

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

The Torrington City Council met in regular session on Tuesday, March 15, 2022 in the City Council Chambers at 436 East 22nd Ave. at 7:00 p.m. Present: Mayor Adams, Council Members Kelly, Kinney, Patterson and Steinbock. Also Present: Clerk/Treasurer Strecker, Attorney Eddington, Director of Public Works Harkins, Chief of Police Johnson, Buildings & Grounds Superintendent Estes, Streets & Sanitation Superintendent Hawley and Deputy City Clerk Anaya.

Mayor Adams called the meeting to order.

Buildings & Grounds Superintendent Estes led the Pledge of Allegiance.

Mayor Adams led the session with informational announcements on the following items: 1. Weather updates; 2. COVID-19 updates and recommendations; 3. COVID-19 vaccine update; 4. Legislative session update; 5. Update on the proposed one percent (1%) specific purpose excise tax in Goshen County for the November 2022 ballot; and 6. City FY23 Budget process update.

Councilman Kelly moved and Councilwoman Steinbock seconded to approve the consent agenda which includes the minutes from the 03-01-22 Council meeting as published and all actions therein be ratified. Motion carried unanimously.

Mayor Adams requested approval to amend the agenda as follows:

1. Add Board of Adjustment/Public Hearing – Valley Christian School Variance Request to the Action Items List.

Councilman Patterson moved and Councilman Kinney seconded to approve the agenda as amended. Motion carried unanimously.

Mayor Adams 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 Valley Christian School requested a variance to be allowed to install a mobile classroom building. The building is 50' x 50' and will be set south of the main school located at 2441 East E Street. He indicated that the request is necessary due to the fact that the mobile classroom building is a *Mobile Home Unit* that is built on a permanent metal frame and therefore not allowed in a R-3 Zone. Buildings & Grounds Superintendent Estes commented that the school will need to add an additional 6 parking spaces in order to meet the off-street parking requirements associated with the variance request. He stated that the Board of Adjustment has two options to consider: 1. Approve the variance that is being requested, which will allow for the mobile classroom building to remain permanently on the property regardless of ownership; or 2. Approve a conditional use permit, which will not transfer with a change of ownership. Buildings & Grounds Superintendent Estes indicated that the Planning Commission approved the request at their 03-08-22 meeting and commented that staff recommends approval of the variance request with the stipulation that the additional 6 parking spaces required are installed in a timely manner. Mayor Adams opened the public hearing for consideration of the variance request. He asked for public comments for or against the approval of the request, none were heard. The public hearing was closed. Councilman Patterson moved and Councilwoman Steinbock seconded to approve the variance request for the property located at 2441 East E Street with the stipulation that the additional 6 parking spaces required are installed in a timely manner as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING SECTIONS 9.02.010 AND 9.02.011 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO PENALTIES AND JAIL. Councilman Kinney moved and Councilman Patterson seconded to approve the ordinance on second reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE CREATING SECTION 9.02.012 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO A SENTENCING HEARING. Councilman Patterson moved and Councilwoman Steinbock seconded to approve the ordinance on second reading as presented. Councilman Kelly requested that the ordinance be modified to include a specific timeframe as to when the sentencing hearing will be held. Attorney Eddington stated that he will add the language *to be held within 30 days or subject to a continuance* and have it ready to be presented for the third and final reading of the ordinance on 04-05-22. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING SECTION 5.12.025 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO MINORS IN LICENSED LIQUOR ESTABLISHMENTS. Chief of Police Johnson stated that significant changes were made to the existing ordinance to make it consistent with State Statute and to expand the ability of Retail, Microbrewery Permit and Limited Club liquor license holders to host food service or entertainment events that are appropriate for persons under the age of 21 while still providing protections and safeguards. Tiffany Leslie with the Broncho Bar/Broncho Grillhouse spoke in support of the ordinance revisions. Councilman Patterson moved and Councilman Kinney seconded to approve the ordinance on first reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING SECTION 9.36.020 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO RESTRICTIONS ON POSSESSING AND PURCHASING LIQUOR OR MALT BEVERAGES AND ENTRY INTO LIQUOR ESTABLISHMENTS. Chief of Police Johnson stated that the revisions that were made to the existing ordinance are in alignment with the amendments that were made to Section 5.12.025. He indicated that any person under the age of 21 who enters a liquor establishment in violation of the criteria and conditions set forth in Section 5.12.025 will be subject to citation. Councilwoman Steinbock moved and Councilman Patterson seconded to approve the ordinance on first reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING SECTION 05.12.030 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO THE REGULATION OF HOURS OF OPERATION FOR LICENSED LIQUOR ESTABLISHMENTS. Chief of Police Johnson stated that the Sunday opening hours of operation were modified from 12:00 p.m. to 11:00 a.m. to accommodate liquor establishments that host televised sporting events and tour bus travelers. Councilman Kelly questioned how the statement that reads, "All liquor licensees shall clear the licensed building of all persons other than bona fide employees by 2:30 a.m./12:30 a.m.", addresses convenience stores that are open 24 hours a day. Chief of Police Johnson responded that that statement has generally not been viewed to apply to convenience stores because convenience stores engage in package sales for off premise consumption rather than sales for on premise consumption. Attorney Eddington indicated that the verbiage in question is outdated and needs to be updated. He commented that he will clarify the language in that specific portion of the ordinance to exempt package sale establishments from the clearing of the building requirement and have it ready to be presented for the second reading of the ordinance on 04-05-22. Councilman Kelly moved and Councilman Kinney seconded to approve the ordinance on first reading with the proposed amendment as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 8.28. OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO THE REGULATION OF SOLID WASTE IN THE CITY OF TORRINGTON. Streets & Sanitation Superintendent Hawley stated that significant changes were made to the existing ordinance to allow the Torrington Police Department the ability to assist with the enforcement of violations of any of the provisions specific to this chapter. Chief of Police Johnson indicated that the animal burial section was expanded to include all buried waste and commented that several other sections in the chapter were amended to incorporate a modern language approach. Streets & Sanitation Superintendent Hawley stated that the biggest change made to the ordinance is in regard to windblown litter. He indicated that refuse that is lightweight and susceptible to being carried by the wind will be required to be contained in a sealed bag to prevent it from becoming windblown litter. Councilman Kinney moved and Councilman Kelly seconded to approve the ordinance on first reading as presented. Motion carried unanimously.

