

Town of Upton
Regular Town Council Meeting
February 13, 2018

THE REGULAR MEETING of the Town Council of Upton, Wyoming was held at 7:00 p.m. on Tuesday, February 13, 2018 at the Upton Community Center located at 917 N HWY 116 in Upton, Wyoming.

Present: Mayor Travis Beck, Council Members Nathan Todd, Justin Norman, David Watt and Dennis Stirmel.

Mayor Beck called the meeting to order by leading the group in the Pledge of Allegiance.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TODD SECONDED a motion to approve the January 9, 2018 meeting minutes as published. All ayes, **MOTION CARRIED.**

Mayor Beck presented a billing from ARETE Design Group for work on the Upton City Park Project. He explained the circumstances of the charges that stemmed from the December council meeting and a subsequent meeting requested by ARETE that he did not feel were of benefit to the Town of Upton. The Council reviewed the bill in question.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the claims for January and February to date with the exception of the ARETE Invoice #3666 in the amount of \$3,632.50 (see below). All ayes, **MOTION CARRIED.**

CLAIMS PAID:

Meter Deposit Refunds (refund) \$859.54; Alpha Communications (tower) \$50.00; American Welding (supplies) \$157.31; AT&T (cells) \$378.98; B-4 (parts, supplies) \$182.21; Bearlodge Engineering (mapping) \$1,080.00; Black Mountain Software (cemetery) \$787.50; BHE (utility) \$1,363.42, \$5,952.23; Blakeman Propane (fuel) \$59.05; BCBS (benefit) \$14,261.59; Cambria Supply (parts) \$237.69, \$28.05; Chase Card Services (credit card) \$1,125.65; City of Newcastle (dispatch) \$1,686.00; Collins Communications (alarm monitor & service) \$28.00; CW Waste (contract) \$5,964.15; Dana Kepner Co (supplies) \$465.03; Defensive Edge Training & Consulting, Inc. (training) \$840.00; Dept. of Treasury (taxes) \$10,349.32; Dept. of Workforce Services (benefit) \$279.99, \$1,165.77; Energy Labs (testing) \$96.00; First State Bank (transfer) \$670.00; Gillette Steel Center (parts) \$456.00; Howard White Construction, LLC (labor, materials) \$21,919.99; Hughes Law Office (services) \$1,082.70; Inland Truck Parts Co. (parts) \$47.47; Joe's Food Center (supplies) \$64.84; Norco (supplies) \$346.73; Northwest Pipe Fitting (parts) \$1,623.00; One Call (locates) \$29.50; Postmaster (postage) \$164.50; PreCorp (utility) \$718.71, \$900.02; Rasmussen Electric (services) \$247.50, \$114.00; Record Supply (parts) \$45.10, \$26.49; RT Communications (phones) \$677.37; Russell Industries Inc. (parts) \$981.20; Servall (mats) \$85.96; Top Office (services) \$51.00, \$132.39, \$8.99; UVFD (supplies, services) \$375.84; Upton Co-Op (fuel, parts, supplies) \$2,659.96; USA Blue Book (safety supplies) \$187.72; \$763.65; \$564.26; Verizon (cell) \$47.54; Weston County Gazette (publishing) \$520.25; WY Network (website) \$50.00; WWQ & PCA (dues) \$60.00; WY Retirement (benefit) \$6,924.11, \$300.00.

The following invoices will be paid from grant and/or loan funds when received: ARETE (park project) \$3,632.50, \$608.63; Bearlodge Engineering (Pine Street project) \$20,057.50, \$3,839.75, \$11,093.20.

SALARIES: \$30,445.13.

CLAIMS DENIED: ARETE (park project) \$3,632.50.

Neil Schiller and Jory Hillman, of Upton Golf, LLC. were present to let the Council know that they would not be renewing their lease option for the upcoming fiscal year and would likely turn the keys in within the next month. They asked about keeping the course maintained enough for the Upton High School golf team to hold some events for the spring season. Mayor Beck will visit with Coach Garcia to see what impact closing the golf course would have on the team and what they would need to complete the spring season. Council Member Todd asked if it would be an option to advertise for lease or purchase options in the newspaper and if any of the current members had been contacted about taking over the operations of the course. Superintendent Lindstrom suggested that the property could be platted so that the lots would still have adequate access and that a survey would be necessary if the option to sell was on the table. The Council also discussed water service to the properties including the possibility of piping city water to the lots.

Mayor Beck reminded the Council that ENDOW Initiative meetings are available to watch online or live on Facebook, the next NEWY meeting would be held during the Winter WAM Convention next week in Cheyenne where the 2018 Congressional Tour Committee will be formed, and the next Hazard Mitigation Plan Follow Up meeting will be held at the Newcastle High School Auditorium on February 26, 2018 from 2:00-5:00 p.m. for those who are able to attend.

In new business, COUNCIL MEMBER TODD MOVED, COUNCIL MEMBER WATT SECONDED a motion to allow overnight camping for the Northeast Wyoming Amateur Radio Association in the City Park on June 22-24th, 2018. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to pass the second reading of Ordinance No. 1, Series 2018 entitled: AN ORDINANCE AMENDING SECTION 2.20.020, UPTON MUNICIPAL CODE, TO DECREASE THE NUMBER OF MEMBERS OF THE PLANNING COMMISSION OF THE TOWN OF UPTON FROM SEVEN MEMBERS TO FIVE MEMBERS. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TODD SECONDED a motion to pass the second reading of Ordinance No. 2, Series 2018 entitled: AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 6 (ANIMALS) OF THE UPTON MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE. Discussion was held regarding how captured felines would be handled. Police Chief Bridge stated that captured felines would be held for 3-5 days and anyone missing their pet should call the police station. She also reiterated the options the Town has for relocating unclaimed felines. All ayes, MOTION CARRIED.

