

Town of Upton
Regular Town Council Meeting
November 13, 2018

THE REGULAR MEETING of the Town Council of Upton, Wyoming was held at 7:00 p.m. on Tuesday, November 13, 2018 at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Travis Beck, Council Members David Watt, Justin Norman, and Dennis Stirmel. Council Member Todd joined the meeting at 7:05 p.m.

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

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the October 9, 2018 regular meeting minutes as published. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the claims for November to date. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve claims paid in October including utilities and payroll expenses. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to release \$7,000.00 of the remaining retainage monies for the Upton City Park Enhancement Project to Michael's Construction. The remaining \$3,000.00 will be used to pay for replacement capstone work on the bandshell in the amount of \$2,400.00, per the estimate from stone mason John Francis, and \$600.00 for related incidental expenses that may be incurred during the replacement work. Funds left over after the replacement of the capstone may be released at a later time. All ayes, MOTION CARRIED.

CLAIMS PAID:

Deposit Refund (refunds) \$196.58; Transfers (reserves) \$500.00, \$600.00; Alpha Communications (service) \$50.00; AT&T Mobility (phones) \$388.90, \$396.61; B-4 Automotive (supplies/parts) \$260.45; Bearlodge Engineering (annexation, non-grant eligible Upper Pine Street Project Change Order No. 4) \$1,367.50, \$2,625.00; Black Hills Energy (utilities) \$5,693.84, \$245.07; Blakeman Propane (tank rental) \$60.00; BCBS (benefit) \$13,617.65; Chase Card Services (supplies/parts/new equipment) \$5,254.25; City of Newcastle (dispatch) \$1,686.00; C.N.A. Surety (bond) \$294.20; Collins Communications, Inc. (services) \$28.00; Contractor's Supply (supplies) \$552.69; Crook County District Court (garnishment) \$589.40; CW Waste (contract) \$5,964.15; Department of Treasury (taxes) \$9,869.42; Department of Workforce Services (benefit) \$223.99; Energy Laboratories, Inc. (sample testing) \$369.00; First State Bank (transfer) \$670.00; Honen Equipment (supplies) \$132.76; Hughes Law Office (services) \$942.70; Joe's Food Center (supplies) \$52.45; Linda Taebel (services) \$386.25; Memorial Hospital of Sweetwater County (evidence) \$609.00; Michael's Construction (retainage release-final) \$7,000.00; Municipal Code (hosting) \$300.00; Norco (supplies) \$306.53; Northwest Pipe Fitting, Inc. (parts, refund) \$1,857.62; One Call of WY (locates) \$6.75; Postmaster (postage) \$170.45; PRECorp (utility) \$736.18, \$558.10; Raquel Merritt (services) \$60.00; Record Supply (parts) \$19.65; RT Communications (phones) \$613.50; Servall Uniform & Linen Supply (services) \$130.33; Team Laboratory (supplies) \$828.50; Timberline Services, Inc. (supplies, non-grant eligible Upper Pine Street Project Change Order No. 5) \$334.82, \$8,507.08; Titan Machinery (parts) \$61.00; Top Office Products, Inc. (services) \$146.55; Tracy Motor Co. (parts) \$99.99; Upton CO-OP Assn. (parts/supplies/fuels) \$3,768.65; UVFD (reimbursement) \$1,271.69, \$845.68; Verizon Wireless (phone) \$45.39; Voelker's (services) \$70.00; Weston County Gazette (publications) \$429.00; Weston County Children's Center (contribution) \$3,000.00; Weston County Treasurer (fees) \$69.37, \$47.09; WWQ & PCA (training) \$440.00; WY Network (services) \$50.00; WY OSLI (debt

service) \$7,620.51, \$26,615.27; WY Retirement (benefit) \$330.00, \$6,189.20; Yellowstone Valley Parts (parts) \$1,988.90.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (Upper Pine Street project) \$13,287.50; Northern Technologies, LLC (Upper Pine Street project) \$3,067.50; Timberline Services (Upper Pine Street project) \$78,620.08 + \$820.98 in retainage held above contractual requirements.

SALARIES: \$28,377.10

CLAIMS DENIED: NONE

Mayor Beck called for volunteers willing to serve as part of an SRO/EMT Committee. Jenifer Hicks, Clark Coberly-Weston County School District #7 Interim Superintendent, Lester Riehemann, Tiffany Riehemann, James Sindlinger, Woody Gaughenbaugh-WCSD #7 board member, and Denise Bradshaw-Weston County Homeland Security volunteered. Upton Police Chief Bridge suggested proposing several possible meeting times and dates and coordinating to meet at whichever works best for the group. Mr. Coberly asked that James Martens, with the Upton Economic Development Board, be included as he had expressed interest in participating on the committee. Further information will be shared as it is available.

Denise Bradshaw, WCHLS, presented information regarding long term power outages, causes and consequence management the state Homeland Security office is working through in the case of an outage. Ms. Bradshaw also discussed some upcoming workshops pertaining to long term power outages and a roundtable with the Governor in the spring.

Jackie and Vivien Cowger came before the Council to ask for support in a community service project involving donation-based banners to honor Veterans and flags to be displayed on the light posts along Highways 16 and 116. Rick Rothleitner, with Upton Gun Club, Inc., suggested a cooperative partnership with their group and the Boy Scouts for this project. The Council was in full support of the project.

