

MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF UPTON, WYOMING
Held on April 14, 2015

THE REGULAR MEETING of the Town Council of Upton, Wyoming was held at 7:00 p.m. on April 14, 2015 at the Upton Community Center located at 917 N HWY 116 in Upton, Wyoming. Present for the meeting were Mayor Dustin Upton, Councilmen Mark Mitchell, Nathan Todd, and David Watt. Also present were Attorney Mark Hughes, Mark Lindstrom, John Strong, David Upton, Joyce Haptonstall, Bobbie Tysdal, Mike Mills, Ray Norris, John Rikke, Melissa Butcher, Ken Rathbun, Dick Claycomb, Judy Lorenz, Dave Learner, Brittany Crump, Mike Finn, Dave Larson, Kelley Millar, and Rona Barker. Councilman Travis Beck was absent.

Mayor Upton opened the meeting by leading the group in the Pledge of Allegiance.

Councilman Mitchell made a motion to approve the minutes of the regular meeting of the Town Council held on March 10, 2015, and the minutes of the workshop meeting held on April 9, 2015. Councilman Todd seconded the motion, and all voted “aye”. Motion carried.

The following bills were presented for approval and payment: ADI, \$15.00; Alpha Comm., \$50.00; Aflac, \$122.31; American Welding & Gas, \$54.75; Arrow, \$842.56; Architectural Door & Hardware LLC, \$58.00; AT&T Mobility, \$380.16, \$145.79; BCBS, \$8,977.50; Bearlodge Engineering, \$2,440.00; BHP, \$6,954.79; B-4 Automotive, \$141.47, \$65.84; Black Hills Chemical, \$87.85; Border States Electric, \$195.17; Cambria Supply, \$27.15; Chase Cardmember Services, \$676.28; City of Newcastle, \$1,575.00; Collins Communications, \$28.00; Country Corner, \$50.00; Department of Workforce Services, \$11,715.77, \$330.56, \$768.12, \$210.20; Deposit Refunds, \$249.34; Energy Labs, \$455.00; FSB, \$670.00; Honnen Equipment, \$69.65; Hughes Law Office, \$904.50; Joe’s Food Center, \$152.79; K & D Perforators, \$2,500.00; Kriz-Davis Co., \$352.50; Lloyd Davis, \$5,415.00; Local Government Liability Pool, \$7,083.00, \$500.00; LN Curtis & Sons, \$2,908.00, \$2,100.42; NCPERS, \$16.00; Norman Engle, \$60.00; Northwest Pipe, \$178.09; Oddette, Inc., \$50.00; Pacific Steel & Recycling, \$178.70; PRECorp, \$261.33; Radar Shop, \$236.00; Richard Drexler or Joni Rikke, \$50.00; RT Comm., \$1,032.20; Record Supply, \$70.82; Servall, \$72.06; SourceGas, \$1,800.06; Stine Electronics, \$184.00, \$330.00; TemTech, \$219.40; Top Office, \$79.35; Upton Coop, \$2,293.39, \$230.68; USPS, \$167.28; UVFD, \$467.69, \$302.09; Weston County Gazette, \$788.14; Western Royalties, \$50.00; WY Machinery \$3,067.87; WY Network, \$80.00; WYDOT Financial, \$30.00; WY Retirement, \$6,061.90, \$325.00; **SALARIES:** Rona Barker, \$2,798.19; David Brooks, \$1,619.43; Joseph Creamer, \$2,916.42; Patrick Crow, \$300.14; Michael Hobbs, \$2,547.75; Lynn Hofland, \$3,187.47; Virginia Jenkins, \$86.42; David Larson, \$2,954.78; Mark Lindstrom, \$4,469.63; Corina McPeters, \$148.17; Kelley Millar, \$2,193.19; Colleen Money maker, \$1,138.21; Connie Montgomery, \$565.18; William Palmer, \$3,047.12; Jason Pinter, \$1,337.67; Dustin Upton, \$153.92. The following bills will be paid when grant funds are received: Bearlodge Engineering & Surveying, \$4,047.50; Rapid Construction, \$59,307.05; PB Communications & Strategic Solutions, \$878.75; Timberline Services, \$46,960.11. Rapid Construction retainage in the amount of \$40,568.10 will be paid on the 41st day after the first day of publication. Councilman Todd

made a motion to approve the bills. Councilman Mitchell seconded the motion, all voted in favor. Motion carried.

