

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

The Torrington City Council met in regular session on Tuesday 02-17-15 in the City Council Chambers at 436 East 22nd Ave., at 7:00 p.m. Present: Mayor Varney, Council Members Adams, Kelly, Hill and Law. Also Present: Attorney Eddington, Clerk/Treasurer Strecker, Engineer Juve, Building Official Estes, Chief of Police Sharp and Deputy City Clerk Kinnan.

Mayor Varney called the meeting to order.

Councilman Kelly led the Pledge of Allegiance.

Mayor Varney commented he has received several complaints about the local cable TV service and he is not happy with the service either. He stated we could revoke the TV franchise but no other companies have shown any interest in coming into Torrington; for some it would be too costly. He is working on contacting the proper personnel within the company to try to negotiate some changes.

Councilman Adams moved and Councilman Kelly seconded to approve the consent agenda which includes the minutes of the 02-03-15 meeting as published and all actions therein be ratified. Motion carried unanimously.

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

Attorney Eddington presented for approval the contract to purchase the Abel Jr. Escamilla Tabullo property. He stated the Council had authorized him in a 2014 Council meeting to negotiate the purchase. Mayor Varney commented the house will be torn down and the open property would enhance the access to the Mini Park Trail. Councilman Kelly inquired if the purchase price was \$14,074.50. Attorney Eddington stated yes, that was the negotiated purchase price. Councilman Law moved and Councilman Adams seconded to approve the contract to purchase the Abel Jr. Escamilla Tabullo property as presented. Motion carried unanimously.

Tracy Pragnell with the Town of LaGrange addressed the Council. He requested approval of a joint resolution to submit an application to the State Land and Investment Board to reallocate \$107,351 in County Wide Consensus Block Grant Funds from a 2013/2014 landfill project to a new sewer improvement project. Councilwoman Hill moved and Councilman Kelly seconded to approve Resolution No. 2015-06 as presented. Motion carried unanimously.

Mayor Varney opened the public hearing for the liquor license renewals. Mayor Varney asked if anyone had objections to any of the renewals, there were none. Mayor Varney read the list of applicants. There were fifteen Retail: 77 Capital Corp./Spirits of 77, Bonnie J. Evans/Main Street Saloon, Caroline Garcia/ La Familia Prado, Chester & Donna Howe/Trail Bar, Chugwater Brewing Co. Inc./J & B Liquor, City of Torrington/Country Club, GQ LLC/Broncho Bar, Pamela Delgado-Garcia/Garcia's Mexican Restaurant, Karamie LLC/Tote Away Bar, KCAS LLC/Thrifty's Gas & Liquor, Maverik Inc. /Maverik Store #293, Mom & Pop Inc./Jose Paizano's, Henry Duane Schaneman/Hi Way Package Liquor, The Cigarette Store Corp/Smoker Friendly-Gasamat, Torrington Hospitality LLC/Holiday Inn Express, one Bar and Grill: Haydee Grimes/Grampa Chuys, three Limited Club: Elks BPO 1726/Elks 1726, Moose Lodge #664/Moose Lodge #664, Travis Snow Post 5/American Legion Club, and two Restaurant: Daniel & Tracine Bevans/Deacon's Restaurant, Pizza Hut of Torrington Inc./Pizza Hut. Councilwoman Hill asked Chief of Police Sharp if there were any complaints or citations against any of the applicants. Chief of Police Sharp stated there were two citations issued, one at the Country Club and one at the Hi Way Package Liquor, both were for serving alcohol to a minor. Mayor Varney stated Building Official Estes had brought to his attention an issue with the Broncho Bar's patio roof; it does not meet City building codes and is an unpermitted structure. Mayor Varney suggested removing the Broncho Bar from the list of renewals and approve their license in a separate motion. He stated they could discuss approving the use of the second dispensing room in the patio area conditional upon the Broncho making a reasonable and timely effort to conform to the building codes. Councilman Kelly suggested terminating the Broncho Bar's certificate of occupancy for the patio until corrections were made instead of restricting the liquor license. Councilman Adams moved and Councilwoman Hill seconded to remove the Broncho Bar from the renewal list and approve the revised liquor license renewal list for the 2015-2016 year. Motion carried unanimously.

