

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

The Torrington City Council met in regular session on Tuesday, July 19, 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 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. Reminder to the public that Goshen County is under a Stage 1 Fire Restriction Status until further notice; 3. COVID-19 updates and recommendations; 4. COVID-19 vaccine update; 5. Reminder to the public to be cautious and mindful of the presence of children on the streets. Request to the public to refrain from using their cell phones while driving; 6. Reminder to the public that the baler site is open every Saturday through October from 7:00 a.m. to 3:00 p.m. to receive grass and general yard waste; 7. Reminder to the public to refrain from putting garbage in the City's grass dumpsters; 8. Reminder to the public that the Elk Eco Cycle Recycling Center is open and is accepting cardboard, separated paper products and aluminum cans. The site is located at 310 Curtis Avenue and is open Monday through Wednesday from 8:00 a.m. to 4:00 p.m.; 9. Reminder to the public that the Water Department is calling City water customers to schedule appointments to identify service line types; 10. Reminder to the public that the final Music on Main Summer Concert Event is scheduled to be held on 07-27-22; 11. Primary Election (08-16-22) reminder; 12. Mayor and City Council candidate update; 13. Announcement that the 08-02-22 Council meeting will be held in the picnic shelter at the northeast corner of Jirdon Park at 7:00 p.m. in conjunction with National Night Out, an annual event organized by the Torrington Police Department. Evening activities will include free swimming at the Dale Jones Municipal Pool along with many other fun activities. Hamburgers and hot dogs will be provided; 14. Announcement that the Goshen County Fair Parade will be held on 08-04-22 at 10:00 a.m. on Main Street; 15. Announcement that the City of Torrington will be closed on 08-04-22 for Goshen County Fair Day; 16. Announcement that Goshen County Youth Alternatives is sponsoring a Color Run on 07-23-22; and 17. Announcement that the Torrington Thunder 14U and 12U softball teams won state titles at the Wyoming State Championships that were held in Gillette, Wyoming. The youngest 10U team reached the championship game but placed second.

Councilman Kelly moved and Councilman Patterson seconded to approve the consent agenda which includes the minutes from the 07-05-22 Council meeting as published and all actions therein be ratified. Motion carried unanimously.

Mayor Adams requested approval to amend the agenda as follows:

1. Remove Jan Harvey Catering Permit Requests (08-01-22 through 08-17-22) from the Action Items List.

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

Attorney Eddington read by title AN ORDINANCE REPEALING SECTIONS 9.24.010 AND 9.24.040 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO CARRYING OF CONCEALED WEAPON AND SWITCHBLADE KNIFE. Councilman Patterson moved and Councilman Kelly seconded to approve the ordinance on second reading 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 Councilwoman Steinbock seconded to approve the ordinance on second reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING AND RE-ENACTING SECTION 9.36.060 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO POSSESSION OF A CONTROLLED SUBSTANCE. Councilman Kelly moved and Councilman Kinney seconded to approve the ordinance on second reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE ANNEXING WITHIN THE CORPORATE LIMITS OF THE CITY OF TORRINGTON, WYOMING, REAL PROPERTY TO BE KNOWN AS THE A-B ESTATES ADDITION. Councilman Kinney moved and Councilwoman Steinbock seconded to approve the ordinance on second reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE ANNEXING WITHIN THE CORPORATE LIMITS OF THE CITY OF TORRINGTON, WYOMING, REAL PROPERTY TO BE KNOWN AS THE HILL IRRIGATION ADDITION. Councilwoman Steinbock moved and Councilman Patterson seconded to approve the ordinance on second reading as presented. Motion carried unanimously.

Attorney Eddington read by title AN ORDINANCE AMENDING SECTION 1.08.010 OF THE TORRINGTON MUNICIPAL CODE, 2022 REVISIONS, RELATING TO HOLIDAYS. Councilman Patterson

moved and Councilman Kinney seconded to approve the ordinance on second reading as presented. Motion carried unanimously.

