

City of Torrington)
County of Goshen)
State of Wyoming)

The Torrington City Council met in regular session on Tuesday, September 20th, 2016 in the City Council Chambers at 436 East 22nd Ave. at 7:00 p.m. Present: Mayor Varney, Council Members Adams, Hill, Kelly and Law. Also Present: Clerk/Treasurer Strecker, Attorney Eddington, Building Official Estes, Chief of Police Sharp, Electric Supervisor Youtz, Streets/Sanitation Supervisor Korell, and Deputy City Clerk Kinnan.

Mayor Varney called the meeting to order.

Councilwoman Deanna Hill led the Pledge of Allegiance.

Councilman Adams stated he recently attended a Wyoming Association of Municipalities (WAM) Executive Board meeting. The State of Wyoming revenues are down, due in large part to the decline in coal, gas and oil sales. Sales tax revenues are also down. At the June 2016 WAM meeting a taskforce was created and charged with studying the current municipal revenue situation and report back to WAM. When the WAM Board met recently they reviewed the draft report from the taskforce which included recommendations to present to the State Legislature. Some of the recommendations included:

1. To fully fund the \$105 million appropriation to the municipalities which was split into two payments; there has been concern the State Legislature may withhold the second payment.
2. Modify the distribution formula; large communities did not benefit as much as the small to mid-size communities did.
3. Insure continued funding for grants and loans; such as the Mineral Royalty Grants and Community Development Block Grants.
4. Long term plan for funding the infrastructure development of municipalities.
5. Review sales & use tax and the exemptions.
6. Long term recommendations: modify sales tax, allow increasing property tax, and incentivize operating efficiencies by consolidation and regionalization of services.

He commented the taskforce studied cities and towns in Wyoming and across the nation and found Wyoming municipalities have the most restrictive ability of any state to generate revenue, we do not have any taxing authority. We receive our revenue from distributions from the State, we only control the 8 mils we receive from property tax. 6000 jobs were lost across the state in 2015. He suspects next year the economy in the State will probably be worse, and the downturn in the State economy is expected to last for the next five to six years. He commented the sky is not falling but there are cracks in it.

Councilwoman Hill read a Victims Assistance report. During the FY 2015-16 year there were 118 new victims, ranging in age from 18 to 59. Victims Assistance opened 172 new cases and they provided 3068 victim services (256 average/month) for victims in new and ongoing cases.

Councilwoman Hill moved and Councilman Kelly seconded to approve the consent agenda which includes the minutes of the 09-06-16 Council meeting as published and all actions therein be ratified. Motion carried unanimously.

Councilman Adams moved and Councilman Law seconded to approve the agenda as presented. Motion carried unanimously.

Electrical Supervisor Youtz presented the bid results for the Cold Springs Power Line Steel Structures. He recommended awarding the bid for the steel structures, (manufactured by V&S Schuler), to Anixter Inc., of Casper WY in the amount of \$32,672.00. Supervisor Youtz stated the bid is for two 50 ft. structures which will include the foundations. Councilman Adams inquired when the construction bids would be let. Supervisor Youtz stated it would depend on when the material was delivered. Councilman Adams moved and Councilwoman Hill seconded to award the bid to Anixter Inc. in the amount of \$32,672.00 as presented. Motion carried unanimously.

Electrical Supervisor Youtz presented the bid results for the Cold Springs Substation Major Power Equipment. He recommended awarding the bid for items B, C, D, G, and H to Anixter, Inc. of Casper WY in the amount of \$192,822.64 and awarding the bid for items A, E, and F to Western United Electric Supply, of Brighton CO in the amount of \$31,107.00 for a total of \$223,929.64. Councilman Kelly inquired if the City electrical department would install the equipment. Supervisor Youtz stated no, bids would be let to do the installation. Councilman Law moved and Councilman Kelly seconded to award the bid to Anixter Inc. in the amount of \$192,822.64 and Western United Electric Supply in the amount of \$31,107.00 for a total of \$223,929.64 as presented. Motion carried unanimously.

