

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

The Torrington City Council met in regular session on Tuesday, February 21, 2023 in the City Council Chambers at 436 East 22nd Ave. at 7:00 p.m. Present: Mayor Doby, Council Members Deahl, Kelly, Patterson and Viktorin. Also Present: Clerk/Treasurer Strecker, Attorney Eddington, Director of Public Works Harkins, Chief of Police Johnson, Buildings & Grounds Superintendent Estes and Deputy City Treasurer Nichols.

Mayor Doby called the meeting to order.

Councilman Patterson led the Pledge of Allegiance.

Mayor Doby led the session with informational announcements on the following items: 1. Weather updates; 2. Reminder to the public to be cautious while navigating slick streets during winter months; 3. Request to the public to refrain from using their cell phones while driving; 4. Announcement that Water Systems Senior Operator Matthew Heilbrun and Water Systems Operator Trainee Dustin Haas represented the City of Torrington at the State Capitol the week of February 8th at the ceremony that was held to recognize and give appreciation to Wyoming's Professional Water and Wastewater Operators; and 5. Thank you to Fire Chief Petsch and the Torrington Volunteer Fire Department (TVFD) for inviting the Mayor and Council to the TVFD Awards Banquet that was held on 02-18-23.

Councilman Patterson moved and Councilman Deahl seconded to approve the consent agenda which includes the minutes from the 02-07-23 Council meeting as published and all actions therein be ratified. Motion carried unanimously.

Councilman Deahl requested approval to amend the agenda as follows:

1. Move the National FFA Week Proclamation to be the first item on the Action Items List.

Councilman Deahl moved and Councilman Kelly seconded to approve the agenda as amended.

Motion carried unanimously.

Mayor Doby read a proclamation declaring February 18-25, 2023 as National FFA Week. It stated that FFA and agricultural education provide a strong foundation for the youth of America and the future of food, fiber and natural resources systems, and indicated that FFA promotes premier leadership, personal growth and career success among its members. It also stated that the FFA motto – “Learning to Do, Doing to Learn, Earning to Live, Living to Serve” – gives direction and purpose to the students who take an active role in succeeding in agricultural education. Councilman Viktorin spoke in support of the proclamation.

Francis Ahearn addressed the Mayor and Council in public forum. He expressed his concerns in regard to the recent adoption of a four-day school week by the Goshen County School District Board of Trustees.

Mayor Doby opened the public hearing regarding the Retail Liquor License renewals for the license term 04-01-23 through 03-31-24. He read the list of Retail Liquor License applicants. The retail applicants were: 307 Sports Bar & Grill, LLC/*307 Sports Bar & Grill*, Old Grey Fox, Inc./*Mint Bar*, Caroline Garcia/*La Familia Prado*, Chugwater Brewing Company, Inc./*J & B Liquor*, Pamela J. Delgado-Garcia/*Garcia's Mexican Restaurant*, Maverik, Inc./*Maverik Store #293*, The Cigarette Store, LLC/*Smoker Friendly-Gasamat*, SS&G, Inc./*Holiday Inn Express*, The Open Barrel Brewing Company, LLC/*The Open Barrel Brewing Company*, Torrington Hotel, LLC/*Torrington Cobblestone Hotel*, T.J.L., LLC/*Broncho Bar*, San Pedro JC, LLC/*San Pedro Taqueria*, Kroenmark, LLC/*Ltd Edition* and EVENCIO, LLC/*Thrifty's Gas & Liquor*. Mayor Doby asked for public comments for or against the renewal of the Retail Liquor Licenses, none were heard. The public hearing was closed. Councilman Viktorin moved and Councilman Patterson seconded to approve the renewal of the Retail Liquor Licenses as presented. Motion carried unanimously.

Mayor Doby opened the public hearing regarding the Limited Club Liquor License renewals for the license term 04-01-23 through 03-31-24. He read the list of Limited Club Liquor License applicants. The limited club applicants were: Elks BPO 1726/*Elks 1726*, Torrington Lodge #664 Loyal Order of Moose/*Torrington Moose Lodge 664*, Travis Snow Post 5/*American Legion Club* and City of Torrington/*Country Club*. Mayor Doby asked for public comments for or against the renewal of the Limited Club Liquor Licenses, none were heard. The public hearing was closed. Councilman Viktorin moved and Councilman Kelly seconded to approve the renewal of the Limited Club Liquor Licenses as presented. Motion carried unanimously.