Councilman Mitchell made a motion to pass on the second reading the new Ordinance No. 1, Series 2015 entitled: AN ORDINANCE AMENDING PORTIONS OF CHAPTER 15.20 UPTON MUNICIPAL CODE INDIVIDUAL MOBILE HOME LOT DEVELOPMENT. Councilman Todd seconded the motion, and all voted in favor. Motion carried.

The Council received a letter from Jennie Loberg's group asking for permission to serve alcohol at the graduation celebration at the community center on May 17, 2015. After a brief discussion, Councilman Todd made a motion, seconded by Councilman Mitchell to approve the request. All voted in favor, and the motion carried. It was noted during the discussion that only the adults were to consume alcohol.

John Rikke updated the Council on the building that had been deemed as uninhabitable on lower Pine Street. He stated that the rafters were not rotted and he would like save the building for mechanical use. After a brief discussion, the Council agreed to have the Building Inspector examine the building once again before acting upon his request. Mr. Rikke then explained that removing the dilapidated trailer was a work in progress. He was told that the trailer could be moved to the dump with no charge with no garbage in the trailer.

Dave Learner with Wyoming Network, Inc. gave a website presentation. His company provides a complete and professional website to several small Towns in Wyoming as well as three Counties. There is no charge for the website other than \$50.00 per month for maintenance. The Town would own and have complete control over all content. The Town of Upton already owns the domain name townofupton.com. The community center website that the Town of Upton is already paying for could be folded into this account at the \$50.00 price.

Melissa Butcher with PB Communications updated the Council in regard to the Feasibility Study. The Study should be finished at the end of April. She threw out many possible ideas for the park that included new bathrooms, a band shell, a building that would possibly house a room for the Chamber of Commerce, and/or the Weston County Development Board, the museum, and a gift shop. Improving picnic areas, electrical outlets, and an enclosure with a sink and counter space area was also mentioned. This was all proposed for the northwest corner of the park. Maintenance costs along with ownership of the building and land would have to be decided if anything more than new bathrooms were deemed feasible. Mrs. Butcher encouraged public participation at the posted sites.

Councilman Watt joined the meeting at 7:26 p.m. during the Feasibility Study update.

Ken Rathbun with Bearlodge Engineering & Surveying updated the Council on the completion of the URIS Phase II Project at the Industrial Park. He asked the Council to approve Change Order #3 for the Contractor Rapid Construction, Inc.; the Certificate of Substantial Completion; and the Certificate of Final Completion. The Change Order applied the final quantity reconciliation to the contract price that decreased the project costs by \$69,739.66 making the new contract price \$811,362.03. Councilman Mitchell made a motion to approve Change Order #3 for

Rapid Construction. Councilman Watt seconded the motion, and all voted in favor. Motion approved. Councilman Mitchell made a motion to approve the Certificate of Substantial Completion. Councilman Watt seconded the motion, and all voted in favor. Councilman Watt then made a motion to approve the Certificate of Final Completion. Councilman Mitchell seconded the motion, and all voted “aye”. The advertising for final payment to Rapid Construction, Inc. was signed by Mayor Upton.

Councilman Mitchell made a motion to approve Change Order #1 for the Contractor Timberline Services Inc. that will revise unit bid prices for “Install ¾” Water Service Line” and “Install 1” Water Service Line”. Unit price justified because of changing water service pipe material from type K copper to 200 psi poly pipe. Final contract price will include increased bonding costs associated with the additional scope of work to add the Co-op water service. This will increase the contract price by \$7,732.43 making the total contract price \$165,152.85. Councilman Todd seconded the motion, and all voted “aye”. Motion passed.

The golf course report was given by Councilman Mitchell. The report included planned repairs, working on tee boxes, watering, and mowing schedules, volunteer help, seasonal help, general clean-up, planned events, etc. Councilman Mitchell reported that Nathan Todd with Wildcat Minerals has given them some sand. He provided a calendar of events to the Council. He further requested that a small work truck be purchased for use at the course as well as hiring an electrician to re-do the electrical boxes so all sprinklers may be set on timers. The financial status of the club house stood at \$762.00 on April 14, 2015.

Joyce Haptonstall gave the Senior Center finance report. Income was \$418.60 and expenses for the month was \$264.87. Mrs. Haptonstall asked what would be required in regard to budget requests. Mayor Upton requested that the Center decide what expenses they were capable of paying for, and then make a request for expenses over and above that.