Attorney Eddington presented for approval a Business Lease Agreement between the City of Torrington and Cottonwood Country Club. He stated that all of the City's available golf cart parking spaces are full and indicated that the City is in need of some additional spaces to offer to individuals who are currently on a waiting list. Attorney Eddington commented that the Cottonwood Country Club has some free spaces that it is willing to lease to the City for a rental sum of 50% of the rental fee that the City receives from the sub-lessee. He stated that both parties involved will benefit by entering into the lease agreement and indicated that to begin with, the City is being offered 8 spaces to utilize. Councilwoman Steinbock moved and Councilman Patterson seconded to approve the Business Lease Agreement between the City of Torrington and Cottonwood Country Club as presented. Motion carried unanimously.

Director of Public Works (DPW) Harkins presented the bid results for the 2022 Seal Coat and Mark Pavement for Torrington Airport Project. He stated that staff recommends concurring with the Wyoming Department of Transportation's (WYDOT) recommendation to award the bid to Straight Stripe of St. George, Utah in the amount of \$109,341.50. DPW Harkins indicated that the project consists of seal coating and providing new pavement markings on Runway 10/28 (main runway), portions of the General Aviation Apron areas and Taxiways at the airport. He commented that WYDOT provides for this type of project for Wyoming Airports on a 4-year cycle. DPW Harkins stated that WYDOT prepares the plans and advertises the project for all airports in the cycle. He indicated that WYDOT's award recommendation is based on the overall low bidder for all of the airports. DPW Harkins commented that the project will be funded 90% by WYDOT and 10% by the City. Councilman Kinney moved and Councilman Kelly seconded to award the bid to Straight Stripe of St. George, Utah in the amount of \$109,341.50 as presented. Motion carried unanimously.