Attorney Eddington initiated discussion regarding the petition for annexation into the City of Torrington for the property located at 1501 East 20th Avenue. He stated that this particular agenda item was tabled previously at the 04-19-22 Council meeting to allow staff time to redistribute the attachments and exhibits that the owners of the property (Kirk and Michelle Rutt) claimed they did not receive. Mayor Adams opened the public hearing to determine if the proposed annexation for the property located at 1501 East 20th Avenue complies with Wyoming Statute (W.S.) 15-1-402. Attorney Eddington presented attachments and exhibits as evidence that indicate that the property located at 1501 East 20th Avenue meets the conditions and limitations of W.S. 15-1-402. The entire packet of documents presented will remain part of the record. He then presented the proposed annexation report. Attorney Eddington indicated that the Mayor and Council will have to determine if the area being considered for annexation complies with W.S. 15-1-402. He commented that if it is determined that the area complies with W.S. 15-1-402, then a resolution certifying compliance will need to be adopted, and the procedure outlined in W.S. 15-1-406 will then be followed. Alyssa Coulson with Coulson Law, LLC addressed the Mayor and Council. She stated that she is representing Kirk and Michelle Rutt. Ms. Coulson cited the definition of *landowner* under W.S. 15-1-401 and indicated that while the property owners, Kirk and Michelle Rutt, were provided with the proper notice that is required by W.S. 15-1-402(a)(vi) prior to the annexation public hearing, the extended landowners which includes all neighboring landowners that live within a one-half mile radius, were not. Mayor Adams asked for public comments in favor of the proposed annexation, none were heard. He asked for public comments against the proposed annexation. Michelle Rutt, Kirk Rutt, Suzanne Keller, Auke Daane, Malcolm Ervin, Brian Collar and Carol Clapper spoke in opposition of the proposed annexation. The public hearing was closed. The audio archive of the Council meeting is publicly accessible to anyone interested in the full synopsis of the public hearing. Please visit <https://www.torringtonwy.gov/AgendaCenter> to access the archive. Attorney Eddington clarified why only property owners, Kirk and Michelle Rutt, were provided with the notice required by W.S. 15-1-402(a)(vi). He indicated that the definition of *landowner* under W.S. 15-1-401 states, "...as a result of the proposed annexation would then be brought within one-half (1/2) mile of the corporate limits of a city which has exercised the authority granted under W.S. 15-3-202(b)(ii)," and commented that the City of Torrington has never exercised that specific authority as there is no such ordinance that exists vesting that authority in the Mayor. Attorney Eddington stated that due to that, the definition of *landowner* previously cited by Ms. Coulson is not applicable to the annexation proceedings.

Councilman Kelly declared a conflict and abstained from voting on anything relating to the annexation proceedings for the property located at 1501 East 20th Avenue.

Councilman Kinney moved and Councilwoman Steinbock seconded to approve the findings from the public hearing that was held on 07-19-22. Motion carried.

Attorney Eddington read Resolution No. 2022-08. He stated that the resolution certifies compliance with Wyoming Statute 15-1-402 and supports annexation of the real property located at 1501 East 20th Avenue. Councilman Patterson moved and Councilman Kinney seconded to approve Resolution No. 2022-08 as presented. Motion carried.

Charlie Harshberger with the 307 Sports Bar & Grill requested approval of a catering permit for a Bluebird Boutique Grand Opening Event to be held on 07-29-22 from 2:00 p.m. to 6:00 p.m. at 2042 Main Street (21st & Main). Councilman Kinney moved and Councilwoman Steinbock seconded to approve the catering permit as presented. Motion carried unanimously.

Jan Harvey with BZ Hospitality, LLC requested approval of a catering permit for an Eastern Wyoming College New President Meet and Greet Event to be held on 07-20-22 from 3:00 p.m. to 6:00 p.m. at 3200 West C Street (CTEC Building). Councilman Patterson moved and Councilman Kinney seconded to approve the catering permit as presented. Motion carried unanimously.