Mayor Varney stated the Vyve Cable TV Franchise will expire on September 30th, 2016. He recommended a 60 day extension of the franchise, not a renewal. If approved the current franchise would expire November 30th, 2016. Charles Hembree, a Vyve Broadband Consultant, from Plano TX addressed the Council. He stated Vyve appreciated the previous extension of the franchise and they are continuing to improve the reliability of the service. He stated after the franchise is renewed they will continue to make improvements. Dan Smith, the new Vyve Manager, stated they are working through and correcting issues on the outside plant which has resulted in improvement in the service. Mr. Smith

encouraged customers to call Vyve with issues, it will help them track down and isolate problems. Councilman Adams stated he had a citizen contact him this summer about a Centurylink cable that was about five feet off the ground with a cable tv wire laying on top of it. The citizen stated the cable tv pole had fallen over four years earlier. Councilman Adams said he contacted Vyve about the issue, and it still has not been corrected. Mr. Hembree stated they are working on hiring a contractor to replace and/or set new poles across town and are hoping to work out something in the future with the City electric department to set the few poles that would be needed yearly. Councilman Adams inquired if the internet service would improve. Mr. Hembree stated yes it would, because they just added another circuit. The additional circuit took three years to obtain and as they work through the system and correct problems the speed of the internet will increase. They will continue to pursue every avenue in obtaining another circuit and will work with others to try to obtain fiber from Wheatland WY. Councilwoman Hill stated she was a cable tv customer for 20 years, but has switched to a different provider, and inquired how Vyve would get back the customers they have lost. Mr. Hembree stated they have only owned the system for three years and it will take some time to correct all the issues. Once the system has been completely renovated he wants to run specials to lure customers back and hopefully restore their faith in the company. Councilman Law moved and Councilman Adams seconded to approve the Vyve Cable TV franchise extension to November 30th, 2016. Motion carried unanimously.

Gary Korell, Streets/Sanitation Supervisor presented for approval Amendment No. 3 to the Agreement for Professional Services with Inberg-Miller Engineers (IME) for the Landfill #2 New Cell Design & Permit Renewal Project in the amount of \$71,278.00. Steve Moldt, Project Engineer with Inberg-Miller Engineers addressed the Council. He stated the application for a DEQ performance based design (non-lined) lifetime landfill permit is due next week. DEQ has seen all the data and the City should see the permit next April or May. Torrington will have the first performance based design landfill approved by the DEQ. By not lining the landfill the City will save one million dollars. An annual report must be submitted every year to the DEQ and well monitoring, testing and reporting will continue to be performed in accordance with DEQ requirements. The amendment includes IME doing additional permit edits and meetings to close out the lifetime permit process, extend the 2013 agreement to December 31st, 2017, allow for the continued sampling and lab testing of wells, well abandonment work, and design a landfill water balance (WB) cap. The WB cap is a soil cap designed to retain water during non-growing seasons with the stored water being utilized by plants during the growing season. By not using a flexible membrane to cover the landfill the City can save one million dollars in cap costs. Gary Korell, Streets/Sanitation Supervisor recommended creating a new agreement with Inberg-Miller Engineers for just the well monitoring after the design and permitting process is complete. Councilman Adams moved and Councilwoman Hill seconded to approve Amendment No. 3 to the Agreement for Professional Services with Inberg-Miller Engineers as presented. Motion carried unanimously.

Clerk/Treasurer Strecker presented a financial report for the fiscal year ended 2016. She stated the total restricted and cash on hand was \$11,117,770.22 and the actual cash available for the FY17 Budget was \$9,144,827.21. The accounts receivable utility billing amounts past due was \$37,986.35, the amount at collections was \$75,373.04, and \$2,838.19 was turned over to the City Attorney. Councilman Adams inquired why the collections amount and the amount past due were so different. Clerk/Treasurer Strecker stated the amount past due is for accounts we are still actively trying to collect, the collections amount is for accounts we have turned over to a collection agency. A lot of the accounts at the collection agency are customers who have left the State. The accounts turned over to the Attorney are accounts he can get judgements on. She stated all departments met the goal of expending only 95% of their budget, the overall expenses were at 85.82%, and Staff is continuing to do a good job of holding expenses down. Revenues for building permits, park camping, and the Community Center were up, but sales tax revenues continue to decline as well as the optional tax revenue. Councilwoman Hill thanked Clerk/Treasurer Strecker for all her hard work and time. Councilwoman Hill moved and Councilman Law seconded to accept the financial report as presented. Motion carried unanimously.

The bills from 09-07-16 to 09-20-16 were presented for payment. Councilwoman Hill moved and Councilman Kelly seconded to approve the bills for payment as presented. Motion carried unanimously.

Councilman Adams moved and Councilman Kelly seconded to adjourn to executive session to discuss personnel. Motion carried unanimously.

Councilman Law moved and Councilman Adams seconded to return the Council to regular session. Motion carried unanimously.

