

## **CONTINUED MEETING MINUTES FOR SEPTEMBER 2017 MEETING**

**September 18, 2017**

**Meeting continued from September 7, 2017. Present were Mayor Ihrke, Jaime Putzier, Cameron Johnson, Melinda Kieffer, Dave Iseminger and see attached list of the public that were present.**

**List of people were presented to the council as to who the volunteers are for the Dover School Committee.**

- Jill Magnuson**
- Kyle Stricklin**
- Joan Flury**
- Teresa Pierce**
- Chelsey Johnson**
- Amber Iseminger**
- Cara Chaffee**
- Heather Madison**

**Council person Melinda Kieffer volunteered to be on the committee.**

**Any information regarding the school and its use will be reported back to the City Council.**

**Resolution 9-18-17A was presented and discussed regarding a Liquor Ordinance violation with the Road Trip Bar and Grill. Allegations were made that drinks had been seen going back and forth from the Road Trip Bar and Grill to the Hair Shack. During this hearing Jody (Ramsey) Wiza testified that there was an article in the St. Charles Press that indicated drinks had been leaving the Road Trip Bar. A witness testified at the**

**public hearing that multiple drinks had been seen going back and forth from the Road Trip Bar and Grill to the Hair Shack. No time or dates were provided.**

**Jaime Putzier stated that there was a comment made in the minutes at an earlier time, that a minor was served in The Road Trip Bar and Grill.**

**Jody Wiza asked who made the comment? Mayor Ihrke stated that was not public information.**

**Cameron Johnson stated that this falls under the old Liquor Ordinance of a written warning by the City to the Road Trip Bar and Grill and this will be considered Violation 1 for the first violation within any one(1) year period, seconded by Melinda Kieffer. All agreed except Mayor Ihrke abstained from voting. 4 yes votes and 1 abstained.**

**Resolution was passed and signed. Copy was given to the owners of the Road Trip Bar and Grill.**

**Resolution 9-18-17B was presented and discussed regarding a Nudity Ordinance violation by the The Shack Bar. Evidence was presented at the open hearing, which had been posted on-line, that showed a person in the licensed area of the establishment doing a strip dance and removed all of his clothing except his briefs. It appears that his genitalia were touched. This violation falls under the City Ordinance 93-4.**

**A motion was made by Jaime Putzier stating that this was a violation of the City Ordinance 93-4 and that the Shack Bar is now considered Violation 1 for the first violation within any one (1) year period, a written warning by the City shall be given to the Shack Bar. A motion was seconded by**

**Melinda Kieffer. Dave Iseminger and Mayor Ihrke abstained from voting. 3 yes votes and 2 abstentions.**

**In this resolution the Council determined that strip shows are against the moral character of the community. Additionally, when this is done within an establishment that serves food and alcohol it is considered to be a public health concern**

**Resolution 9-18-17 B was passed and signed. Copy was given to the owner of the Shack Bar.**

**The second violation regarding the Shack Bar was about the sale and/or consumption of alcohol in areas not permitted. At the open hearing, pictures had been presented showing individuals pictured with drinks in their hands both in the salon area and on the patio. The picture evidence presented did not contain evidence that a sale of alcoholic beverages took place in an area outside of the permitted area within the license.**

**Resolution 9-18-17C for The Shack Bar was presented and discussed. Cameron Johnson made a motion to make a change to additional building requirements under 1 and 2.**

- 1) Self-closures shall be installed on all doors not associated with the bar and restaurant operation.**
- 2) The back door must remain locked until the rear patio is removed or permitted.**

**It states that the applicant shall have fifteen (15) days to comply with this requirement. The change shall be fifteen (15) days to thirty (30) days to comply with this requirement.**

**Motion was seconded by Melinda Kieffer. Mayor Ihrke and Dave Iseminger abstained from voting. 3 yes votes and 2 abstentions.**

**Resolution 9-18-17C was passed and signed. Copy was given to the owner of the Shack Bar.**

**Resolution 9-18-17D for the Shack Bar was presented and discussed.**

- 1) Constructing a bar prior to obtaining a permit.**
- 2) Constructing a deck/patio without a permit and continued construction after the city building official issued a cease and desist order. Nor did they apply for and receive an amendment to their liquor license to allow for alcohol consumption on said deck/patio.**
- 3) Installing of a Van for a sign on the roof of the building which is a violation of the City's Sign Ordinance.**
- 4) Installation of a replacement air conditioner without a permit.**
- 5) Did not have separation between salon area and food and beverage service area.**

**Concerning the resolution, Cameron Johnson said number one, two, and five concerned him the most.**

**Mayor Ihrke stated that the City Attorney feels that number three is the strongest case.**

**Cameron Johnson feels that all five are very important, but the ones that relate to the bar itself as far as the deck, patio and**

**separation between the bar and salon are more concerning to him. These are all permit-related issues and I don't think they have merit enough for more than one violation. As far as enforcement goes, it would only be a second violation.**

**Cameron Johnson then made a motion that all of the above 5 conclusions would be the second violation. Motion was seconded by Melinda Kieffer. Mayor Ihrke and Dave Iseminger abstained from voting. 3 yes votes and 2 abstentions.**

**Resolution 9-18-17D was passed and signed.**

**Being that there are 2 violations within any three (3) year period, a \$1,000.00 fine and 3 day suspension of license is issued to the owner of the Shack Bar. After the fine is paid to the City of Dover will determine when her 3 day suspension will be activated. There will be no Sunday Liquor License approved until the fine is paid in full and everything that the City required up to this point is satisfied.**

**A copy of this resolution was given to the owner of the Shack Bar, along with a variance application.**

**Jody Wiza, owner of the Shack Bar, stated that she will be taking this matter to court.**

**A motion was made by Dave Iseminger to adjourn the meeting, seconded by Jaime Putzier. All agreed. Motion carried. Meeting adjourned at 7:34 P.M.**

**Karen Henry**

**Clerk of Dover**