Mayor Doby opened the public hearing regarding the Restaurant Liquor License renewals for the license term 04-01-23 through 03-31-24. He read the list of Restaurant Liquor License applicants. The restaurant applicants were: Tiffany Leslie/*Broncho Grillhouse* and Karlee Jones/*Deacons Restaurant*. Mayor Doby asked for public comments for or against the renewal of the Restaurant Liquor Licenses, none were heard. The public hearing was closed. Councilman Deahl moved and Councilman Patterson seconded to approve the renewal of the Restaurant Liquor Licenses as presented. Motion carried unanimously.

Mayor Doby opened the public hearing regarding the Microbrewery Permit renewal for the license term 04-01-23 through 03-31-24. He indicated that the only applicant in this category is: The Open Barrel Brewing Company, LLC/*The Open Barrel Brewing Company*. Mayor Doby asked for public comments for or against the renewal of the Microbrewery Permit, none were heard. The public hearing was closed. Councilman Patterson moved and Councilman Viktorin seconded to approve the renewal of the Microbrewery Permit as presented. Motion carried unanimously.

Mayor Doby noted the time had arrived for the Mayor and Council to adjourn from regular session and convene as a Board of Adjustment.

Buildings & Grounds Superintendent Estes stated that Ashley Hoff requested a conditional use permit to operate an in-home daycare. The property is located at 2126 West C Street. He indicated that no action was taken at the 02-14-23 Planning Commission Meeting due to lack of a quorum but that staff recommends approval and he has received no public comment. Mayor Doby opened the public hearing for consideration of the permit. He asked for public comments for or against the approval of the permit. Ms. Hoff spoke in favor of the approval of the permit. The public hearing was closed. Councilman Patterson moved and Councilman Deahl seconded to approve the conditional use permit for the property located at 2126 West C Street as presented. Motion carried unanimously.

Mayor Doby returned the Mayor and Council to regular session.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING SECTION 12.32.082 OF THE TORRINGTON MUNICIPAL CODE, 2023 REVISIONS, RELATING TO AIRPORT GROUND LEASE. Councilman Kelly moved and Councilman Viktorin seconded to approve the ordinance on second reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE CREATING AND ENACTING SECTION 13.20.040 OF CHAPTER 13.20, OF THE TORRINGTON MUNICIPAL CODE, AUTHORIZING AND DIRECTING EXECUTION OF THE GREEN ENERGY PROGRAM SUBSCRIPTION CONFIRMATION BY THE CITY OF TORRINGTON, WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA. Clerk/Treasurer Strecker stated that she received a letter from the Municipal Energy Agency of Nebraska (MEAN) announcing its new Green Energy Program to be effective 04-01-23. She indicated that currently, the City of Torrington has 1% Wind-Energy as part of its energy supply by MEAN. Clerk/Treasurer Strecker commented that the Green Energy Program will replace the existing Wind-Energy Program and stated that the City has an advance opportunity to subscribe to the new program. She indicated that in 2009 when the City first subscribed to the Wind-Energy Program, there was speculation that the federal government may require a certain amount of green energy to be present in the production pool of energy that is distributed. Clerk/Treasurer Strecker commented that a requirement of that kind has not been imposed by the federal government to date but it is certainly still a possibility. She stated that if the requirement is imposed in the future, being a participant of the Green Energy Program will satisfy that requirement. Clerk/Treasurer Strecker indicated that if the City elects to not participate in the Green Energy Program and the 1% Wind-Energy drops off, the City will see a savings of \$2,499.64. She commented that the extra cost over the energy charge with the new Green Energy Program is \$1,705.44, and stated that the savings between the new Green Energy Program and the current Wind-Energy Program would be approximately \$794.20 per year. Councilman Deahl moved and Councilman Patterson seconded to approve the ordinance on first reading as presented. Motion carried unanimously.

Buildings & Grounds Superintendent Estes presented for approval the FY24 FPMS Interagency Nonstructural Flood Risk Management Proposal. He stated that the City of Torrington passed an emergency ordinance in June of 2022 to adopt the new floodplain maps that were updated by the Federal Emergency Management Agency (FEMA). Buildings & Grounds Superintendent Estes indicated that several issues have been created since the passing of that emergency ordinance mainly due to the fact that the floodplain changed drastically. He commented that the proposal consists of an assessment of the current floodplain mapping and the production of a 2-dimensional (2-D) model. Buildings & Grounds Superintendent Estes stated that the project scope of work will be completed by the United States Army Corps of Engineers (USACE). He indicated that the project will cost the City zero dollars, the City simply has to contribute an in-kind match in the form of work. Buildings & Grounds Superintendent Estes commented that the City's in-kind match will consist of data collection, project support and structure verification. He stated that the project once complete, will provide the City with the tools required to share risk management responsibilities with a clear understanding of the risks and benefits. Councilman Patterson moved and Councilman Deahl seconded to approve the FY24 FPMS Interagency Nonstructural Flood Risk Management Proposal as presented. Motion carried unanimously.