Director of Public Works (DPW) Harkins presented the bid results for the FY23 Public Works Facility Garage Addition Project. He stated that a bid opening was held on 06-29-22 and indicated that the bid that was received from Goshen County Construction of Torrington, Wyoming was the only bid that was submitted. DPW Harkins commented that the bid amount of \$754,031.00 that was submitted is approximately \$265,000.00 over the budget appropriation. He stated that staff recommends rejecting the bid from Goshen County Construction due to insufficient funding. Councilwoman Steinbock moved and Councilman Kelly seconded to reject the bid from Goshen County Construction of Torrington, Wyoming in the amount of \$754,031.00 as presented. Motion carried unanimously.

Attorney Eddington read Resolution No. 2022-09 authorizing the submission of an application to the State Loan and Investment Board for a grant through the Water and Sewer ARPA Grant Program to assist in funding the Torrington Wastewater Pre-Treatment Facility Project. The project consists of the construction of a Wastewater Pre-Treatment Facility ahead of the existing wastewater lift station to remove sediment and indigestible solids that are currently going into the lagoon system. Director of Public Works Harkins stated that the amount of the grant application is \$3,500,000.00. He indicated that the match funding for the grant application is anticipated to come from the State Revolving Fund in the

amount of \$3,500,000.00 and from a Mineral Royalty Grant in the amount of \$475,000.00. Councilman Patterson moved and Councilwoman Steinbock seconded to approve Resolution No. 2022-09 as presented. Motion carried unanimously.

Attorney Eddington read Resolution No. 2022-10 authorizing the submission of an application to the State Loan and Investment Board for a grant through the Water and Sewer ARPA Grant Program to assist in funding the Torrington Well #16 Connection Project. The project consists of the construction of a well house, pumps, piping, RO unit, backup generator and SCADA components to connect the newly constructed Well #16 to the City's water distribution system. Director of Public Works Harkins stated that the amount of the grant application is \$1,300,000.00. He indicated that the match funding for the grant application is anticipated to come from the Wyoming Water Development Commission in the amount of \$389,270.00 and from a City contribution in the amount of \$191,730.00. Councilwoman Steinbock moved and Councilman Kelly seconded to approve Resolution No. 2022-10 as presented. Motion carried unanimously.

Attorney Eddington read Resolution No. 2022-11 authorizing the submission of an application to the State Loan and Investment Board for a grant through the Water and Sewer ARPA Grant Program to assist in funding the Torrington East D Street Improvements Project. The project consists of replacing 6500' of 4" ductile iron water main with 8" C-900 PVC, replacing 4850' of existing storm sewer with new RCP storm sewer of various diameters, and street, curb, gutter and sidewalk. Director of Public Works Harkins stated that the amount of the grant application is \$5,040,000.00. He indicated that the match funding for the grant application is anticipated to come from a City contribution which will utilize Non-Entitlement Unit (ARPA) Funds in the amount of approximately 16% of the total project cost. Councilman Kinney moved and Councilman Patterson seconded to approve Resolution No. 2022-11 as presented. Motion carried unanimously.

Attorney Eddington read Resolution No. 2022-12 authorizing the submission of an application to the State Loan and Investment Board for a grant through the Water and Sewer ARPA Grant Program to assist in funding the Torrington Albany Avenue Improvements Project. The project consists of replacing 810' of 8" ductile iron water main with 8" C-900 PVC, 535' of 6" Sch 20 PVC water main with 8" C-900 PVC, street, curb, gutter and sidewalk, and installing 185' of SDR-35 sewer. Director of Public Works Harkins stated that the amount of the grant application is \$756,000.00. He indicated that the match funding for the grant application is anticipated to come from a City contribution in the amount of \$160,000.00. Councilman Kelly moved and Councilman Kinney seconded to approve Resolution No. 2022-12 as presented. Motion carried unanimously.

The bills from 07-06-22 to 07-19-22 were presented for payment. Councilman Patterson moved and Councilwoman Steinbock seconded to approve the bills for payment as presented. Motion carried unanimously.

Mayor Adams asked for public comments, questions or concerns.