Councilman Adams moved and Councilman Kelly seconded instructing Attorney Eddington, Clerk/Treasurer Strecker, and Mayor Varney to negotiate a contract for professional services with The Executive Group for services not to exceed six weeks. Motion carried unanimously.

Councilwoman Hill moved and Councilman Law seconded that there being no further business to come before the Council to adjourn at 9:02 p.m. Motion carried unanimously.

The following bills were approved for payment: WIRE TRANSFER to SAWTOOTH EMERGENCY VEHICLES 2016 Chevy ambulance 128800;58092 CITY OF TORRINGTON c/o FIRST STATE BANK optional sales tax Deposit 68722.65;58093 GOSHEN CO ECONOMIC 1/4 Cent sales tax 17178.88;58094 MCI A VERIZON CO long distance/911 callbacks 9.10;58095 MERITAIN HEALTH INC premium&life prem

26157.94;58096 MUNICIPAL ENERGY AGENCY OF NE wholesale power 514633.17;58097 MUNICIPAL ENERGY AGENCY OF NE monthly rita installment 4276.57;58098 CITY OF TORRINGTON c/o PINNACLE BANK health reserve non-insured employer premium 11907.07;58099 REGIONAL CARE INC 1/16 select flex admin 76.50; 58100 TORRINGTON EMPLOYEES INS premium 75555.84;58101 TOUCHTONE COMMUNICATIONS INC. long distance 103.73;58102 VERIZON WIRELESS cell phones 56.13;58103 WYRULEC CO LANDFILL ELECTRIC 175.14; 58104 LOZANO,ADOLFO final bill/cr rtn 20.28;58105 MOHR, AUBREY final bill/dep rtn 49.76;58106 BAROS,MAISIE final bill/dep rtn 182.79;58107 CASTLE,CAROLYN J final bill/dep rtn 165.68;58108 WY TRIBUNE-EAGLE classified line ad 622.70;58109 BROTHWELL, CHRISTINA final bill/dep rtn 69.33;58110 AMERICAN SOCIETY OF CIVIL ENGINEERS city engineer job ad 530.00;58111 WESTERN SUGAR COOP dep rtn/pony express room 150.00;58112 ARROW ELECTRIC OF TORRINGTON disconnct pump/maint&connect rplcmnt pump 80.00;58113 ADAMS,RANDY mileage 169.02;58114 ALTEC INDUSTRIES INC huskie o style dies 230.99;58115 NORTHERN EXPOSURE COMPUTER CENTER microphn,8gb micro sd memory card 29.98;58116 BENCHMARK OF TORRINGTON eastside indstrl park boundary survey 235.25;58117 VOID;58118 BNSF RAILWAY CO BNSF pipeline permit 775.00;58119 CANON FINANCIAL SERVICES INC copier contracts 524.25;58120 CNH INDUSTRIAL CAPITAL PRODUCTIVITY PLUS nuts 3.96;58121 CITY OF TORRINGTON scrubs,lien amend/correct 53.98;58122 CITY OF TORRINGTON payroll WITHHOLD-phone data/utilities /golf 331.71;58123 ABSOLUTE SOLUTIONS minitor 6 pages, batteries 510.00;58124 CRESCENT ELECTRIC SUPPLY CO insulatd crimps 43.22;58125 DECKER,STEVE fertilizer 1425.00;58126 DENT,DAVID A golf pro payable 3008.39; 58127 DIVERSIFIED SERVICES PER AGREEMENT 1500.00;58128 VALLEY PLUMBING& HEATING instld fernco tee&pipe-compartment sink 115.33;58129 JAMES A. EDDINGTON PC CITY ATTORNEY 6000.00; 58130 EMERGENCY MEDICAL PRODUCTS INC combitube,c-collar 346.55;58131 EREPLACEMENTPARTS .COM LLC carburetor assy,choke lever 97.34;58132 FAMILY SUPPORT REGISTRY PAYROLL WITHHOLD 235.97;58133 FLAGS USA INC 6 US flags-stock 207.00;58134 GE BETZ INC monthly chemical manage City&prison 9937.52; 58135 GOSHEN CO CHAMBER OF COMMERCE 2016 annual membership 5400.00; 58136 GOSHEN CO ECONOMIC monthly contribution 1980.00;58137 GREAT-WEST TRUST CO LLC payroll WITHHOLD 1550.62;58138 GREATAMERICA FINANCIAL SERVICES CORP COPIER LEASES 