Clerk/Treasurer Strecker presented a Financial Report as of 12-31-22. She stated that the total restricted and cash on hand was \$18,380,865.01, then after adding unearned revenue, subtracting unexpended appropriations and restricted cash, the total net cash reserve was \$10,549,391.89. The accounts receivable/utility billing amount past due was \$41,396.85, the amount at collections was \$78,177.49 and \$11,058.92 was turned over to the City Attorney. Net revenue for all funds was \$746,361.13, which in comparison to the previous fiscal year has increased overall. Councilman Patterson moved and Councilman Kelly seconded to accept the Financial Report as presented. Motion carried unanimously.

The bills from 02-08-23 to 02-21-23 were presented for payment. Councilman Viktorin moved and Councilman Deahl seconded to approve the bills for payment as presented. Motion carried unanimously.

Mayor Doby asked for public comments, questions or concerns.

Fire Chief Petsch stated that the Torrington Volunteer Fire Department applied for a grant through the Wyoming Department of Transportation and indicated that they were recently informed that they will receive a partial grant award. He commented that they initially applied for \$109,000.00 to replace 22 radios but were awarded only \$50,000.00.

Mayor Doby thanked Fire Chief Petsch for inviting the Mayor and Council to the Torrington Volunteer Fire Department Awards Banquet. He stated that it was a pleasure to be invited.

Councilman Patterson moved and Councilman Kelly seconded that there being no further business to come before the Mayor and Council to adjourn at 8:32 p.m. Motion carried unanimously.

