

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

The Torrington City Council met in regular session on Tuesday, March 21, 2023 in the City Council Chambers at 436 East 22<sup>nd</sup> 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, Senior Accounting Clerk Estes, Golf Pro Dent and Deputy City Treasurer Nichols.

Mayor Doby called the meeting to order.

Councilman Viktorin led the Pledge of Allegiance.

Mayor Doby stated that the goal of the Choice Gas program is to create an incentive for competition among the natural gas providers to get the lowest cost to the consumer. He indicated that the City of Torrington received a check in the amount of \$13,630.00 from Wyoming Community Gas (WCG) as a result of the support from the community in the selection of WCG as their natural gas supplier. Mayor Doby commented that the contribution funds that the City receives on behalf of WCG are used for several community projects such as a scholarship to Eastern Wyoming College and a donation to the Rotary Club for a golf license. Senior Accounting Clerk Estes gave a brief history of the Choice Gas program and explained how the program works. She stated that the 2023 selection period begins on 04-06-23 and ends on 04-26-23, and encouraged the public to stop by or call City Hall with any questions that they may have regarding the program or selection period itself.

Mayor Doby presented informational announcements on the following items: 1. Weather updates; 2. Mayor Doby stated that the City of Torrington provides an abundance of recreational activities and parks. He indicated that there are numerous City parks, a dog park, a swimming pool, a golf course, an RV park, soccer fields, baseball/softball fields and walking paths. Mayor Doby invited the citizens of Torrington to get out and enjoy all of the parks and activities that the City offers; 3. Notice to pet owners who utilize the Candy Thompson Memorial Dog Park to clean up after their dogs; 4. Announcement that the Bread Doctor Bakery was featured in the current issue of AARP The Magazine; 5. Reminder to the public to be cautious and mindful of the presence of pedestrians, motorcyclists, bicyclists and joggers on the streets; and 6. Request to the public to refrain from using their cell phones while driving.

Councilman Patterson moved and Councilman Deahl seconded to approve the consent agenda which includes the minutes from the 03-07-23 Council meeting as published and all actions therein be ratified. Motion carried unanimously.

Councilman Kelly moved and Councilman Viktorin seconded to approve the agenda as presented. Motion carried unanimously.

Mayor Doby presented for approval the following appointments: Municipal Judge – John Patrick. Expiration of Term: 12-31-23; Associate Municipal Judges – Kenneth Brown and Anna Barnes. Expiration of Terms: 12-31-23; Lodging Tax Board – Gary Olson. Expiration of Term: 12-31-25; and Torrington Urban Systems Committee – Buck Klemola, Matthew Johnson, Charles Kenyon, Kelly Sittner, Aaron Walsh and Ed Hawley. Expiration of Terms: 12-31-26. Julianne Monahan and Herb Doby, Indefinite. Councilman Patterson moved and Councilman Viktorin seconded to approve the appointments 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. Councilman Kelly moved and Councilman Deahl seconded to approve Ordinance No. 1273 as presented on third reading. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE REPEALING SECTION 13.24.030. OF THE TORRINGTON MUNICIPAL CODE, 2023 REVISIONS, RELATING TO DEPOSITS. Councilman Patterson moved and Councilman Viktorin seconded to approve the ordinance on second reading 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 Mark McMahon requested a setback variance on the North from the required 30' to 23' and on the East from the required 30' to 20.5' to build an additional garage. The property is located at 131 Holly Drive. He indicated that he has received no public comment and commented that staff recommends approval. Mayor Doby opened the public hearing for consideration of the setback variance requests. He asked for public comments for or against the approval of the requests, none were heard. The public hearing was closed. Mr. McMahon spoke in favor of the approval of the requests. Councilman Patterson moved and Councilman Kelly seconded to approve the setback variance requests for the property located at 131 Holly Drive as presented. Motion carried unanimously.

Buildings & Grounds Superintendent Estes stated that Tom McIntosh requested a variance for an increase in the allowable square footage for accessory structures from the required 700 square feet to 1,140 square feet for the addition of a second garage. The property is located at 2317 East E Street. He indicated that he has received no public comment and commented that staff recommends approval. Mr. McIntosh spoke in favor of the approval of the square footage increase request. Mayor Doby opened the public hearing for consideration of the square footage increase request. He asked for public comments for or against the approval of the request, none were heard. The public hearing was closed. Councilman Viktorin moved and Councilman Deahl seconded to approve the square footage increase request for the property located at 2317 East E Street as presented. Motion carried unanimously.