Councilman Law inquired if Building Official Estes has visited with Debbie Quest with the Broncho Bar about the issues with the patio roof, and are they working together to get them resolved. Building Official Estes stated that he has not talked to her personally about the issues nor has he been in the building. Councilman Law stated he did not feel comfortable restricting her license if we have not talked to her about the violations. Building Official Estes stated he would visit with her as soon as possible. Mayor Varney inquired what leverage we have as far as the building codes go and when was the last time we penalized someone for a violation. Building Official Estes stated it had been a long time since someone was penalized. Attorney Eddington stated the City had a couple of options, the City has the right to restrict and regulate the license according to Title 12 of the State Statutes, or issue a cease and desist order under the City building codes. Mayor Varney stated he had nothing against the Broncho

Bar but he felt the best option was to put a hold on the patio dispensing room license until the patio meets the City building codes. Councilman Law moved and Councilwoman Hill seconded to approve the Broncho Bar liquor license for both dispensing rooms. Voting aye Law, Hill, and Kelly, nay Varney and Adams, motion passed. There being no one to speak for or against the liquor license renewals, the public hearing was closed.

Paul Stille with Leo Riley & Co. presented the Auditor's Financial Report for the year ended June 30, 2014. Mr. Stille commented they had excellent cooperation from the staff and thanked them for their assistance. Mr. Stille noted state and federal laws and regulations require a final cover on a solid waste landfill site when it stops accepting waste and to perform certain maintenance and monitoring functions at the site. The \$1,517,277 reported as landfill closure and post closure care liability at June 30, 2014 represents the total estimated closure and post closure costs to date. Mr. Stille stated the City participates in the WY Retirement System which is about 80% funded and beginning next year the remaining 20% will show on the financial statements as a liability to the City. Councilman Adams inquired about internal controls since City Hall is a small office. Mr. Stille stated his firm tests samples in payroll, utility billing, accounts receivable, etc. and he feels that the City has separated duties to the best extent possible and has implemented compensating controls to monitor the accounting activities. Councilman Adams moved and Councilman Kelly seconded to accept the Auditor's Financial Report as presented. Motion carried unanimously.

Attorney Eddington presented for approval the Amended Goshen County Tourism Promotion Joint Powers Board Agreement. He stated repetitive language was removed and the terms of the appointments were staggered. Councilwoman Hill moved and Councilman Law seconded to approve the agreement as presented. Motion carried unanimously.

Attorney Eddington presented a resolution to dissolve the Goshen County Community Facilities Joint Powers Board. The Goshen County Commissioners have already taken action to dissolve it. He commented the recreation board was originally created when there was an attempt to obtain the Middle School Gym, but the school district decided they wanted to retain possession of it. The Board then worked on a YMCA. Councilman Adams stated the Board proposed to place on the ballot a 1% Capital Facilities Sales and Use Tax for the purpose of a Goshen County YMCA. He stated that 2/3 of the municipalities within the County must approve a special project being placed on the ballot. They could never achieve the required 2/3, Lingle would never approve it. This year in the legislature a bill was brought forward that would allow a municipality, with 5% of the voters in the last election signing in favor of it, to get a project on the ballot by petition. WAM supported the bill. The bill passed in committee, went to the floor and died with a 31 to 29 vote. Our Representative Cheri Steinmetz was against the bill. Councilwoman Hill moved and Councilman Kelly seconded to approve Resolution No. 2015-07 as presented. Motion carried, Councilman Adams abstained.

Project Manager Mark Weis presented the bid results for the 2015 Chip Seal Placement. He stated Staff recommended awarding the Base Bid and the Alternate Bid to Topkote, Inc. of Yankton, SD in the amount of \$107,697.85 for the completion of both the Base Bid, Schedule A and Alternate Bid, Schedule B and apply the balance of the budgeted funds (\$112,500-\$107,697.85) \$4,802.15 towards the 2015 Crack Fill Project. Councilwoman Hill moved and Councilman Law seconded to approve awarding the bid for the 2015 Chip Seal Placement to Topkote, Inc. as presented. Motion carried unanimously.

Project Manager Mark Weis presented the bid results for the 2015 Crack Fill Project. He stated Staff recommended awarding the Base Bid and part of the Alternate Bid to Topkote, Inc. of Yankton, SD for a total amount of \$42,302.15 for the completion of the Base Bid, Schedule A and \$4,802.15 worth of the Alternate Bid, Schedule B. Mayor Varney suggested in the future partnering with other businesses that need the same services to negotiate a better price. Councilman Kelly inquired why the City cannot do the crack filling. Engineer Juve stated the Council would need to discuss the issue with Streets & Sanitation Supervisor, Gary Korell, but he thought there was a labor force shortage and equipment would need to be purchased. Councilman Adams moved and Councilman Law seconded to approve awarding the 2015 Crack Fill Project to Topkote, Inc. as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING SECTION 9.08.050 OF THE TORRINGTON MUNICIPAL CODE, 2015 REVISIONS RELATING TO DISTURBING THE PEACE. He stated the ordinance will adopt State Statute by reference, which is shorter and more specific. The District Court does not like the current City ordinance. Councilman Adams moved and Councilman Kelly seconded to approve the ordinance on first reading. Motion carried unanimously.

