

COMMITTEE OF THE WHOLE MINUTES

A meeting of the Committee of the Whole was held on Wednesday, April 20, 2022, in Council Chambers and via electronic meeting, starting at 12:00 p.m. Those in attendance were as follows:

COMMITTEE MEMBERS: Scott Roybal, Chairman; Dr. Michelle Aldrich, Bryan Cook, Ken Esquibel, Richard Johnson, Pete Laybourn, Tom Segrave and Jeff White. Absent: Dr. Mark Rinne.

CITY STAFF: Stefanie Boster, City Attorney; Chief Mark Francisco and Captain David Janes, Police Department; Kris Jones, City Clerk; Kylie Soden, Deputy City Clerk; Andy Worshek, Mayor's Chief of Staff; and Michael Skinner, Public Information Officer.

OTHERS PRESENT: Mayor Patrick Collins; JB Kunz, and April Brimmer Kunz, Ace's Range, LLC; Clyde Mead, Big D Oil #56; Gregory and Jennifer Seitz, Full-O-Pep; Andrew and Janelle Rose, Full-O-Pep; Chad Willett, Get Bent, LLC; Juan Coronado, and Seth Stefanik, Micro Pop Up Concepts; Brian Echoltz, Ike's Bar & Grill; Sam Young, Natural Grocers; Dallas Tyrrell, Peaches' Package Liquor Store & Bar LLC; Misha & Darrin Westby, Westby Edge; Joe and Hailey Chenchar; Bob Budd; Jimmy Dean Siler; Amanda Escobedo; Barbara Kloth; Dave Teubner, Warehouse Twenty-One; Aaron Cave; Jesse Sevier; Brian Casey, Mister B's HVAC; Minden Fox; and Sue Chatfield.

AGENDA ITEMS

6. **APPLICATIONS/LICENSES/PERMITS:**

- b) Retail liquor license application filed with the City Clerk's Office for one available retail liquor license by Ace's Range LLC d/b/a Ace's Range LLC, 1505 Pioneer Ave., Big D Oil Co. d/b/a Big D Oil #56, 4100 Whitney Rd., Billy Jacks - Wyoming LLC d/b/a Billy Jack's Pizza Pub, 4020 Airport Parkway West, Suite 1, Capitol Cuisine LLC d/b/a Ike's Bar & Grill, 122 W. 6th St., Full-O-Pep d/b/a The Old Cheyenne Elevator, 800 W. 21st St., Get Bent, LLC d/b/a Get Bent, LLC, 707 W. Lincolnway, Peaches' Package Liquor & Bar LLC d/b/a Peaches' Package Liquor & Bar LLC, Anderson Corner, 3rd Filing, Lot 2, Block 1, Vitamin College Natural Food Markets, Inc. d/b/a Natural Grocers, 1851 Dell Range Blvd., Westby Edge LLC d/b/a Westby Edge LLC, 714 W. 20th St. and Wyoming Downs OTB 14 LLC d/b/a Wyoming Downs OTB 14, 1345 Dell Range Blvd., Cheyenne.

Mr. Segrave moved to approve Westby Edge LLC d/b/a Westby Edge LLC, 714 W. 20th St. with the following condition: "if the licensee does not receive a full certificate of occupancy by December 31, 2022, the license reverts in whole to the City of Cheyenne", seconded by Mr. Cook. Motion failed with Dr. Aldrich, Mr. Johnson, Mr. Laybourn, and Mr. White voting "NO" and Mr. Segrave, Mr. Cook and Mr. Esquibel voting "YES". Mr. Cook moved to approve Full-O-Pep d/b/a The Old Cheyenne Elevator, 800 W. 21st St., seconded by Mr. White. Mr. Segrave moved to amend with the condition: "if the licensee does not receive a full certificate of occupancy by

December 31, 2022, the license reverts in whole to the City of Cheyenne”, seconded by Mr. Cook. Motion to amend carried with Dr. Aldrich, Mr. Cook, Mr. Esquibel, Mr. Johnson, Mr. Segrave, and Mr. White voting “YES” and Mr. Laybourn voting “NO”. Main Motion, as amended, failed with Dr. Aldrich, Mr. Esquibel, Mr. Johnson, Mr. Laybourn, Mr. Segrave, and Mr. White voting “NO” and Mr. Cook voting “YES”. Dr. Aldrich moved to approve Get Bent, LLC d/b/a Get Bent, LLC, 707 W. Lincolnway with the following condition: “if the licensee does not receive a full certificate of occupancy by December 31, 2022, the license reverts in whole to the City of Cheyenne”, seconded by Mr. White. Motion carried with Dr. Aldrich, Mr. Esquibel, Mr. Johnson, Mr. Laybourn, and Mr. White voting “YES” and Mr. Cook and Mr. Segrave voting “NO”.