Councilman Kelly complimented the mural that is painted on the Elk Eco Cycle Recycling Center building. He then inquired why his neighborhood had new stop signs installed where they previously did not exist. Chief of Police Johnson replied that Streets & Sanitation Supervisor Hawley is working on getting all of the uncontrolled intersections some type of stop control and replacing all yield signs with stop signs. Lastly, he called attention to the fact that the Cottonwood Country Club failed to provide the required thirty days written notice to the Mayor and Council prior to conducting the Calcutta that was held on 07-16-22 in conjunction with the Cottonwood Country Club Couples Tournament. Mayor Adams advised the Council that he would follow-up with the board of directors to ensure that they are aware of the statutory requirements regarding Calcutta's for future reference.

Buildings & Grounds Superintendent Estes advised the Mayor and Council that there is a rumor going around that indicates that the City of Torrington received money from the Federal Emergency Management Agency (FEMA) in exchange for adopting the new flood map to fix the City's storm sewers. He stated that the rumor is not true and commented that the City had to follow the same process as everyone else to adopt an ordinance to reflect the complexity of the new map.

Councilman Kinney commended the Water Department for their efforts in repainting all of the fire hydrants around the community.

Chief of Police Johnson announced that the second annual Cops and Cones Event is scheduled to be held on 07-25-22 from 3:00 p.m. to 4:00 p.m. at the Dale Jones Municipal Pool.

Councilwoman Steinbock moved and Councilman Kelly seconded that there being no further business to come before the Mayor and Council to adjourn at 8:58 p.m. Motion carried unanimously.

The following bills were approved for payment: 73966 MUNICIPAL ENERGY AGENCY OF NE wholesale power 423740.31;73967 TOUCHTONE COMMUNICATIONS long distance 77.67;73968 RODGERS, ASHLEY deposit refund 50.62;73969 KANIKI, PATRICK deposit refund 3.20;73970 POSTEN, BRETT E. deposit refund 27.37;73971 HEGGIE, RYLIE K. deposit refund 92.19;73972 SMALLMAN, HOLLY deposit refund 125.67;73973 SLUSHER, WILLIAM deposit refund 179.85;73974 VANDERSLOOT, RICHARD & JOYCE deposit refund 117.19;73975 STOKES, MONTE & KIM refund-payment taken from wrong bank account 257.00;73976 HATLEY, JARED reimb-proof of rabies vaccination 50.00;73977 MARTINEZ, JOSEPH property clean-up 400.00;73978 MARTINEAU, TYLER deposit refund 63.30;73979 BENJAMIN,