483.00;58139 H & H MUDLOVERS LLC Pay Req 2(final)-E 24 Ave Imprv 3198.38;58140 HAWKINS INC Sdm hydroxide 50%,55G spent MT blue 753.40;58141 HEILBRUN,MATT Mileage 88.56;58142 HICKEY&EVANS LLP tariff revisions, Pass on electric rate application work 4780.00;58143 INDUSTRIAL DISTRIBUTORS citrus degreasr 134.52;58144 KJORMOE,MELVIN L. car show/rolling pin sign,cow figurines 26.17;58145 KNUDSEN LAW OFFICES Municipal Court Judge 1600.00;58146 KUHN,JAMES L. Grandview/E 20th Ave-property cleanup 150.00;58147 L N CURTIS&SONS 55 gal drum class A foam 948.75;58148 LEAGUE NEBRASKA MUNICIPALITIES 2016 rubber gloving school 360.00;58149 THE METAL SHOP exp metal &angle iron-mwr trlr rpr,welding rod for trlr repairs 167.25;58150 MERIDIAN TRUST FEDERAL CREDIT UNION PAYROLL WITHHOLD 3115.00;58151 MOOREHOUSE INC redwood mulch 68.00;58152 MOTOROLA SOLUTIONS INC. Service Agreement-dispatch serv,network monitors 4650.21; 58153 NATIONAL FIRE PROTECTION ASSOCIATION fire prevent week materials 1262.27;58154 OLSON TIRE CO tire repair&patch 368.94; 58155 ONE CALL OF WY tickets for CDC code TRG 120.75;58156 ENVIRO SERVICES INC lab analysis /e.coli-quant-tray 180.00;58157 THE L L JOHNSON DIST CO pivot knuckle, busing-flange &straight, spindle shafts,bolt-blades,seal oil,bearing/ spacerkit,pulley 707.86; 58158 PINNACLE BANK bushings,file folders,furnas series starter,batteries,tool sharpnr kit,foot pedal valve, lanyards, drawstring, agm maint free battery,usps,dash plaques,trophies,tshirt trasfrs,travel expense 2274.83;58159 R & R PRODUCTS CO steel drag mat 249.55;58160 SPECTRUM ENGINEERING RESOURCES substation desgn-sub mtrls&procuremnt 3393.60;58161 RINGLE,DANIEL K. museum contract consultnt 750.00;58162 ROSENBAUER SOUTH DAKOTA LLC window crank 49.06;58163 S & W HEALTHCARE CORPORATION wet gel foam 63.56; 58164 SAM'S CLUB/SYCHRONY BANK car show cutlery, water, cups, lemonade, dawn, febreze,Swiffer, fragrences 300.21;58165 SALVATION ARMY final bill/dep rtn 100.00; 58166 EASTERN WY EYE CLINIC safety glasses 548.00;58167 TRAVELERS CL REMITTANCE CENTER property&casualty insur 21800.75; 58168 UE COMPRESSION LLC rebuild blower unit,mtrls,shop supplies 7022.17;58169 U S POSTMASTER Credit for postage 850.00;58170 VALLEY MERCANTILE CO brake& coolant hoses 30.13; 58171 VOGEL WEST INC white traffic paint for RR crossings 94.20;58172 VANDEL DRUG car show/v-slice mandoline 29.99;58173 WALTON,JAMES H AIRPORT ASSIST CONTRACT 1500.00; 58174 WASHINGTON NATIONAL INSURANCE CO PAYROLL WITHHOLD 32.70;58175 WEGLIN JR. ED Mow/Trim 281.00;58176 WESTERN RESEARCH AND DEVELOPME LTD headworks design 50051.26; 58177 WORKING PERSON'S STORE workshrts,sweatshrt,safety eyewear 389.40; 58178 WRIGHT,JERRY W. AIRPORT CONTRACT 1575.00;58179 WY RURAL WATER member registration/ 2016 training 275.00; 58180 WY CHILD SUPPORT PAYROLL WITHHOLD 230.76;58181 WY CHILD SUPPORT PAYROLL WITHHOLD 262.61; 58182 WY DEPT OF REVENUE 1/2 Unifrm Assessmnt FY17 3836.73; 58183 WY DEPT OF TRANSPORTATION licplate renewals&trnsfrs 605.00;58184 YOUNGER,TOD M museum ground maint 100.00;58185 SMITH JERRY final bill/dep rtn 39.99;58186 GLEN H ERDMAN ESTATE final bill/dep rtn 79.91;58187 PARRELLI III,BENJAMIN final bill/dep rtn 167.02;58188 STAR-HERALD job ad 1296.46