The following bills were approved for payment: 75418 AFLAC payroll withholding 798.00;75419 NCPERS GROUP LIFE INS payroll withholding 176.00;75420 CITY OF TORRINGTON payroll withholding 395.01;75421 GOSHEN CO DISTRICT COURT CLERK payroll withholding 100.00;75422 GREAT-WEST TRUST CO LLC payroll withholding 1413.00;75423 MUNICIPAL ENERGY AGENCY OF NE wholesale power 448686.76;75424 NEW YORK LIFE payroll withholding 359.37;75425 WYRULEC CO Landfill Electric 578.29;75426 WILLARD, DARLENE L. deposit refund 28.60;75427 GLOVER, STEVEN T. deposit refund 94.32;75428 BAKER, ALLISSA deposit refund 6.72;75429 JACKSON, KATHERINE deposit refund 52.45; 75430 BLUNSOM LLC deposit refund 190.55;75431 MCCRANIE, CLAY mileage reimb 189.95;75432 21ST CENTURY EQUIPMENT LLC elbow fitting 10.24;75433 AMAZON CAPITAL SERVICES belt,hDMI cable 201.33;75434 AT&T MOBILITY cardiac monitor transmission fees 33.46;75435 ATCO INTERNATIONAL deodorizer for dumpsters 424.00;75436 CONTINENTAL WESTERN GROUP auto/commercial property insurance 30230.00;75437 BLACK HILLS ENERGY utilities-gas 8175.86;75438 BROWN CO Polaris Ranger 16058.00;75439 BROWN CO v-belt 64.49;75440 CASPER COLLEGE WAMCAT virtual training 138.00; 75441 CITYSERVICEVALCON LLC jet fuel 14221.61;75442 CITY OF TORRINGTON recording fees,usps, envelopes 90.07;75443 CONTRACTORS MATERIALS INC. poly straps 17.28;75444 COOK, REECE repair dumpsters 420.00;75445 COWBOY CLINIC AND URGENT CARE pre-employment physical 75.00;75446 EMERGENCY MEDICAL PRODUCTS INC. ambulance supplies 138.82;75447 ENERGY LABORATORIES INC. credit,lab test 160.00;75448 ESPINOZA, ANDREW C. basic computer classes 150.00;75449 FASTENAL CO dust masks,safety glasses,batteries,pickers 269.75;75450 FRITZLER, LARRY & DEBORAH pump septic tanks 406.00;75451 GOSHEN CO ECONOMIC monthly contribution 2500.00;75452 GREATAMERICA FINANCIAL SERVICES CORP copier leases 356.00;75453 HOMETOWN MERCHANT SOLUTIONS LLC credit card terminal 319.00;75454 HOTLINE ELECTRICAL SALES & SERVICE LLC electric meters 55453.82;75455 INBERG-MILLER ENGINEERS New Cell Design and Permit Renewal Project 22006.37;75456 INLAND TRUCK PARTS & SERVICE hoist control valve 427.39;75457 J HARLEN CO INC. fire proof shirts 517.43; 75458 JAMES A. EDDINGTON PC City Attorney 9187.50;75459 POWERPLAN cutting edge,bolts 872.84; 75460 FRANK PARTS CO filters,mud flap,power sprayer,cut off wheels,oil,bearing,housing,tape,battery, couplers/couplings,ice blades,fittings,def tester,pressure switch,jump start cables,brake master cylinder, de-icer wash 1469.78;75461 MASTERS, MAX ROBERT software map updates 10000.00;75462 MCMMASTER-CARR SUPPLY CO wire rope-pulling pipe 350.07;75463 MEDICAL AIR SERVICES ASSOCIATION medical air transport insurance 1615.00;75464 METAL SHOP AND REPAIR LLC q cylinder oxygen 35.50; 75465 MS LORRI CAR WASH LLC tokens for car wash 100.00;75466 NATIONAL FIRE PROTECTION ASSOCIATION membership renewal 175.00;75467 NEWMAN SIGNS INC. signs,posts,solar flashing,led lighted signs 18767.44;75468 NICOLETT-FLATER ASSOCIATES pre-employment evaluation 225.00;75469 NORTHERN SAFETY CO INC. safety glasses 114.54;75470 NORTHWEST PIPE FITTINGS INC. flare adapters, compression unions,stationary rods, valve boxes w/ lids 3108.84;75471 ONE CALL OF WY tickets for CDC code TRG 82.00;75472 PANHANDLE COOPERATIVE ASSOCIATION rubbing alcohol,refreshments-orientation,premium diesel,winter additive,propane 6362.73;75473 ENVIRO SERVICES INC. lab analysis 148.00;75474 PATRICK, JOHN B. Municipal Court Judge 2000.00;75475 PIERCE, TAMMY vinyl door logos, metal sign w/ logo 135.00;75476 PINNACLE BANK exam fee,travel expenses-meals/fuel/lodging/toll road fee,birthday gift cards,SCBA firefighter shields,meal during snow storm,recertification fee,group membership,THC testing pouches,registration fees,carburetor 3888.47;75477 POMP'S TIRE SERVICE foam fill for lawn mower tires 124.80;75478 PRINT EXPRESS INC. monthly receipts 255.66;75479 REAL TIME LABOR GUIDE annual subscription,support & update 195.00;75480 RICHEY, MICHAEL Airport Operator Contract 1666.67;75481 RIVER VIEW SAND & GRAVEL LLC salt/sand 2977.24;75482 ROCKY MOUNTAIN INDUSTRIAL SUPPLY INC. degreaser,carburetor cleaner,wd-40,gloves,impact sockets,nylon lock nut,drill bits 319.88;75483 SAM'S CLUB/SYCHRONY BANK address labels,frames,towels,coffee/ filters,dishwasher pods,ibuprofen,disinfect wipes,tape,glade plug-ins,laundry detergent,disinfectant spray,paper plates 792.81;75484 EASTERN WY EYE CLINIC safety glasses 978.40;75485 SEA WESTERN FIRE FIGHTING EQUIPMENT SCBA masks 691.10;75486 SOUTHERN SOURCE INDUSTRIES INC. degreaser 2162.13;75487 STUART C IRBY CO telescopic hot stick/measuring stick 695.00;75488 SUEZ WTS USA INC. monthly chemical management 7769.04;75489 T D S COLLECTION SERVICE INC. semi load-grading w 657.52;75490 THE EARPHONE CONNECTION INC. lapel microphones 794.33;75491 TORRINGTON FIRE

DEPT professional services 800.00;75492 TRANE U.S. INC. solve networks 110.96;75493 U S
POSTMASTER credit for postage 1250.00;75494 VERIZON WIRELESS TVFD cell phones 136.42;75495
GRAINGER safety glasses,preformed thermplastic rolls 18186.39;75496 WESTERN PATHOLOGY
CONSULTANTS breath alcohol,DOT drug screen,urine collection 120.00;75497 WY HEALTH FAIRS
chemistry panels/wellness screenings 303.00;75498 WY RETIREMENT SYSTEMS retirement 73946.04;
75499 WY RETIREMENT SYSTEMS Torr Vol EMT Pension 37.50;75500 ZELL HEATING & COOLING LLC
retainage payment 1731.25;75501 JOHN, MATTHEW mileage reimb 188.64;75502 PYLE, GARDNER L.
mileage reimb 205.67