[Clerk’s note: Mr. Esquibel acknowledged joining the meeting at 6:32 p.m. during public comment. He exited the meeting during the time of the motion to approve Westby Edge and rejoined the meeting during the vote on Westby Edge.]

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the applications have been reviewed by the required agencies and deemed eligible. Ms. Jones reported that previously Town and County North withdrew their application and in addition, Billy Jacks - Wyoming LLC d/b/a Billy Jack’s Pizza Pub, 4020 Airport Parkway West, Suite 1, has withdrawn their application and have instead applied for a bar and grill license. Ms. Jones reviewed previous public meeting dates related to the new retail liquor license and upon inquiry verified the cost of a bar and grill license. JB Kunz, Ace’s Range, LLC, advised Prairie View Golf Course was the busiest golf course in the state indicating a high demand for golf by residents in the city of Cheyenne. Mr. Kunz provided information related to catering events with portable simulators and the addition of providing high end package liquor items. Mr. Kunz expressed a commitment to continuing with his business plan regardless of being awarded the liquor license and noted he would work to change Wyoming’s antiquated liquor laws. Clyde Mead, Big D Oil #56, expressed great interest in the liquor license and recommended that the choice be made based on sales data. Brian Echoltz, Ike’s Bar & Grill, advised he’s received significant public feedback and interest in catering opportunities. Jennifer Seitz, Full-O-Pep d/b/a The Old Cheyenne Elevator, provided an update on parking as it relates to the Urban Overlay District and noted offers from area business owners to help with parking challenges. Chad Willett, Get Bent, LLC, provided information related to his previous business ventures and advised the proposed project would rapidly transform the West Edge over the next 18 months. Dallas Tyrrell, Peaches’ Package Liquor Store & Bar LLC, provided information on the temporary space his project would utilize until a new store could be built noting he could be operational in 60 - 90 days from issuance of the license. Sam Young, Natural Grocers, advised the new store location will be open in August and that a 15-year lease has been secured for the property. Darrin Westby, Westby Edge, provided a review of how other licenses would not work for his project unless they cut their occupancy. Bob Budd, Jimmy Dean Siler, Amanda Escobedo, Aaron Cave, and Sue Chatfield expressed support for the Westby Edge Project. Barbara Kloth expressed support for the Old Cheyenne Elevator noting the opportunity it will provide her as a wine sommelier. Jesse Sevier, Brian Casey, Mister B’s HVAC, and Minden Fox expressed support for the Rail Spur (Get Bent, LLC). Dave Teubner, Warehouse Twenty-One, expressed support for the proposed projects in the West Edge. Mr. Segrave expressed thanks to all the applicants and provided information related to including a reversion clause in his motion

language. Dr. Aldrich expressed thanks to all the applicants and voiced support for the Rail Spur. Mr. Cook expressed support for the Old Cheyenne Elevator noting a sentimental attachment to the location. Dr. Aldrich advised she had received significant public support for the Old Cheyenne Elevator and expressed concerns with the project meeting the December 31, 2022, deadline. Mr. Laybourn expressed support for the Rail Spur noting the importance of the project for the 15th Street project and Reed Avenue Corridor. Mr. Segrave provided information related to the Rail Spur's proposed location as it relates to the size of the building and noted concerns with their ability to meet the deadline. Dr. Aldrich provided information on a "ghost kitchen" being utilized at the Rail Spur. Mr. Johnson expressed concerns with the reversion clause. Mr. White expressed that there are many great projects however, only one can be approved and voiced support for the Rail Spur. Mr. Esquibel expressed support for the Rail Spur. Additional discussion included the license being returned to the city if they are not a fully functional business by December 31, 2022; the definition of "parked license" and laws surrounding a parked license; definition of full certificate of occupancy; delivery of liquor; and catering restrictions.

There being no further items for the agenda to come before the Committee of the Whole, the meeting was adjourned at 7:34 p.m.

Submitted by,



Jennifer McClelland
Executive Assistant to the City Council