



# City Council Special Meeting Agenda

**Date:** 1/12/2012  
**Time:** 4:15 p.m.  
**Location:** City Hall Council Chambers

- Mayor Nancy Tia Brown     Steve Miller     Administrative Services
- Donny Anderson     Stan Wolz     Officer, Cindy Baker
- Charles Cloud     City Administrator, Jenni     City Attorney, Scott
- Bryan Edwards     Rosencranse     Kolpitcke
- Jerry Fritz
  
- Follow-up Interviews for Yellowstone Regional Airport Board Position
  - 4:15 - Ché Essinger
  - 4:30 – Jack Way
  
- Discuss extension for Cooter Brown’s LLC Liquor License Nonoperational Period
  - Staff Reference: Sara Wead Assistant Administrative Services Officer
  - Spokesperson: Kay Chandler
  
- Appoint Council Members to a Review Committee for the Banking RFP Process
  - Staff Reference: Leslie Brumage, Finance Officer
  
- Appoint Council Members to a Review Committee for the Master Plan RFP
  - Staff Reference: Todd Stowell, City Planner
  
- Discuss Right-of-way application to the Bureau of Land Management
  - Staff Reference: Rick Manchester, Parks, Recreation & Facilities Director
  - Spokesperson: Duane Feick, BLM
  
- Discuss request for staffing position restructure from Vehicle Maintenance to Street Division
  - Spokesperson: Steve Payne, Public Works Director
  
- Discuss Agenda for January 17, 2012 Council Meeting
  
- Staff Updates
  
- Council Updates
  
- Meeting Reminders:
  - Tuesday, January 17, 2012 – Regular Council Meeting – 7:00 p.m. Council Chambers (Pre-meeting 6:30 p.m.)
  - Thursday, January 26, 2012 - Special Council Work Session – 4:15 p.m. – Council Chambers
  - Friday, January 27, 2012 – Council Retreat – 9:00 a.m. – K3 Guest Ranch

Time Adjourned: \_\_\_\_\_

To: City of Cody, Wyoming

I am writing this letter asking the city of Cody to please grant a one year extension on the liquor license currently held by Cooter Browns LLC. The license held by Cooter Browns has not been utilized since the beginning of 2010. There have been many reasons for the inactivity of this license.

On December 6, 2011, Kay Chandler received a visit from Mr. Kelly Hunt with the State of Wyoming liquor division. Mr. Hunt informed Mr. Chandler that the liquor license held by Cooter Browns LLC required renewal in January 2012. Current State of Wyoming liquor law Title 12, Chapter 4, Article 1, states:

- 12-4-103. Restrictions upon license or permit applicants and holders; license limitation per person.
  - (a) A license or permit authorized by this title shall not be held by, issued or transferred to: Restrictions upon license or permit applicants and holders; license limitation per person.
    - (iv) Any licensee who fails to demonstrate that his licensed alcoholic or malt beverage enterprise will be operational in a planned but not physically functional building within two (2) years after a license or permit has been issued or transferred, or if holding a license, fails to open his business in a functional building within two (2) years after license issuance or transfer. Upon a showing of good cause by the licensee and for an additional period of not to exceed one (1) year, the local licensing authority may extend the time period in which the business or enterprise of the licensee is required to become operational or open for business pursuant to this paragraph.

On January 18, 2010, there was an unfortunate vandalism that occurred at the CB's/Cooter Browns building located at 1134 13<sup>th</sup> St. The vandalism caused CB's/Cooter Browns to close their operation until there was a proper investigation by the Cody Police Department. This investigation went on for quite some time, and was concluded without any evidence to who was to blame. Also during this time, The City of Cody deemed the building un-occupiable until the building passed an air quality test due to flammable liquids that were used in an attempted arson. During this process, owner J. Edwards could not operate the business causing him lack of operating capital and eventually a total loss of business. The forced closure of this establishment then had to be reviewed by attorneys and multiple insurance carriers. Once again, this process took over a year to resolve.

As of July 4 2011, Whole Foods Trading Co., owned by Kay and Shawna Chandler, entered into a contract with J. Edwards for the property at 1134 13<sup>th</sup> Street. In addition, Kay Chandler became a member of Cooter Browns LLC.

Starting in July 2011, Chandler Construction began clean up and renovations of the property. The renovations will include total clean up due to years of neglect, and new infrastructure.

(Plumbing, HVAC, Electrical, structural modifications, kitchen, and roof) The remodel process is expected to be complete by the spring of 2012. Upon completion, Whole Foods Trading Co. will then relocate to this location. Whole food Trading Co. will operate a healthy restaurant and local community style grocery in the majority of the building. Whole Foods Trading Co. will also incorporate a package liquor department thus utilizing Cooter Browns' liquor license (under the management of Kay Chandler) in a small portion of the building. Cody City Council has been informed of and approves of this plan.

Whole Foods Trading has incorporated the sales of liquor into their business plan and deem it a necessary part of the business to make it succeed. The Chandlers and Whole Foods Trading look forward to becoming a valuable part of the downtown businesses of Cody. We believe that these are justifiable occurrences that have lead to the need of a one year extension of the license held by Cooter Browns LLC.