Mayor Doby returned the Mayor and Council to regular session.

Attorney Eddington read Resolution No. 2023-8 authorizing the submission of four Wyoming Homeland Security grant applications for the purchase of essential vehicles, equipment and security fencing for the City of Torrington. Grant applications in the amount of \$444,058.07 will be submitted to Wyoming Homeland Security for consideration of funding the purchase of the following essential vehicles, equipment and project: 1. Torrington Emergency Management Vehicle - \$67,548.61; 2. Torrington Police Specialized Mission Vehicle - \$85,888.47; 3. Torrington Police Non-Lethal Training Equipment - \$11,015.49; and 4. Torrington Wastewater Treatment Plant Fence Project - \$279,605.50. Councilman Viktorin moved and Councilman Kelly seconded to approve Resolution No. 2023-8 as presented. Motion carried unanimously.

Director of Public Works (DPW) Harkins presented for approval an Agreement for Professional Services with Inberg-Miller Engineers (IME). He stated that the agreement will retain IME under a five year agreement beginning 07-01-23 to perform engineering services for the landfill. DPW Harkins indicated that IME has been the landfill consultant for the City under an agreement that began 08-21-13. He commented that since that date there have been 13 amendments to the agreement. DPW Harkins stated that during this period, the most notable project that they have completed for the City is the design and lifetime permitting of Landfill #2. He indicated that monitoring the multiple amendments that have been made to the original agreement has become a really cumbersome process which is why he is recommending approval of the new agreement. DPW Harkins commented that work that may be completed under the proposed new five year agreement includes the following: 1. Environmental monitoring, sampling and reporting for Landfill #2 per required DEQ schedules and reporting requirements; and 2. Preparing feasibility studies and cost estimates for relocating the baler facility to the landfill. Councilman Patterson moved and Councilman Deahl seconded to approve the Agreement for Professional Services with Inberg-Miller Engineers (IME) as presented. Motion carried unanimously.

Golf Pro Dent presented for approval an adjustment to the 2023 Golf Rates and Fees. The modification presented for approval was: Punch Card (twelve 18-hole rounds for the price of ten) - \$310.00. Councilman Deahl moved and Councilman Patterson seconded to approve the adjustment to the 2023 Golf Rates and Fees as presented. Motion carried unanimously.

Brayden Connour and Leann Mattis with Goshen County Economic Development (GCED) requested approval of five special event permits for a series of Summer Concert events to be held on 05-31-23, 06-07-23, 06-14-23, 06-21-23 and 06-28-23 from 3:00 p.m. to 9:00 p.m. in the public parking lot located at 119 East 21<sup>st</sup> Avenue. Ms. Mattis spoke in support of the permits. Councilman Viktorin indicated that he spoke with a business that is directly affected by the event. He commented that that particular business is closed the first two days of the week and inquired if GCED considered hosting the events on either the first or second day of the week. Ms. Mattis responded that GCED contracts with Crossroads Music of Scottsbluff, Nebraska and stated that Crossroads also contracts with Scottsbluff and Alliance who also host summer concert series events. She indicated that Scottsbluff hosts their events on Thursdays and Alliance hosts their events on Fridays, therefore GCED had the option of selecting Wednesday or Saturday as the event host day for Torrington. Ms. Mattis commented that after visiting with some of the businesses downtown, it was decided that Wednesday would be the better option to assist those businesses that are slower during the week that would benefit from the additional business that the series of events would bring in. Todd Werner, Scott Prusia and Tiffany Leslie spoke in support of the permits. Marie Flanagan and Ty Correll spoke in opposition of the location of the events. Mayor Doby stated that the three primary areas of concern for the City of Torrington in regard to the approval of the permits are safety, alcohol containment and noise control. He indicated that the public comments revealed that there is a lack of communication between GCED and the private business owners. Mayor Doby commented that he is hopeful that this public forum will be used as an opportunity to increase the communication that was discovered to be lacking and to make it more productive for all future events. Councilman Viktorin stated that he is supportive of the events but that he is still concerned about the location. Kelly Sittner inquired if the band could be placed in a manner so that the sound projects away from the business that is being directly affected by it. Mayor Doby responded that per the diagram submitted with the permit applications, the plan is to place the band on the Southwest corner of the parking lot facing Northeast. He indicated that with that proposed placement, the sound will project away from the business that is directly affected by the noise produced by the band. Councilman Deahl

moved and Councilman Patterson seconded to approve the special event permits as presented. Voting aye Deahl, Doby, Kelly and Patterson, nay Viktorin, motion carried.