SHERYL deposit refund 16.97;73980 NGUYEN, THU HUU credit/deposit refund 199.41;73981 ACCENT WIRE-TIE enviobale bags 36299.38;73982 ACCUSCREEN MOBILE DRUG TESTING SERVICES rapid screen drug tests 56.00;73983 AMAZON CAPITAL SERVICES propel powder packets w/ electrolytes,digital door lock batteries 77.41;73984 AT&T MOBILITY cardiac monitor transmission fee 33.46;73985 CONTINENTAL WESTERN GROUP auto/commercial property insurance 30744.00;73986 BIG WOOD TREE SERVICE LLC tree removal 4000.00;73987 BLACK HILLS ENERGY utilities-gas 91.66;73988 BLUE 360 MEDIA LLC WY criminal & traffic law books 170.17;73989 BOALCH, MARC D. mowing 120.00;73990 BOMGAARS SUPPLY INC. brake fluid,discs,shovels,kitty litter,wrench,glyphosate,transfer pump,hyd fluid,connector,extension cord,pliers,quick snap,hand truck,ratcheting wrench set,screwdriver set 1289.11;73991 BROWN CO threaded cable,starter 316.00;73992 BSN SPORTS LLC home plates 262.38;73993 CANTU, BENSESLADO reimb-CDL licensing tests 222.25;73994 CASELLE INC. contract support & maint 2050.00;73995 CENTURY LUMBER CENTER deck correct,brushes,tray liner,pan,sledge hammers,covers,outlet boxes,outlet, pressure switch,fasteners,nipples,key,primer/wetset,tape,couplings,pvc union/pipe,adapters,tape measures,hem fir,trimmer line,hole saws,ball valves,rv temp power outlets,storm door,cedartone treated,timbertech squares,screws,concrete mix,adhesive,torx bit,valve box w/ cover,trowel,bushings, shank t&p valve,indecticide,indoor insect barrier,storm door closer,ant killer,bolts,cedar split rail line post,pressure regulator hose,wire stripper cutter,sledge handle,half circle shrub head,spray heads, concrete sealer,paint,roller tray,mineral spirits,spray paint,sign,gloves,gorilla glue,flap discs,metal wheel,drain valve 1957.29;73996 CITY OF TORRINGTON Goshen Co Task Force contribution-utility payment 1000.00;73997 CLARKE, JOSEPH A. leak repair 297.02;73998 CONNECTING POINT copier all-inclusive service contracts/monthly charges 438.35;73999 CULLIGAN WATER CONDITIONING OF TORRINGTON reverse osmosis maint,dispenser rentals,water 773.35;74000 DANA KEPNER CO INC. field logic communicator,sensor assy 315.86;74001 DBT TRANSPORTATION SERVICES LLC quarterly navaid maint 1088.06;74002 DECKER, STEVE lawn mix,starter fertilizer 436.50;74003 DENNIS SUPPLY CO filters 425.88;74004 DIVERSIFIED SERVICES INC. cleaning services 535.00;74005 DPC INDUSTRIES INC. sodium hypo 3310.01;74006 E P CONSTRUCTION cement work 6549.95;74007 EDM INTERNATIONAL INC. Cold Springs 15kv UG Feeders Project 2765.00;74008 ENERGY LABORATORIES INC. lab testing 1982.75;74009 ESO SOLUTIONS INC. er-fire package-state upgrade 1521.00;74010 FRONTIER PRECISION INC. catalyst on demand 875.00;74011 G & L CONCRETE concrete 775.00;74012 GOSHEN CO ECONOMIC ¼ cent sales tax,monthly contribution 27675.74;74013 GOSHEN CO TREASURER IT MOU support 79640.00;74014 GREATAMERICA FINANCIAL SERVICES CORP copier leases 356.00;74015 ENVIRO SAFETY PRODUCTS work gloves,coveralls 249.28;74016 HAWKINS INC. sodium hydrox 50% diaphragm 3032.49;74017 USABLUBOOK hydrant oil 268.80;74018 IDEAL LINEN/BLUFFS FACILITY SOLUTION mats,scrapers,sam dust/energy fees,sam garment fees,sam linen,coveralls,towels,mops,air fresheners 776.53;74019 INBERG-MILLER ENGINEERS New Cell Design and Permit Renewal Project 1543.55;74020 JAMES A. EDDINGTON PC City Attorney,extended hours 9459.86;74021 K & K COMMUNICATIONS paging service-elec meters 12.00;74022 FRANK PARTS CO batteries,clamp,rectangular reflective,nut,bolts,assortment kit of roll pins,filters,lamp,2.5 def,oil,gauge 870.01;74023 L I E A P - STATE OF WY refund LIEAP-ARP funds 1800.00;74024 LEITHEADS INC. broken refrigerator disposal 36.84;74025 LONG BUILDING TECHNOLOGIES INC. pool boiler repairs 1207.37;74026 LONG II, DEREK J. tree spraying 2331.00;74027 MARTIN MARIETTA MATERIALS coarse/road base 762.94;74028 MEDICAL AIR SERVICES ASSOCIATION medical air transport insurance 1596.00;74029 MENARDS conduit 10.76;74030 MERITAIN HEALTH INC. premium-ins/life admin 44535.92;74031 MIDCO DIVING & MARINE SERVICES INC. cleaning/inspection-water tanks 7498.00;74032 MONSIDO INC. web & access compliance 2781.00;74033 MOTOROLA SOLUTIONS annual lease payment 48425.08;74034 NATIONAL VOLUNTEER FIRE COUNCIL INC. 2022 nvfc membership roster 819.00;74035 O'REILLY AUTO ENTERPRISES LLC ring terminals,connector,wire,wire tie,silicone,truck net,battery,filters,fuel/water separator,return,credit,master cylinder,service kit,oil 630.31;74036 OLSON TIRE CO tire repair,prema rad patch,tire rotation,pbl computer balance 246.50; 74037 ONE CALL OF WY tickets for CDC code TRG 105.00;74038 Void;74039 PANHANDLE COOPERATIVE ASSOCIATION pool vending machine candy,commercial propane,rebate 1438.58;74040 ENVIRO SERVICES INC. lab analysis 148.00;74041 PARKER, POE professional services 172.26;74042 PATRICK, JOHN B. Municipal Court Judge 2000.00;74043 HILTON GARDEN INN CASPER lodging-training 192.00; 74044 PINNACLE BANK travel expenses-meals/fuel/lodging,sales tax refund,annual membership,lunch-inventory,gasket discharge,spade border,certification,safety glasses,gloves 4210.79;74045 CITY OF TORRINGTON c/o PINNACLE BANK health reserve non-insured employee premium MT/PR positions 12281.00;74046 PRINT EXPRESS INC. monthly court receipts,warning door signs,ledger sheets,color copies,ups 858.08;74047 QUADIENT FINANCE USA INC. neopost postage 630.90;74048 QUALIFICATION TARGETS INC. cardboard backer single wall corrugated 122.72;74049 REGIONAL CARE INC. select flex admin 96.00;74050 RICHEY, MICHAEL Airport Operator Contract 1666.67;74051 INDUSTRIAL DISTRIBUTORS test leads w/ screw off alligator,washers,bolts 42.78;74052 ROCKY MOUNTAIN INFORMATION NETWORK INC. membership dues 100.00;74053 SAM'S CLUB/SYCHRONY BANK pool vending machine snacks,beach towels 5294.78;74054 SAM'S CLUB/SYCHRONY BANK annual membership 95.00;74055 EASTERN WY EYE CLINIC safety glasses 436.90;74056 SMITTY'S REPAIR SERVICE gaskets,elbow surfaces 497.90;74057 DBC IRRIGATION SUPPLY return minus shipping 20.00;

