

MINUTES OF THE BUDGET HEARING  
AND THE  
MINUTES OF THE REGULAR MEETING  
OF THE TOWN COUNCIL OF UPTON, WYOMING  
Held on June 9, 2015

**A BUDGET HEARING** of the Town Council of Upton, Wyoming was held on June 9, 2015 at the Upton City Hall followed by the regular meeting of the Town Council of Upton, Wyoming at the Upton Community Center located at 917 N HWY 116 in Upton, Wyoming. Present for both meetings were: Mayor Dustin Upton, Councilmen Mark Mitchell, Nathan Todd, Travis Beck, and David Watt: Also present were: Mark Lindstrom, Lynn Hofland, John Strong, Raymond Norris, Kelley Millar, and Rona Barker. Additional attendees for the regular meeting included: Attorney Mark Hughes, David Upton, Larry Ellis, Tony Barton, David Gose, Jerry Hunt, Tony Barton, John Marshall, Dylan Esquivel, Brittany Crump, Debra Douglas, and Lloyd Davis.

The Budget hearing was opened at 6:45 p.m. by Mayor Upton. He then called for comments or objections to the proposed FY2015-2016 Budget. The only comments made were in regard to the lack of income received from the Golf Association. Monthly payments to the Town was discussed. There being no further comments or objections, Mayor Upton set up a meeting time to pass the Budget Ordinance for FY2015-2016 on an emergency basis. The meeting will be held on Tuesday, June 23, 2015 at 5:00 p.m. at Upton City Hall located at 725 Second Street, Upton, Wyoming.

At 6:50 p.m. a motion was made by Councilman Watt to close the Budget Hearing. The motion was seconded by Councilman Mitchell and all voted in favor. Motion carried, and the meeting was adjourned.

**THE REGULAR MEETING** of the Upton Town Council was held at 7:00 p.m. with Mayor Upton leading the group in the Pledge of Allegiance.

Councilman Beck made a motion to approve the minutes of the regular meeting of the Town Council held on May 12, 2015, and the minutes of the special meeting held on May 26, 2015. Councilman Mitchell seconded the motion, and all voted "aye". Motion carried.

The following bills were presented for approval and payment: Aflac, \$122.31; Alpha Communications, \$50.00; Arrow Service, \$858.56; AT&T Mobility, \$389.47; Bearlodge Engineering, \$70.00, \$2,380.00, \$1,415.00; Black Hills Chemical, \$21.48; BHP, \$5,368.97; BCBS, \$8,977.50; B-4 Automotive, \$533.74; Carrot Top Industries, \$295.54; Chase Cardmember Service, \$1,547.76; City of Newcastle, \$1,575.00; Collins Communications, \$28.00; Contractor's Supply, \$127.00; David Larson, \$714.66, \$223.59; Department of Treasury, \$13,752.23; Deposit Refunds, \$234.85; Energy Labs, \$40.00; First State Bank (transfer), \$670.00; Galls, LLC, \$226.00; Gateway Auto Supply, \$35.19; Goodyear Commercial Tire, \$153.26; Hughes Law Office, \$1,859.50; Industrial Alternator & Starter, \$368.00; Joe's Food Center, \$339.35, \$121.37; Lloyd Davis, \$5,415.00, Menards, \$2,550.74; NCPERS Wyoming, \$16.00; Norman Engle, \$350.00; Northwest Pipe, \$2,430.35; Pacific Steel, \$168.00; Petty Cash, \$24.81; PRECorp, \$216.13;

Powerplan BF, \$227.00; Record Supply, \$163.57; R.T. Communications, \$262.21, \$749.47; Servall, \$73.74; SourceGas Distribution, \$507.96; Stine Electronics, \$173.00; Top Office Supply, \$93.00; Upton Co-op, \$1,784.97, \$144.34; USA Blue Book, \$927.00; US Postal Service, \$46.00, 172.20; Upton Housing Authority, \$500.00; Walmart Community, \$83.27; Weston County Gazette, \$1,164.14; Weston County Senior Services, \$3,000.00; Wyoming Department of Workforce Services, \$878.94; \$11.09, \$210.20; Wyoming Network, \$30.00; Wyoming Peace Officers Association, \$40.00; Wyoming Retirement, \$6,364.19, \$325.00. **SALARIES:** Rona Barker, \$2,705.65; Ty Beck, \$559.78; David Brooks, \$1,630.82; Joseph Creamer, \$3,664.73; Patrick Crow, \$300.14; Michael Hobbs, \$2,651.27; Lynn Hofland, \$3,894.85; Virginia Jenkins, \$53.64; David Larson, \$3,003.02; Mark Lindstrom, \$4,604.18; Bryton Materi, \$568.88; Lee McCoy, \$192.10; Corina McPeters, \$148.17; Kelley Millar, \$2,124.65; Colleen Moneymaker, \$764.00, \$132.98; Connie Montgomery, \$506.69; William Palmer, \$2,770.57; Jason Pinter, \$1,036.98; Dustin Upton, \$153.92; Robert Willis, \$2,209.39. The following bills will be paid when grant funds are received: Bearlodge Engineering & Surveying, \$430.00; Timberline Services, \$98,957.40. Councilman Mitchell made a motion to approve the bills. Councilman Watt seconded the motion, all voted in favor. Motion carried.