Clerk/Treasurer Strecker presented a Financial Report as of 12-31-14. She commented that we currently have set aside \$123,054.09 for our landfill closure; the auditor had stated earlier the liability is \$1,517,277 right now. She stated all the revenues and expenses are close to the expected 50% since the report is halfway through the fiscal year. There were a few exceptions: Building Permit revenue was at 367% and Sanitation revenue was at 72%, up probably due to the hail storm. The Swimming Pool revenue was 39% due to a late opening from tile system failure. Councilman Law moved and Councilman Kelly seconded to accept the Financial Report as presented. Motion carried unanimously.

The bills from 02-04-15 to 02-17-15 were presented for payment. Councilman Adams moved and Councilwoman Hill seconded to approve the bills for payment as presented. Motion carried unanimously.

Councilman Law moved and Councilwoman Hill seconded that there being no further business to come before the Council to adjourn at 8:50 p.m. Motion carried unanimously.

The following bills were approved for payment:

53177 ARMY AVIATION CENTER FEDERAL payroll withhold 300.00;53178 CASELLE INC software support&maint 1990.00;53179 CHILD SUPPORT SERVICES payroll withhold 171.50;53180 CITY OF TORRINGTON payroll withhold-phone data, golf,utilities 1997.29;53181 CITY OF TORRINGTON c/o FIRST STATE BANK optional sales tax 77394.07;53182 CONNECTING POINT copier contract 638.36;53183 DENT,DAVID A golf pro payable 975.45;53184 FAMILY SUPPORT REGISTRY PAYROLL WITHHOLD 235.97;53185 GOSHEN CO ECONOMIC 1/4 Cent sales tax-Econ Development 19347.59;53186 GOSHEN CO ECONOMIC grant reimburse 21st & Main Proj draw3 57509.00;53187 M.C. SCHAFF&ASSOCIATES INC staking sanitary sewer- E Street 1055.00;53188 MECHANICAL SYSTEMS INC retainage 6235.45;53189 MECHANICAL SYSTEMS INC Pay ap1 Torr West E Rehab Project/Grant 56119.05;53190 MERIDIAN TRUST FEDERAL CREDIT UNION PAYROLL WITHHOLD 2675.00;53191 MUNICIPAL ENERGY AGENCY OF NE monthly rita installment 4276.56;53192 NE CHILD SUPPORT PYMT CN PAYROLL WITHHOLD 546.24;53193 NE CHILD SUPPORT PYMT CN PAYROLL WITHHOLD 23.08;53194 ORCHARD TRUST CO LLC PAYROLL WITHHOLD 864.62;53195 PROFESSIONAL FINANCE CO PAYROLL WITHHOLD 75.00;53196 TORRINGTON EMPLOYEES INSURANCE Select Flex Contributions 2291.06;53197 TORRINGTON FIRE DEPT PROFESSION services 800.00;53198 TOUCHTONE COMMUNICATIONS INC. long distance phone 74.35;53199 CENTURY LINK data line/TVFD 219.47;53200 CENTURY LINK data lines 1170.64;53201 CENTURY LINK data line-PD 6.06;53202 WESTERN RESEARCH&DEVELOPMENT Waste Water Treatment plant design 4279.32;53203 WY CHILD SUPPORT PAYROLL WITHHOLD 291.23;53204 WYRULEC CO LANDFILL ELECTRIC 525.84;53205 ARROW ELECTRIC OF TORRINGTON elec breakers-museum wa damage 514.00;53206 ADVERTAINMENT PRODUCTIONS digital theatre ad 198.00;53207 ANDERSON CARPET SALES INC carpet piece-door moved 55.00;53208 APPLIED CONCEPTS INC luminex dual display unit 155.00;53209 CULLIGAN OF SCOTTSBLUFF 2mvp boards,2csm cage,2csm cartridge, service 1080.18;53210 BARBER TREE SERVICE TREE Trimming&removal 2210.00;53211 BIG SKY FORD brake shoe kit,rotor