Julie Miller-Harshberger with the 307 Sports Bar & Grill requested approval of a catering permit for a Couples Night event to be held on 03-24-23 from 5:00 p.m. to 11:00 p.m. at 126 East 20<sup>th</sup> Avenue (Torrington Cinemas). Councilman Patterson moved and Councilman Viktorin seconded to approve the catering permit as presented. Motion carried unanimously.

The bills from 03-08-23 to 03-21-23 were presented for payment. Councilman Kelly 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.

Marie Flanagan introduced the Torrington Cinemas staff to the Mayor and Council. She also introduced the owner of Yo-Go-Licious, Stacie Lira, to the Mayor and Council.

Fire Chief Petsch briefly updated the Mayor and Council on the calls that the Torrington Volunteer Fire Department responded to in the last couple of weeks.

Mayor Doby adjourned the meeting at 9:14 p.m.

The following bills were approved for payment: 75615 AFLAC payroll withholding 778.98;75616 CITY OF TORRINGTON payroll withholding 456.26;75617 DENT, DAVID A. Golf Pro Payable 333.46;75618 GOSHEN CO DISTRICT COURT CLERK payroll withholding 100.00;75619 GREAT-WEST TRUST CO LLC payroll withholding 1,413.49;75620 MEDICAL AIR SERVICES ASSOCIATION medical air transport insurance 1,615.00;75621 MUNICIPAL ENERGY AGENCY OF NE wholesale power 430,029.03;75622 NEW YORK LIFE payroll withholding 359.37;75623 CENTURYLINK TVFD phone/data line 219.98;75624 VERIZON WIRELESS TVFD cell phones 96.95;75625 WYRULEC CO Landfill Electric 531.44;75626 LOVELAND, KELLY deposit refund 6.40;75627 2133 KRISRON B108 LLC deposit refund 40.23;75628 AUTHENTIC DRILLING INC. refund hydrant meter deposit less water fees 2,111.00;75629 HORT, JON E. credit/deposit refund 1,384.51;75630 MOOC, ELISE deposit refund 138.72;75631 GROSS, JOSHUA deposit refund 120.16;75632 SKARIA, GABRIEL deposit refund 162.11;75633 BURNS, MELANIE M. deposit refund 17.63;75634 PETERSON, GORDON & LAURA deposit refund 256.57;75635 B & B LAND & HOLDINGS LLC credit refund 231.64;75636 ARPS, LEIF & LORA deposit refund 35.47;75637 CLARK, LETHA deposit refund 25.45;75638 PRADO, CONNIE reimb-proof of rabies vaccination 50.00;75639 MATLOCK, KELLY reimb-desk,soap/rodent control 182.48;75640 MCCRANIE, BRENDA mileage reimb 248.90;75641 HIGH PLAINS APT deposit refund 38.20;75642 AIRNAV LLC renewal-basic listing 70.00;75643 AMAZON CAPITAL SERVICES utility transfer pump,safety glasses,light bulb,soil moisture meter,key rack,steering wheel spinner knob 211.60;75644 ASSUREDPARTNERS CAPITAL INC. renewal-general liability insurance 2,393.00;75645 AT&T MOBILITY cardiac monitor transmission fees 33.46;75646 BADGER METER water meter 3,788.00;75647 CONTINENTAL WESTERN GROUP rider-SRO vehicle 121.00;75648 BLACK HILLS ENERGY utilities-gas 6,231.78;75649 iPROMOTEu reflective auto plates 582.74;75650 BPOE 1726 catering annual fire banquet-City portion 1,066.67;75651 CITYSERVICEVALCON LLC Phillips 66 terminal maint fee 30.00;75652 COOK, REECE dumpster repairs 1,400.00;75653 COWBOY CLINIC AND URGENT CARE pre-employment physical 75.00;75654 