At approximately 7:25 p.m., Mayor Beck opened the liquor license hearing and asked for comments or objections to the advertised renewal liquor license applications from Oddette, Inc dba Cowboy Bar, Western Royalties, LLC dba Sunset Amigos and James L Parks, dba Country Corner. There being no comments or objections, the hearing was closed at 7:26 p.m.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TODD SECONDED a motion to approve all of the liquor license renewal applications for the period of April 1, 2018 through March 31, 2019. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TODD SECONDED a motion to table the discussion of a contract from Visionary Communications to allow Superintendent Lindstrom and Attorney Hughes can make appropriate changes and visit with Visionary's representatives. All ayes, MOTION CARRIED.

Mark Esquivel was present to inquire about purchasing two city blocks (16 lots) in the Sawmill Addition for economic development. The Council and Attorney Hughes asked that Mr. Esquivel present them with a plan

for the lots regarding the economic benefit for the Town that meets the requirement of **Wyoming § 15-1-112**. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to table the request until a plan is presented to the Council. All ayes, MOTION CARRIED.

COUNCIL MEMBER TODD MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to advertise for bids for the sale of Lot 1F1, Original Addition, Upton, Weston County, Wyoming, as requested by David Wise. A minimum price of \$1,550.00 or \$0.62/sq. ft. for the 2,500 sq. ft. lot was set. The lot will be advertised according to **Wyoming § 15-1-112**.

Tom Barritt, with Tiger Transfer, LLC, came before the Council next to ask for a resolution of support for moving Buffalo Creek Road/County Road 20A as proposed in a map provided by Tiger Transfer, LLC. Mr. Barritt fielded questions about the cost to the Town, which he said would be nothing, and also stated that Tiger Transfer, LLC. would be paying for the cost of moving the road while Weston County would be paying for the advertising and gravel for the road. Council Member Todd clarified that the taxpayers would bear the cost of the gravel, as was confirmed by Mr. Barritt. When asked, Mr. Barritt also stated that the current easements for city water and sewer would remain intact, and assured Fire Chief Strong that access to the fire hydrants would remain intact. Attorney Hughes had been in contact with Weston County Attorney William Curley prior to the meeting and advised the Council to move to approve the proposed vacation and re-routing of Buffalo Creek Road 20A as presented if they agreed with what had come before them. The question of ownership of the current road to be vacated was answered by Attorney Hughes as well, citing Wyoming State Statute the annexations do not change ownership of property. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the proposed vacation and re-routing of Buffalo Creek Road 20A as presented by Tiger Transfer, LLC. All ayes, MOTION CARRIED.

Mayor Beck discussed the review of a new Project Development and Administration Agreement for the rail car park project. He asked that the Council table the current item and review for a possible approval at the next regular meeting. COUNCIL MEMBER TODD MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to table the matter. All ayes, MOTION CARRIED.

Clerk-Treasurer Millar shared the WAM Awards nomination information with the Council and asked that any action on those items be brought to the next regular meeting.

Council Member Todd told the group that he had been communicating with a representative from the Main Street Program at the Wyoming Business Council and will visit with the Upton Chamber of Commerce about how to fix issues downtown and refresh business fronts. He asked if the Council would consider setting aside 5% of the revenue from the rail park project for the downtown initiative as economic development for the beautification of main street. He will be attending a meeting in Gillette in May for more information. The Council agreed.

Chief Bridge presented her report and updated the Council on school programs and outreach with other agencies. Council Member Stirmel commented on the community involvement of Officer Allen at recent school activities and appreciated his willingness to be visible at those events.

Chief Strong presented his report and said the department will be losing three members at the end of February after gaining three in January. They will continue membership efforts.

Superintendent Lindstrom updated the Council on a recent meeting with Black Hills Energy representatives that he and Clerk-Treasurer Millar attended. He is also working with BHE for rebates on updated LED lighting fixtures and is hopeful for a grant from Wyoming Community Gas that may help pay for more lighting replacements.

Clerk-Treasurer Millar reminded the Council that City Hall would be closed Monday for President's Day, open Tuesday for regular business hours and then closed Wednesday through Friday for training in Cheyenne. Notices will be posted and published and were printed on February utility bills as well.

Council Member Norman questioned the status of a municipal judge candidate. Attorney Hughes had left a message for Alex Berger but hadn't received communication back. It was suggested that he contact Doug Dumbrill for the position as well. Chief Bridge thought Mr. Dumbrill would be a great choice in some of the work she is trying to accomplish for cooperation with municipal ordinances.

Mayor Beck updated the Council about an email received from Dale Buckingham with ARETE Design Group regarding the pay application presented by on January 30, 2018 for the release of \$55,115.60 of the retainage amount held for the project. Mr. Buckingham had questioned why the amount was reduced and not paid according to the pay application stated in his email that he had been unable to get in contact with the Mayor. Mayor Beck and Superintendent Lindstrom have been trying to get in contact with Mr. Buckingham without success and would be following up.

There being no further business, COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TODD SECONDED a motion to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 8:15 p.m.

Mayor

Attest Clerk-Treasurer