Attorney Eddington read Resolution No. 2022-04. Director of Public Works (DPW) Harkins stated that all bids received for the FY2020 Wastewater Pre-Treatment Facility Project exceeded the City of Torrington's available project funding, therefore additional project funding is needed. He indicated that the resolution authorizes the submission of an application to the State Loan and Investment Board for an increase to CW189 in the amount of \$3,500,000.00 for a new total loan amount of \$7,000,000.00

through the State Revolving Fund. Councilwoman Steinbock moved and Councilman Kelly seconded to approve Resolution No. 2022-04 as presented. Motion carried unanimously.

Attorney Eddington read Resolution No. 2022-5. Clerk/Treasurer Strecker stated that the resolution authorizes and ratifies the supplemental application and award of State Homeland Security Program grant funding in the amount of \$14,562.00 for the purchase of (2) P-25 compliant base radios for the Torrington Central Dispatch location and (1) P-25 compliant portable radio for the Torrington Police Department. Councilman Kinney moved and Councilman Patterson seconded to approve Resolution No. 2022-5 as presented. Motion carried unanimously.

Clerk/Treasurer Strecker presented for approval the 2022 Power Cost Adjustment (PCA). She stated that a PCA allows the City to keep up with the cost of wholesale power and electrical rates. Clerk/Treasurer Strecker commented that the proposed 2022 PCA has been filed with the Public Service Commission (PSC) and is pending approval. She indicated that the proposed PCA will result in an increase of \$0.001707 in electrical rates that will go into effect as of 04-01-22. Councilman Patterson moved and Councilwoman Steinbock seconded to approve the 2022 Power Cost Adjustment (PCA) as presented. Motion carried unanimously.

The bills from 03-02-22 to 03-15-22 were presented for payment. Councilman Kelly moved and Councilman Kinney seconded to approve the bills for payment as presented. Motion carried unanimously.

Mayor Adams asked for public comments, questions or concerns.

Buildings & Grounds Superintendent Estes expressed his sincere appreciation to the Torrington Rotary Club for the recent walking path improvements that they funded, and commended Streets & Sanitation Superintendent Hawley and his crew for the excellent job that they did cleaning and back filling after the completion of those improvements.

Councilman Kelly commended Animal Control Officer Shinost on the hard work that she and volunteers completed on the new cattery expansion at the Waggin' Tails Shelter.

Fire Chief Petsch stated as a reminder that a Push-In Ceremony for the new aerial structure fire truck (ladder truck) is scheduled to take place on 03-18-22.

Councilman Kinney moved and Councilwoman Steinbock seconded that there being no further business to come before the Mayor and Council to adjourn at 8:20 p.m. Motion carried unanimously.

