers Gamroth and Knell attended via GoToMeeting.

Councilmember Pollock recused herself and left the meeting. City Manager Napier stated that one of the applicants for the bar and grill liquor licenses has withdrawn their application. He also shared that Council could issue none of the licenses, one of the licenses or both licenses dependent upon the information gathered during the meeting.

Councilmember Knell said that he had visited all three locations and he shared his thoughts on the issuance of a restaurant liquor license rather than a bar and grill license for the two remaining applicants.

Councilmember Gamroth asked if there were factors such as economic impact or proven business track record that should help Council make an objective decision regarding these applications.

City Manager Napier suggested that Council should consider the merits of the business approach that is presented by the applicants this evening and what type of liquor license would best match their format. He said that over the years different considerations have factored into the issuance of licenses, and that sometimes a license has been held for a potential opportunity that would be a good fit for the use of the license.

Councilmember Engebretsen shared that she had concerns about the remodeling occurring at the site of the Spotlight Lounge and the overall feasibility of the project.

Councilmember Cathey asked if Council should further discuss the issuance or denial of these licenses at the next Council meeting, and allowing more time to consider the factors.

City Manager Napier said that a bar is a critical piece of this license type, and that if that component will not be in place, then an applicant may not be eligible for a bar and grill liquor license.

Carla Mills-Laatsch, Licensing Specialist, confirmed that the applicants are aware of the bar requirement, which also includes having at least six seats at the bar with a dedicated bartender, and serving spirits.

Councilmember Gamroth asked if the applicants had shared the reason for applying for a bar and grill license rather than a restaurant license and if it involved the 60/40 split of sales between food and alcohol. Ms. Mills-Laatsch said that the ratio was not a consideration, rather the appeal is being able to serve directly in front of the customer rather than dealing with a dispensing area. Councilmember Gamroth asked about recent changes by the legislature regarding the dispensing room. Ms. Mills-Laatsch said that yes, the restrictions have changed, but that a dispensing area is still required for restaurant liquor licenses.

Mayor Freel expressed concern about the ability of both applicants to get their kitchens functioning in a timely manner, because previous liquor license holders have not fully utilized their licenses. He suggested that a functioning kitchen be a requirement prior to issuance of a bar and grill license and to have a set time for that to occur. And he said he is opposed to parking any license.

Councilmember Cathey reminded everyone that both the restaurant and bar and grill licenses have the same ratio of 60/40 for the food and alcohol sales, which means the critical difference between the two is the presence of a bar.

City Manager Napier asked if the option of postponing the issuance of the bar and grill licenses had been scripted. Christa Wiggs, Assistant City Clerk, handed out copies of an optional motion to postpone the issuance to a date certain.

Councilmember Pollock rejoined the meeting.

Liz Becher, Community Development Director, provided an overview of the Back Nine Addition zone change request including the specifics of the zone change, how the area will be developed, and the likely impacts on the neighborhood from the commercial portion.

Councilmember Engebretsen asked if a Planned Unit Development (PUD) can be amended without a rezoning. Ms. Becher shared that the existing homeowners had signed off on the changes. She explained that amending a PUD is much more cumbersome than a zone change and that the applicant had gathered the required signatures for the zone change. Craig Collins, City Planner, shared that developers are cautious of PUD requirements because most changes require public input and that the standard zoning (vs. the PUD) is clearer.

Councilmember Engebretsen asked about the covenants in the neighborhood. Mr. Collins said that zoning changes do not change covenants, and that the City does not get involved with private land owner covenants.

Councilmembers Cathey and Engebretsen discussed home owner's associations and covenants. Mr. Collins stated that the Planning and Zoning Commission discussed how the changes would carry over or if they would change during the next phase of construction. Ms. Becher offered that Council could ask the applicant about this during the meeting.

Councilmember Knell asked if the existing homeowners and the Planning and Zoning Commission had given approval to this zone change. Ms. Becher said that the Commission was unanimous in approving the zone change.

No one had concerns with the agenda.

Mayor Freel adjourned the pre-meeting at 5:57 p.m.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

---

Fleur Tremel  
City Clerk

---

Steven K. Freel  
Mayor