In the absence of Christine Bestgen, Gold Star Mother, Councilman Beck gave the council a heads up for a Tribute to Fallen Soldiers Memorial Torch Run that will be arriving in Upton at 2:30 p.m. on Saturday August 1, 2015. The letter asked for permission and cooperation to control traffic long enough to allow the ride to arrive and depart Upton. There will be a plaque and a presentation made to the Zorn family. In addition, presentation of Honor and Remember Flags will be made to the Zorn and Boal families.

Debra Douglas updated the Council in regard to Fun Days. A free concert, free barbeque, and a cornhole tournament is planned. Two porta potties will be placed at the rodeo grounds and two at the city park. Mrs. Douglas asked if the Town would fund one set of porta potties. Councilman Mitchell made a motion to pay \$230 for one set of porta potties for the event. Councilman Watt seconded the motion, and all voted in favor. Motion carried.

Lloyd Davis requested an update in regard to his expiring garbage haul contract. The Town is still in the process of getting garbage cans to automate the garbage haul with a different contractor. Superintendent Lindstrom stated that he will order the garbage cans as soon as he gets the funding. It will then take about six weeks to get the cans. Mr. Davis said that he would be willing to haul garbage for the Town for as long as needed, but he requested a \$200 monthly increase, no bond, and a month to month contract. Councilman Watt made a motion to approve the request. Councilman Mitchell seconded the motion, and all voted in favor. Motion carried. Attorney Hughes will prepare a contract to cover the request.

Tony Barton representing David Gose, and working in conjunction with Jerry Hunt, stated that David would like to tie his property into the town water and sewer system. Mr. Barton asked that an easement be granted to run through the rodeo grounds to Mr. Gose's property. Eight inch water and sewer lines were proposed. Discussion was held between the Council, David Gose, Jerry Hunt, Tony Barton, and Larry Ellis in regard to the proposed project. Anything done on Town property would be owned by the Town, and anything on Gose property would be owned by Mr. Gose. DEQ permits may cause a hang-up in having the project completed by the requested

August 1, 2015 date. Superintendent Lindstrom will contact Ken Rathbun to set up a meeting next week. A motion to conditionally approve accepting the water and waste water assuming all DEQ requirements are met was made by Councilman Mitchell. The motion was seconded by Councilman Todd, and all voted in favor. Motion carried. Tony Barton then told the Council that Mr. Gose would like to build some bathrooms at the rodeo grounds and donate them to the Town. Putting up fire hydrants was also a discussion topic.

David Gose asked if he could lease or buy the rodeo grounds, and the pasture that the Town normally leases. Mr. Gose was told that the cost to lease the pasture for grazing would be \$600.00 a year. The rodeo grounds are free use, but the power would have to be put in the user's name. After discussion, Councilman Todd made a motion to lease the pasture to David Gose for a period of one year for grazing only. The lease would begin July 1, 2015. Councilman Beck seconded the motion, and all voted in favor. Attorney Hughes will draw up a lease agreement.

John Marshall updated the Council in regard to the web site that Golden Shovel built at the request of the Weston County Development Board (WCDB). This site was built to be used by WCDB, Chamber of Commerce, and the Town of Upton. Mr. Marshall stated that WCDB would absorb the monthly \$800 cost for at least one year. Thereafter, the cost would be split by site users. Mr. Marshall stated that they wanted to get the word out about the great Town of Upton, and that even though the Town has their own site, the Town could use their site as the Town desires. Ray Norris added that they built the site regardless of the Town's decision to go with another site. They had made a commitment and were not dropping the Town.

Ray Norris presented the final Feasibility Study Report regarding a proposed Multi-Purpose Community Facility in Upton City Park. The three options presented were: Option A – Museum Collocation; Option B – Restrooms, Covered Stage, and Improved Parking; Option C – Restrooms, Covered Stage, Improved Parking and Covered Picnic Area. Option A was considered unfeasible due to cost. That left both Option B and Option C feasible. Mr. Norris said that WCDB recommended Option C and that they would fund for this option. The cost of Option C would be approximately \$750,000.00 unless extra items were added. A Wyoming Business Council grant would pay 50 percent of the cost up to \$500,000.00. Ray Norris, John Marshall, and Dylan Esquivel said that their Board would help fund option C only. The WCDB group did not think the Wyoming Business Council would fund the grant should the Town elect to go with Option B. Mr. Esquivel said that the WCDB would give consideration to the Town if funding was requested for bathrooms, but that the Board only funds for economic development. If applied for in time, the grant could be considered by the Wyoming Business Council at their September meeting. This will be a topic of discussion with a possible decision at the next regular council meeting.