The following bills were approved for payment: 73050 MUNICIPAL ENERGY AGENCY OF NE wholesale power 423142.19;73051 CENTURYLINK data lines 2335.92;73052 DRAVES, REBECCA deposit refund 45.87;73053 HOOD, LISA deposit refund 2.89;73054 WILLIAMSON, VICTOR reimb-work boots 173.65;73055 A & C SHEET METAL sheet metal 28.23;73056 ABSOLUTE SOLUTIONS radio repairs,battery packs 615.46;73057 ACCUSCREEN MOBILE DRUG TESTING SERVICES rapid screen drug tests 84.00;73058 AJS SODA SHOP LLC gift cards 240.00;73059 ASSUREDPARTNERS CAPITAL INC. general liability insurance renewal 2175.00;73060 AT BATTERY CO INC. sealed lead acid batteries,high rate agm batteries 1584.56; 73061 BJ WELDING AND MACHINING SERVICES LLC water truck repairs 1131.60;73062 CASELLE INC. contract support & maint 1990.00;73063 CASPER COLLEGE Spring 2022 WAMCAT registration 300.00; 73064 SARGENT DRILLING CO Well #16 Project-retainage 8724.50;73065 CENTURY LUMBER CENTER percussion bit,reducing hex bushing,union,adapters,strike anchors,surge protector,compression sleeve, elbow,galv hanger iron,plumbing nipples,coupling,o-ring,screw eye lag,lag shields,concrete mix,paint, tray liner,paint thinner,roller covers>window scraper,pour & store paint can lid,hydrant,filters,galv bushing,nipple & street elbow,vinyl letters/numbers,cable ties,marker,triple expanding foam,mop, shovel,push broom,wheelbarrow,extension cord,lock spring snaps 599.11;73066 CENTURY LUMBER CENTER bulbs,door grills,bottle brush,ice scraper,coat rack,mats,paneling,floor squeegee,frp outside corner 475.24;73067 CITYSERVICEVALCON LLC jet fuel 16954.48;73068 CONNECTING POINT copier all-inclusive service contracts 453.27;73069 CONTRACTORS MATERIALS INC. inverted paint,poly straps, traffic cones,cloth vacuum filter 753.90;73070 CRESCENT ELECTRIC SUPPLY CO LED replacement light 148.76;73071 CULLIGAN WATER CONDITIONING OF TORRINGTON water dispenser rentals,water 146.30; 73072 CUMMINS SALES AND SERVICE harness kit 166.45;73073 DIVERSIFIED SERVICES INC. cleaning services 335.00;73074 ECI LLC 2021 Ambulance Standby Generator-retainage 6285.40;73075 EMERGENCY MEDICAL PRODUCTS INC. ferno restraint,combitube 211.96;73076 ENERGY LABORATORIES INC. lab testing 508.50;73077 FLOYD'S TRUCK CENTER INC. window/seat repair,repair parts 161.78; 73078 FR CLOTHING & SUPPLY fire rated insulated jacket & vest 384.96;73079 FRESH FOODS donuts/ juice-municipalities meeting 41.40;73080 FRITZLER, LARRY & DEBORAH pump septic tanks 356.00;73081 PRO QUALITY PEST CONTROL rodent control 130.00;73082 GOSHEN CO ECONOMIC ¼ cent sales tax, monthly contribution 19466.48;73083 GOSHEN DIESEL SERVICE evaluation w/ scanner,clear codes 130.00;73084 GREATAMERICA FINANCIAL SERVICES CORP copier leases 356.00;73085 USABLUEBOOK clamp-on meter,chlorine dispenser refills/test,pH buffer pack 828.21;73086 HOTLINE ELECTRICAL SALES & SERVICE LLC meters 29928.00;73087 HUB INTERNATIONAL MOUNTAIN STATES LIMITED auto/ commercial property insurance 35761.75;73088 IDEAL LINEN/BLUFFS FACILITY SOLUTION mats,scrapers, sam dust/energy fees,sam garment fees,sam linen,coveralls,towels,mops 681.19;73089 INDUSTRIAL DISTRIBUTORS washers,bolts 19.64;73090 J HARLEN CO INC. fire rated pants/hoodie 449.20;73091 JAMES A. EDDINGTON PC City Attorney,extended hours 9242.50;73092 KATH BROADCASTING CO LLC