asy,multi-point inspection/reflashed hvac mocule 276.10;53212 BLUFFS SANITARY SUPPLY INC disinfectant, germicidal, tuberculocidal,liners>window cleaner 879.35;53213 BUTLER'S SALVAGE&TOWING front seat/safety vehicle 215.00;53214 CANON FINANCIAL SERVICES INC copier contract 367.00;53215 CH BROWN CO LLC Copier Lease 126.00;53216 CITY OF TORRINGTON postage,title,lein,misc petty cash 59.04;53217 ABSOLUTE SOLUTIONS replace battery in siren 343.00;53218 COMMUNITY HOSPITAL medical supplies 162.19;53219 COMMUNITY HOSPITAL health fair booth registration 40.00;53220 CONNECTING POINT copier contract 75.00;53221 CRESCENT ELECTRIC SUPPLY CO led street lights 6725.00;53222 CUMMINS CENTRAL POWER LLC Replaced belts, coolant,hoses,thermostat, preventative maint,air filter 11817.57;53223 DANA KEPNER CO INC mtr swivel x mip elbow,mtr swivel x mip cplg 1016.50;53224 DIAMOND VOGEL PAINTS 1 gal mek,spray gun clean kit,cable 97.58;53225 DIVERSIFIED SERVICES cleaning 296.00;53226 DIVERSIFIED SERVICES PER AGREEMENT 1500.00;53227 EDDINGTON,JAMES A CITY ATTORNEY 6000.00;53228 EDWARD A BUCHANAN PC Muncipal Court Judge 1789.20;53229 ENERGY LABORATORIES INC lab testing 304.00;53230 FERGUSON ENTERPRISES #1701 brass reducer bushings 356.00;53231 GE BETZ INC monthly chemical management 11675.62;53232 GOSHEN CO ECONOMIC monthly contribution 2500.00;53233 GREAT AMERICA LEASING CORP COPIER LEASE 483.00;53234 U S A BLUEBOOK surface aerator&return 784.96;53235 HAWKINS INC 55 gal dnr biobug Green C 822.45;53236 HEILBRUN'S NAPA AUTO PARTS oil&fuel filters,slide terminals-wire ends,3 super hc indv-belt,batteries,misc auto parts 817.23;53237 JUVE,ROBERT reimb-membership&conv regist 100.00;53238 KATH BROADCASTING Holiday greets-golf course 100.00;53239 KAUFMAN,LARRY A. installed thermo pain 110.00;53240 K&K COMMUNICATIONS elec meters-paging service 12.00;53241 KJORMOE,MELVIN L. engraved nameplate 14.89;53242 KNUDSEN LAW OFFICES court judge 45.00;53243 KOIS BROTHERS EQUIPMENT CO wireless camera system 636.93;53244 L L JOHNSON DIST CO drive belt,blade bolts 47.30;53245 LUJAN CLEANING SERVICE LLC cleaning & window cleaning 185.00;53246 Mc CRAINIE,JAMES C travel reimb 195.50;53247 MERCHANT JOB TRAINING&SAFETY book&tuition 550.00;53248 METAL SHOP channel ironx-garbage truck,oxygen 47.94;53249 MERITAIN HEALTH INC Premium 28675.80;53250 MOTOROLA SOLUTIONS INC. Service Agreement-dispatch serv network monitors 5075.37;53251 MOUNTAIN STATES PIPE&SUPPLY CO INC 4" master meter ultrasonic octave mtr w/encoded 2429.90;53252 NATIONAL SAFETY COUNCIL membership app 450.00;53253 NEW PIG CORORATION 1deluxe var pack kit 128.45;53254 NEWMAN TRAFFIC SIGNS signs 87.43;53255 NORTHERN EXPOSURE asus tablet power adptr,splitter,cleaner&lube, booster 39.47;53256 OLSON TIRE CO tire&repairs 208.95;53257 ONE CALL OF WY Jan 2015 Tickets CDC Code TRG 65.50;53258 PANHANDLE CONCRETE cmnt barriers, grading/4man 3330.00;53259 PANHANDLE COOP heater fuel/propane, detergent,water,fuel 8114.15;53260 ENVIRO SERVICES INC LAB ANALYSIS 150.00;53261 CITY OF TORRINGTON c/o PINNACLE BANK health reserve non-insured employer premium 7417.68;53262 PETERS,RYAN deposit return/final