DECKER, STEVE weed killer,oil 3,902.23;75655 DOOLEY OIL INC. oil 1,314.64;75656 ENERGY LABORATORIES INC. annual water quality report,lab testing 375.00; 75657 FASTENAL CO bleach 92.29;75658 FLOYD'S TRUCK CENTER INC. switch-amu,so psg 68.95;75659 FRANK J. JONES PC review of legal case 320.00;75660 FRONT RANGE FIRE APPARATUS intake valve,task force tips,install pressure gasket 1,188.95;75661 FRONTIER PRECISION INC. catalyst on demand 260.00; 75662 Void;75663 GREATAMERICA FINANCIAL SERVICES CORP copier leases 356.00;75664 HOTLINE ELECTRICAL SALES & SERVICE LLC electric meters 13,794.00;75665 JAMES A. EDDINGTON PC City Attorney 9,187.50;75666 L I E A P - STATE OF WY overpayment refund 82.36;75667 LUJAN CLEANING SERVICE LLC cleaning>window cleaning 237.00;75668 MERITAIN HEALTH INC. premium-ins/life admin 48,526.70;75669 NEW NORTH PLATTE IRRIGATION & DITCH 2023 water assessments 2,200.00;75670 NEWMAN SIGNS INC. signs 86.71;75671 NICOLETT-FLATER ASSOCIATES pre-employment evaluation 225.00;75672 ENVIRO SERVICES INC. lab analysis 148.00;75673 PATRICK, JOHN B. Municipal Court Judge 2,000.00;75674 PINNACLE BANK training,travel expenses-meals/lodging/fuel,yearly subscription, postage,headliner kit,magazine pouch,thermal sweatshirt 5,658.31;75675 CITY OF TORRINGTON c/o PINNACLE BANK health reserve non-insured PR employee premium/MT positions 9,452.75;75676 POSTEN, REECE BENJAMIN ice machine cleaning 381.40;75677 PRINT EXPRESS INC. envelopes 291.87; 75678 REGIONAL CARE INC. select flex admin 102.00;75679 RICHEY, MICHAEL Airport Operator Contract 1,666.67;75680 SAM'S CLUB/SYCHRONY BANK interest,umbrellas for tables,odor eliminator/ disinfectant,stainless steel cleaner/polisher 675.18;75681 SNOW CREST CHEMICALS LLC hot water closed loop contract 145.00;75682 STANARD & ASSOCIATES INC. dispatcher testing 212.00;75683 STUART CIRBY CO glove testing,rubber hoses/covers 1,320.31;75684 SUEZ WTS USA INC. monthly chemical management 7,769.04;75685 SYN-TECH SYSTEMS INC. dispenser/key program maint 1,175.00; 75686 THARPE CONSULTING training sessions 550.00;75687 TIP TOP TREE SERVICE stump removals 400.00;75688 TORRINGTON EMPLOYEES INSURANCE premium 100,099.00;75689 TORRINGTON FIRE DEPT fire school expenses-City portion 295.00;75690 TRANE U.S. INC. solve networks 110.16;75691 TRANSWEST INC. 2022 Ford F-250 Pickup 53,500.00;75692 TRIHYDRO CORP WWTP Pre-Treat Design

Project 4,837.71;75693 U S POSTMASTER credit for postage 1,250.00;75694 WJR WY LLC service call, plastic connector 1,011.26;75695 WAMCO LAB INC. full chronic toxicity test,ceripdaphnia/fathead minnow survival/growth,dilution,CO2 2,100.00;75696 WESTERN PATHOLOGY CONSULTANTS breath alcohol,drug screen,urine collection 160.00;75697 WITMER PUBLIC SAFETY GROUP nightstick dual light angle flashlights 524.65;75698 TORRINGTON TELEGRAM subscription renewals 299.97;75699 HOUK, JOE deposit refund 277.09;75700 REYES, JOSE H. deposit refund 145.95;75701 Void;75702 Void;75703 Void; 75704 GOSHEN CO ECONOMIC monthly contribution 2,500.00;75705 GOSHEN CO ECONOMIC goshen bucks for birthday cards 180.00