City council meetings,tower rent 475.00;73093 KAUFMAN GLASS LLC glue track on window 30.00;73094 KELLY, DENNIS reimb-mileage/hotel/meal 448.17;73095 K & K COMMUNICATIONS paging service-elec meters 12.00;73096 KINNEY, TED mileage reimb 99.45;73097 FRANK PARTS CO filters,freight,d-earth, mud flaps,battery,bearings,clevis forged,cp screws,bat core deposit,spark plugs,gauge,wiper blades, coupler,clamp,seal,antifreeze 680.45;73098 L I E A P - STATE OF WY credit refund 565.83;73099 LIFEMED SAFETY INC. lithium ion battery,surepower II 1181.28;73100 LUJAN CLEANING SERVICE LLC cleaning>window cleaning 237.00;73101 MASEK GOLF CAR CO golf cart parts 63.67;73102 MCKEE, KAREN R. & MARTIN B. truck seat repair 230.00;73103 MENARDS paint brush,deck stain,linseed oil, treated lumber 420.02;73104 METAL SHOP AND REPAIR LLC q cylinder oxygen,nwq cylinder acetylene 91.50;73105 MOTOROLA SOLUTIONS INC. base station,ports for radios 10938.31;73106 NMC INC. hose assys,seal o-rings 367.12;73107 O'REILLY AUTO ENTERPRISES LLC filters,knock snr kit,internal manifold set,pcv grommet,oil pressure switch,jcase fuse,plasticweld,cleaner,sand,wax pad,wrap,car foggers,wiper blades,batteries,core charges/exchanges,smart fuse,mini bulb,spot mirror,motor oil,wheel seal,brake rotor,ceramic pad,tpms sensor 1341.62;73108 OLSON TIRE CO tires,tire repairs 5228.97;73109 ONE CALL OF WY tickets for CDC code TRG 41.25;73110 PANHANDLE COOPERATIVE ASSOCIATION oven cleaner,vinegar,unleaded fuel,propane bottles 858.55;73111 ENVIRO SERVICES INC. lab analysis 148.00; 73112 PATRICK, JOHN B. Municipal Court Judge 2000.00;73113 PINNACLE BANK water treatment plant exams,membership dues,Spring 2022 WAMCAT registration,training,travel expenses-lodging/meals/ flights,tent replacement/digitalize logo,usb hub,battery,annual subscription,firearm tools,charger,screen protector,streamlight e-spot upgrade kits,mole/gopher pellet bait,testing,calculator paper,file/sorter, flowers,sales tax refund,registration fee,microfiber mop,highlighters,pens,trimmer head,sweatshirts 9786.22;73114 PRINT EXPRESS INC. tee time books,envelopes,swim lesson sign-up sheets,season passes, pool party agreements,ups 1068.48;73115 RICHEY, MICHAEL air fuel 318.53;73116 RICHEY, MICHAEL Airport Operator Contract 1666.67;73117 ROSE BROTHERS INC. blade 191.03;73118 SAM'S CLUB/ SYCHRONY BANK cocoa mix,ziploc storage bags,spray bottle,notepads,microfiber towels,envelopes, paper towels,scissors,kleenex,coffee 355.24;73119 SCHULER, MICHAEL reimb-fire truck parts 46.75; 73120 1000BULBS.COM LED tube lighting 960.05;73121 SNOW CREST CHEMICALS LLC hot water closed loop contract 145.00;73122 QUILL LLC post it notes/flags,usb's,staples,paper clips,binder clips 317.88; 73123 STARR TOOLS scanner,key 549.01;73124 STUART C IRBY CO glove testing 163.95;73125 SUEZ WTS USA INC. monthly chemical management 7769.04;73126 SYN-TECH SYSTEMS INC. fuelmaster standard maint 1175.00;73127 TORRINGTON FIRE DEPT firefighters pension 3825.00;73128 TOUCHTONE COMMUNICATIONS long distance 80.61;73129 TRANS-WEST INC. repairs to streets truck 658.74;73130 U S POSTMASTER credit for postage 1050.00;73131 CENTURYLINK TVFD phone/data line 289.08;73132 VERIZON WIRELESS TVFD cell phones 96.66;73133 GRAINGER screwdriver handle pry bars,work boots, crimpers 391.95;73134 WATER ENVIRONMENT FEDERATION wastewater treatment fundamentals I training 151.00;73135 WESTCO dyed diesel,unleaded gas 17557.32;73136 WESTERN PATHOLOGY CONSULTANTS breath alcohol,drug screens,urine collection 234.00;73137 RESPOND FIRST AID SYSTEMS OF WY 1st aid kit supplies 702.63;73138 WY MACHINERY bolts,nuts,washer,element as-p,filter,shaft assy, cutting edges,spacer 472.92;73139 TORRINGTON TELEGRAM subscription renewal,legals 3800.19;73140 WYRULEC CO Landfill Electric 451.69;73141 MAGID GLOVE & SAFETY MANUFACTURING LLC detectors 481.50;73142 KENYON, CHUCK meal reimb 29.33;73143 AFLAC payroll withholding 453.48;73144 CITY OF TORRINGTON payroll withholding 226.00;73145 DENT, DAVID A. Golf Pro Payable 249.56;73146 GOSHEN CO DISTRICT COURT CLERK payroll withholding 100.00;73147 GREAT-WEST TRUST CO LLC payroll withholding 1425.00;73148 NEW YORK LIFE payroll withholding 359.37