Councilman Mitchell made a motion to approve loan funding in the amount of \$96,046.11 to remodel Antelope Heights Senior Center. Councilman Watt seconded the motion, and all voted in favor. Motion carried. Upon the advice of Attorney Hughes Councilman Mitchell amended his motion to approve grant funding in the amount of \$96,046.11 to remodel Antelope Heights Senior Center. Councilman Watt seconded the motion, and all voted in favor. Motion carried.

Councilman Watt made a motion to have Mayor Upton proclaim the week of April 12th – 18th as “National Public Safety Telecommunications Week”. Councilman Mitchell seconded the motion and all voted in favor. Motion carried. The Proclamation stated that the City of Upton does hereby proclaim the week of April 12-18, 2015 as “National Public Safety Telecommunications Week” in the City of Upton and the County of Weston in honor and recognition of Dispatchers and the vital contribution they make to the safety and well-being of our citizens. Mayor Upton and fellow Councilmen signed the Proclamation.

The Council approved to hold a budget hearing at 7:30 p.m. on May 12, 2015 to amend the budget in the following particulars: (a) Increase the General Fund Budget by \$4,150.00, the Sewer Fund Budget by \$1,660.00, and the Water Fund Budget by \$2,490.00 by budgeting general fund cash reserves. The money will be used to pay additional employee benefits in the amount of

\$8,300.00 that was not originally budgeted for. Motion to approve by Councilman Mitchell, second by Councilman Watt, all voted in favor; and (b) Increase the General Fund Budget by \$25,000.00 by budgeting \$18,750.00 which will be received from the Wyoming Business Council as a BRC Grant for the Feasibility Study for a Multi-Purpose Community Facility in the Upton City Park. The balance \$6,250.00 will come as matching funds to the grant from the Weston County Development Board. Motion to approve by Councilman Watt, second by Councilman Mitchell, Councilmen Mitchell and Watt voted “aye”, and Councilman Todd voted “nay”, motion passed.

The Council set up a budget workshop for the FY 2015-2016 for May 26, 2015.

At the workshop held April 9, 2015, the Council proposed several changes to rates and rules for the Upton Community Center including possibly adding a line item charge of \$3.00 to each utility bill to help cover the costs of operating the building. Mayor Upton asked Superintendent Lindstrom to check into options for protecting the walls, lights and heating systems in the gym.

Approval and further discussion for the updated Personnel Policy will be moved to the May 12th meeting.

Mr. Rathbun updated the Council on the findings at Cedar Street for easements and access. He presented the Council with a map of the area and explained that further field work would need to be done before a definitive plan could be made. This item will be on the agenda for the May Council meeting.

Superintendent Lindstrom asked the Council to let him know as soon as possible if they would be attending the WAM Convention in June so that he can make reservations and get everyone attending registered. The Council will look at the possibility of having a Teen Delegate for the WAM Convention at the May Council meeting if the budget allows.

Superintendent Lindstrom presented the variance for Joe Creamer’s residence for the placement of a carport. The permit had been approved by the planning board, contingent upon variance approval from the Council. The Council discussed access to a utility line and under advisement from Attorney Hughes, Councilman Watt moved to grant the variance with the stipulation that in the event access to the utility line was needed, all costs associated with moving and replacing the carport would be levied upon Mr. Creamer. Mr. Creamer included a letter in his application packet from Kim Esquivel, granting permission to have the carport within the setback area of her bordering property.

Officer Larson gave the Police Department report.

Fire Chief John Strong submitted his Fire Department report. He told that group that the county-wide burn ban would go into effect on April 17th and be re-evaluated throughout the season.

Attorney Hughes had reviewed the Personnel Policy and advised the Council to read and review the policy so that it can be approved at the May Council meeting. He also told the group to take a look at the shelter in the Sundance City Park and said that it was used all the time.

Superintendent Lindstrom submitted his written report and gave an overview of the Upton Housing Board's financial statement. He stated that the Housing Board hires an auditor each year to audit their books. He also told the Council that a Planning Board report would be presented at each meeting going forward since the board would be taking on more responsibilities. Mayor Upton asked if any applications for the seasonal employees had been received. The applications will be reviewed at the May Council meeting.

There was no other business discussed.

There being no further business before the Council, a motion was made to adjourn by Councilman Todd, and it was seconded by Councilman Mitchell. All voted in favor. Motion carried. The meeting adjourned at 8:45 p.m.