bill 21.66;53263 PINNACLE BANK pump n pak,usps,travel exp 6185.25;53264 PRINT EXPRESS INC UPS,nameplates,statements,envelopes 2018.49;53265 RAILROAD MANAGEMENT CO III. LLC rent- 12" h20 p/l underxing 146.41;53266 REAL TIME LABOR GUIDE lic vehicle serv&repair software annual su 390.00;53267 REGIONAL CARE INC Select flex admin 81.00;53268 EMERGENCY REPORTING city 1/2 pymnt-subscription 534.00;53269 SPECTRUM ENGINEERING RESOURCES Cold Springs design&Drawings 2433.75;53270 TORRINGTON TRAVEL Travel arrangements 1348.40;53271 RINGLE,DAN museum contract consultant 750.00;53272 ROSTAD,STEVE travel reimburse 38.73;53273 RUSSELL INDUSTRIES rebuild rotating assy T6A3S-field service 3698.00;53274 SALWAY PAINTING INC painting-museum 3339.00;53275 SAM'S CLUB/GEFCF liquid laundry detergent 342.71;53276 SMITTY'S REPAIR SERVICE straighten and weld alum frame-golf cart 50.25;53277 SHOPKO STORES OPERATING CO LLC flash drive,cat food,decorations 87.86;53278 STAR-HERALD Public Notices-Bldg Inspct 63.67;53279 STUART C IRBY CO 6sleeve class2 kits,6sleeve straps,2 piece sle 2493.92;53280 TELEDYNE ISCO INC. isco ph probe/temperature 378.25;53281 TITAN MACHINERY INC pressure valve,air compressor 245.01;53282 TOP OFFICE PRODUCTS INC COPY CHARGE 58.50;53283 TORRINGTON AMBULANCE healthcare provider cpr-aed 16 students 80.00;53284 TORRINGTON EMPLOYEES INSURANCE Premium 76732.62;53285 TRI-STATE TRUCK&EQUIPMENT INC emergnc gaskets 41.12;53286 U S POSTMASTER postage 850.00;53287 WALTON,JAMES H AIRPORT ASSIST CONTRACT 1500.00;53288 WESTERN COOPERATIVE CO oil,Diesel 8886.66;53289 WESTERN UNITED ELECTRIC SUPPLY 240 air flow spoilers 8805.60;53290 WRIGHT,JERRY AIRPORT CONTRACT 1575.00;53291 RESPOND FIRST AID SYSTEMS OF WY 1st aid kit supplies 174.54;53292 TORRINGTON TELEGRAM publishing-retirement open house 444.00;53293 TORRINGTON TELEGRAM publishing-liq lic ren 3410.65;53294 WY NEWSPAPERS INC ad in paper-Chief Janes retirement 40.00;53295 WY STATE FIREMEN'S ASSOC 2015 WSFA Dues 100.00;53296 WY WORK WAREHOUSE work boots 123.29;53297 ZEP MANUFACTURING CO 4gal MVP hand cleaner,2x 5gal car wash 452.19;53298 WAGONS WEST REALTY credit return/final bill 78.88;53299 BRITTON,HELEN credit return/final bill 69.18;53300 COSTELLO,JIM credit return/Final bill 37.00;53301 DEFFENBAUGH,KATIE deposit return/final bill 75.18;53302 GRAYBILL,BRANDI deposit return/final billng 51.28;53303 HAINES,KIRK D deposit return/final bill 148.81;53304 TEETERS,CAROLINE car repair cost-garbage trk accident 918.23

Michael E. Varney, Mayor

Lynette Strecker, Clerk/Treasurer

ORDINANCE NO. _____

**AN ORDINANCE AMENDING AND RE-ENACTING SECTION 9.08.050 OF THE TORRINGTON
MUNICIPAL CODE, 2015 REVISIONS RELATING TO DISTURBING THE PEACE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TORRINGTON, WYOMING:

Section 1 : That Section 9.08.050 of the Revised Ordinances of the City of Torrington, Wyoming, 2015 Revisions, be and it is hereby amended and re-enacted to read as follows:

The City of Torrington hereby adopts by reference, Wyoming Statute 6-6-102 by reference and as may be amended.

Section 2 : This ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed and approved on first reading this 17th day of February, 2015.

Passed and approved on second reading this 3rd day of March, 2015.

Passed and approved on third and final reading the 17th day of March, 2015.

MAYOR

ATTEST:

City Clerk/Treasurer