Councilman Mitchell reported that things were going well at the golf course with the exception of the deck mower. Superintendent Lindstrom will share the city tractor with the golf course as needed so they can get mowing at the course done. A tournament is scheduled for June 20<sup>th</sup>.

Mayor Upton reported that there had been horses on the airport runway. The fence at the airport has been fixed to keep the horses out, but it was suggested that airplanes do a fly by before landing due to wild game. The Airport Board is still working a grant to improve the airport.

Councilman Beck made a motion to approve the request to serve alcohol at the Mills-Gerber Wedding Reception to be held on September 12, 2015 at the Upton Community Center. Councilman Watt seconded the motion, and all voted in favor. Motion passed. Councilman Mitchell then made a motion to allow Sunset Amigos to sell alcohol at the community center on the night of June 20, 2015 for the wedding of Dustin Kokesh and Tara Schneider. Councilman Watt seconded the motion, and all voted in favor. Motion passed. An insurance binder to cover the sale of alcohol was provided.

Councilman Beck made a motion to approve Change Order #2 Timberline Services Inc. Councilman Mitchell seconded the motion, and all voted in favor. Motion carried. The Change Order revised the unit bid price for installing ¾” water meter pit, and changing from an 18” diameter to 15” diameter. The contract price was reduced by \$809.52 changing the total price down to \$164,343.33.

Councilman Beck made a motion to pass Resolution No. 3. Councilman Mitchell seconded the motion, and all voted in favor motion carried. The Resolution is as follows:

RESOLUTION NO. 3

A RESOLUTION OF THE TOWN COUNCIL OF UPTON, WESTON COUNTY, WYOMING ADOPTING UTILITY RATE INCREASES AND LANDFILL FEE RATE INCREASES FOR THE FISCAL YEAR 2015-2016

**WHEREAS**, the Town Council of Upton, Weston County, Wyoming has met and considered its budget for the fiscal year 2015-2016; and

**WHEREAS**, the Town Council of Upton, Weston County, Wyoming imposes fees to recoup the costs of all services resulting from all enterprise funds expenditures; and

**WHEREAS**, the Town Council of Upton, Weston County, Wyoming is required to balance the budget and all enterprise funds must be self-sustaining; and

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of Upton, Weston County, Wyoming that increases in the following particulars will become effective August 1, 2015:

1. The rate for each additional 1,000 gallons of water used over the initial 1,000 gallons included in the base rate will increase from \$2.60 to \$2.70 per thousand.
  2. The sewer service rate will increase from \$18.00 per month to \$19.00 month for residential customers, a Commercial Rate will be established for commercial customers increasing the amount from \$18.00 per month to \$21.00 per month, and the Industrial Rate for commercial customers at the Upton Logistics Center will increase from \$20.50 per month to \$22.50 per month.
  3. All garbage service rates will increase by \$6.00 per month, and
- DONE IN OPEN SESSION** this 9th day of June, 2015.

Town Council of Upton, Weston County, Wyoming

Councilman Beck made a motion to lock in community center prices at the lower rates. Councilman Mitchell seconded the motion, and all voted in favor. The new rates and rules will become effective on July 1, 2015. The new daily rates will be: \$200 for the whole building that comprises Rooms 1,2,3 (with the kitchen); Room 1 (no kitchen), \$50; Room 2 (with kitchen), \$50.00; Rooms 1 & 2 (with kitchen), \$100; Gym (Room 3)( with kitchen), \$100; Room 4 (no

kitchen), \$25; Room 5 (no kitchen), \$10; and Room 6 (no kitchen), \$10. The new rules and rates will be displayed on the Town community center website in the near future or may be seen at city hall.

Police Chief Hofland submitted his written report. Chief Hofland was asked if the Ordinances for weeds, grass, and junk was being enforced. He told the Council that he had put Officer Larson in charge taking care of the weeds. Fire Chief Strong then submitted his written report.

Attorney Hughes requested a special meeting to be held between the Council, Kent and Nancy Morgan, Ken Rathbun, Cedar Street property owners, interested parties, and Attorney Hughes in order to see what should be done in regard to Cedar Street. This meeting will commence at 6:15 p.m. on July 14, 2015 at the community center. The regular council meeting will follow at 7:00 p.m. Letters will be sent out to the persons involved.

Superintendent Lindstrom has set June 17<sup>th</sup> through June 20<sup>th</sup> as “clean-up” week. During that time the town residents may have free use of the landfill as in the past. Landfill hours that week will be from 9:00 a.m. until 5:00 p.m. In regard to building inspections, Superintendent Lindstrom will be preparing packets to mail to both Attorney Hughes and the Building Inspector. The city weed and grass issue was discussed. The city crew has mowed the old school lot and is taking care of the weeds and grass as weather permits on other town property. The crew has been spraying for mosquitos early in the mornings.

In other business, Mayor Upton told the Council that grass and tree branches will not be accepted when the new contractor takes over the garbage haul. This will be on the agenda at the next regular council meeting to discuss and possibly decide to provide free landfill usage to dump grass clippings and/or tree branches. Discussion will be also be held to possibly open the landfill for longer hours, but less days.

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