

**REGULAR CITY COUNCIL  
MEETING**

**November 28, 2023**

**7:00 PM**

**City Hall**



**CITY OF MILLS**  
EST. 1921

**Mayor:**

Leah Juarez

**Council President:**

Sara McCarthy

**Council Members:**

Cherie Butcher

Brad Neumiller

Tim Sutherland

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**MINUTES**

**CALL TO ORDER**

Mayor opened the Council Meeting at 7:00pm.

**ROLL CALL**

PRESENT

Mayor Leah Juarez

Council President Sara McCarthy

Council Member Cherie Butcher

Council Member Brad Neumiller

Council Member Tim Sutherland

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

**Minutes**

1. Council Meeting Minutes 11-14-2023

Motion made by Council Member Neumiller, Seconded by Council President McCarthy.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

**City Licenses**

2. New and Renewal Business and Contractors Licenses 11-28-2023

Motion made by Council Member Neumiller, Seconded by Council President McCarthy.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

**Financial Approvals**

3. Financial Breakdown Reports 11-28-2023

Motion made by Council Member Neumiller, Seconded by Council President McCarthy.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

4. Fire Payroll: 11-9-2023 to 11-20-2023

Motion made by Council Member Neumiller, Seconded by Council President McCarthy.  
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

5. Regular/Police Payroll: 11-6-2023 to 11-19-2023

Motion made by Council Member Neumiller, Seconded by Council President McCarthy.  
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

## ORDINANCES AND RESOLUTIONS

**6. Ordinance 808: Second Reading:** An Ordinance Amending 5.04.180 to be 5.08.180

Motion made by Council President McCarthy, Seconded by Council Member Neumiller.  
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

**7. Ordinance 809: Second Reading:** An Ordinance Amending Title 2

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.  
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

**8. Ordinance 807: Second Reading:** An Ordinance Providing for Certain Fine for Violations by Liquor License Holders

Mayor asked if there is any discussion on this topic.

**Kendra Chorniak: 1888 Shumway in Casper**

Kendra Chorniak who is the owner of Mountain View Discount Liquors addressed the Council. She stated that this ordinance is very vague in nature. She stated that the way the ordinance is written is that her employees and she cannot drink or they will get fined and may lose their license. The City Attorney stated that proprietor are excluded from this. He read the section that stated it. She stated that somethings are being stated in one sentence and then something different in another. I do not understand this. The Mayor stated if I have to explain what intoxication is then we have different problem. Tips certification is very important she stated. Kendra stated that sometimes people have a problem with someone and the owner did not know, the person who wanted to fight was planning on that anyway. How can we stop that? She stated that she knows for a fact that the people who went to the Beacon come from other place that they were drinking and they did not have a drink at the Beacon.

But the incident happened at the Beacon. She also stated that the police can come look through her books anytime, and if they are not up to date you can get a fine as well. She was also concerned with if she calls they will get fined and she sees a problem with and people will not call when they really need to. The Mayor stated that you need to call and just to let you know that your place is different because you also have package liquor. Kendra said it does not stated that in this ordinance. The City should follow the state statues on this. The City's is to vague. The City Attorney stated that in section D, it states all your concerns very well. If anything it is over specific. The Mayor stated that if all employees are tips trained they will be able to address if anyone is drunk or should not be served anymore. Kendra stated that she understands the concerns with the Beacon, and she does not have these issues at her place. But anything can happen. Basically you want to make someone else be responsible for someone else's act. We cannot control how people act. The Mayor stated that we have not had any issues with your place. Kendra stated correct because I will not allow it.

**Abriel VanVakenburg: 4460 Mountain View Drive**

Abriel who is also the manager of Mountain View Drive stated that her employees and herself are tips trained. I have only had to call the police because of theft. Not any drinking issues. But she does not see a problem with her employees drinking to get intoxicated if they have a sober driver. People go out to get intoxicated all the time. I don't think that should be our judgement to say. She gave an example of a guy who came in the bar the other night and he was not drunk. But he ordered a shot of whiskey and a beer and slammed them both. Then he fell off the chair. His friend picked him up and took him out. He was wasted and I did not know that. So what this ordinance is saying is that this would come back on me? He has come back into my facility twice. Both times he was drunk. I had know idea and I am tips trained. Councilwomen McCarthy stated that they will only get fined if they do not call the emergency services, right? The City Attorney stated that is right. . Abby stated that if I would of called the fire department across the street they would have been gone before they got here. The guy was not hurt. Councilman Neumiller stated that this is only the second reading and we will look through this ordinance again and make sure that all your concerns will be addressed.

**Traci Lacock**, The Wyoming Downs Attorney, wrote a letter that she wanted for the public record as her objection to this ordinance. She stated that the ordinance is very vague on actions as it pertains to fines. She wishes the City to reconsider the language to more specific on what results to a fine. There was another section where the language needs to be changed. It pertains to when license holders who repeatedly violate the provisions of the code will create an administrative fee fine. It is listed as an administrative fee but in reality this is an additional fine for repeat violations. Another concern she addressed in the ordinance was that the proposed ordinance discusses the notice and appeal for the fee. Wyoming Downs wishes the council to reconsider the language stating the appeal hearing is at the council's sole discretion to allow for proper due process.

Motion made by Council Member Neumiller, Seconded by Council Member Butcher.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

**COUNCIL APPROVALS**

None

**OPEN DISCUSSION**

None

## **EXECUTIVE SESSION**

None

## **ADJOURNMENT**

Mayor asked for a motion to adjourn the Council Meeting at 7:21pm.

Motion made by Council President McCarthy, Seconded by Council Member Sutherland.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

## **AGENDA SUBJECT TO CHANGE WITHOUT NOTICE**

**NEXT MEETING** - December 12th, 2023 @ 7:00pm/ January 9th, 2024 @ 7:00pm

**NEXT WORK SESSION** - December 11th, 2023 @ 9:00am / December 12th, 2023 @ 6:00pm / January 8th, 2024 @ 9:00am

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact City Hall at 307-234-6679 within 48 hours prior to the meeting in order to request such assistance.

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Mayor, Leah Juarez

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City Clerk, Christine Trumbull