74058 STUART C IRBY CO junctions w/ brackets 1539.00;74059 SUEZ WTS USA INC. monthly chemical management 7769.04;74060 TEAM LABORATORY CHEMICAL LLC totes 5825.00;74061 TIP TOP TREE SERVICE clean up trees 600.00;74062 TORRINGTON EMPLOYEES INSURANCE premium 97829.44;74063 TORRINGTON ROTARY CLUB dues,meeting attended,youth program,paul harris fund 200.00;74064 TRANE U.S. INC. heat pump repairs,annual service agreement 5312.00;74065 U S POSTMASTER credit for postage 1050.00;74066 VERIZON WIRELESS TVFD cell phones 97.03;74067 W A M C A T membership dues 225.00;74068 WAMCO LAB INC. full effluent toxicity test,NPDES (DMRQA) study 380.00;74069 WEGLIN, EDWARD H. mow/trim 220.00;74070 WESTCO barb tee,nozzle thread barb,hose clamp,tuff turf grass mix,dyed premium diesel,unleaded gas 26618.12;74071 WESTERN PATHOLOGY CONSULTANTS breath alcohol,drug screens,urine collection 310.00;74072 HICKMAN, MATTHEW custom service-square mounts 85.00;74073 WY ASSOC OF MUNICIPALITIES membership dues 8527.00;74074 WYRULEC CO Landfill Electric 148.06;74075 ARBY'S gift cards 90.00;74076 THE BUCKING HORSE STEAKHOUSE refund-catering permit fees/withdrew requests 510.00;74077 ONSOLVE LLC CodeRED extension 5175.89