Attorney Hughes presented the Council with a reviewed for-fee contract between the Wyoming Game & Fish and the Town of Upton for the walk-in fishing area at the CBQ Reservoir. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SEONDED a motion to approve the agreement. All ayes, MOTION CARRIED.

Attorney Hughes then updated the group on the progress of the proposed annexation petition that is being reviewed with WYDOT. He is hopeful the agreement will be ready to progress at the December meeting.

A review of the agreement between the Town of Upton and the Upton Gun Club, Inc. was presented, and changes included the term start date, a time frame to cure breaches, and the correct name for the club. Attorney Hughes explained some standard provisions regarding waivers of liability. COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TODD SEONDED a motion to approve the agreement with the discussed updates. All ayes, MOTION CARRIED.

At approximately 7:38 p.m., Mayor Beck opened the budget amendment hearing and asked for comments or objections. There being none, COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TODD SEONDED a motion to close the hearing at 7:39 p.m. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TODD SEONDED a motion to approve amending the budget in the following particulars:

Increase the General Fund Budget by \$1,150.00 by budgeting \$1,150.00 from General Fund Cash Reserves. The monies will be used for the local match to grant funds for the Police Department HVAC and lighting retro fit project. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the Mayor's signature on the grant agreement for the WYLITE HVAC Grant #188026. All ayes, MOTION CARRIED.

COUNCIL MEMBER TODD MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to hold a budget amendment hearing at approximately 7:30 p.m. during the regular meeting to be held on December 11, 2018 to amend the budget in the following particulars:

Increase the General Fund Budget by \$10,278.00 by budgeting \$10,278.00 from grant monies awarded by the Wyoming Business Council. The monies will be used for the Police Department HVAC and lighting retro fit project. All ayes, MOTION CARRIED.

COUNCIL MEMBER TODD MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve three policies presented for review and adoption: Public Records Requests, Agenda and Employee Reimbursement policies. All ayes, MOTION CARRIED.

Denise Bradshaw discussed the adoption of the Wyoming Region 1 Hazard Mitigation Plan, stating that Weston County and the City of Newcastle had passed resolutions to adopt the plan. Council Member Todd voiced concerns that adopting the plan had the potential to devalue property, particularly the properties identified to be in a flood plain. Mayor Beck and Deputy Clerk/Treasurer Shell had researched through minutes from 1999 and 2000 when joining the National Flood Insurance Program to obtain access to mitigation funds had been discussed by the Town. At that time, it was decided that the Town would not join the program due to the same concerns about property values, future building permitting issues, and the cost versus benefit of developing ordinances pertaining to zoning. Ms. Bradshaw deferred to Kim Johnson, Wyoming Homeland Security, for advice and answers to these questions. She also explained that Newcastle didn't seem to be affected by flood plain issues in the same way that Upton was, but did not know why. The Council declined to pass a resolution adopting the plan at this time. A public hearing will be held at 7:45 p.m., during the regular meeting, on December 11, 2018 to give those interested in commenting on the matter an opportunity to speak.

Kenny Rathbun, Bearlodge Engineering, presented updates for the Upper Pine Street Project. Mr. Rathbun also presented an agreement for services related to a USDA Search Grant application for the Willow Street Project. The standard agreement that has been used for these projects would take approximately seven months to be approved through the USDA, so it was suggested that an Engineers Joint Contract Documents Committee agreement be used that would encompass the Town as a whole system instead of just one project. Attorney Hughes had not had time to fully review the contract delivered to his office earlier in the day. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the agreement contingent upon a review by Attorney Hughes and grant funding being secured. All ayes, MOTION CARRIED.

Chief Bridge presented her report. She updated the Council on activity in her department with the schools and community outreach. There will be a drill with Orica on November 14th.

Chief Strong gave his report. Mayor Beck asked Chief Strong if anyone had expressed interest in joining the department. Only one person had inquired.

Superintendent Lindstrom presented his report. He updated the Council on progress toward grant funding of more infrastructure projects and the replacement of street lighting with more efficient LED bulbs.

Clerk/Treasurer Millar presented her report including financials for October 2018. The Town's self-audit is scheduled for November 14th and will be completed by a third party as usual. She asked that a standard bond amount be set at \$100,000 for each position in order to get a more accurate quote for bond services. She also stated that current ordinances will have to be updated to reflect any changes. It was suggested that grant monies available through the Wyoming Community Gas Foundation might be helpful toward the Veterans Banner Project.

Council Member Todd as that Denise Bradshaw share the map showing areas in Upton that might be affected by flooding, as identified by the NFIP. Ms. Bradshaw will get the information to the Council and she shared that the Weston County Courthouse will be having an evacuation drill on Monday, November 19th if anyone was interested in observing.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TODD SECONDED a motion to retire into executive session pursuant to W.S. 16-4-405 (a)(vii), information classified as confidential by law. All ayes, MOTION CARRIED at 8:27 p.m.

COUNCIL MEMBER TODD MOVED, COUNCIL MEMBER WATT SECONDED a motion to return to the regular meeting. All ayes, MOTION CARRIED at 8:58 p.m.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the bid from Collins Communications for installation of security alarms at City Hall in the amount of \$2,479.00. All ayes, MOTION CARRIED.

There being no further business, COUNCIL MEMBER TODD MOVED, COUNCIL MEMBER WATT SECONDED a motion to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 8:58 p.m.

Travis Beck, Mayor

Attest Kelley Millar, Clerk-Treasurer