

Town of Upton  
Regular Town Council Meeting  
August 13, 2019

**THE REGULAR MEETING** of the Town Council of Upton, Wyoming was held at 7:00 p.m. on Tuesday, August 13, 2019 at the Upton City Hall located at 725 2<sup>nd</sup> Street in Upton, Wyoming.

Present: Mayor Travis Beck, Council Members Dennis Stirmel, Justin Norman, and Joe Watt. Council Member David Watt was absent.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the July 9, 2019 regular meeting minutes as published. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the Upton Co-op bill. Council Member Joe Watt recused himself due to a conflict of interest. All ayes, MOTION CARRIED.

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

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

**CLAIMS PAID:**

Deposit Refund (refunds) \$42.80, \$8.00; Other Refunds (refunds) NONE; Transfer (reserves, debt service) \$500.00, \$600.00, \$670.00; Alpha Communications (lease & service) \$50.00, \$50.00, \$95.50; AT&T (phones) \$289.42; B-4 Automotive (parts & supplies) \$648.69; Black Hills Energy (utilities) \$103.71, \$6,460.09; Blakeman Propane (service) \$35.81; Border States Electric Supply (parts) \$174.00; Cambria Supply (parts) \$653.34; CMI, Inc. (supplies) \$425.00; Chase Cardservices (parts, supplies, training, fuel, postage) \$6,207.93; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (services) \$61.00; Contractor's Supply (parts) \$1,411.92, \$179.73; Cowboy State Rebuilders, LLC (parts) \$389.00, \$70.00; CW Waste (contract) \$5,964.15; Dana Kepner (supplies) \$640.00; Department of Treasury (payroll taxes) \$11,520.46; EJ Construction & Services (service) \$140.59; Energy Laboratories (samples) \$636.00; Hawkins (parts) \$362.11; Hughes Law Office (retainer) \$1,600.00; Joe's (supplies) \$258.10; JubJub, Inc. (web hosting) \$360.00; JW Services (service & materials) \$2,226.68; Kregel Towing & Recovery (service) \$191.10; Linda Taebel (services) \$367.50; Newcastle Equipment Co. (parts & labor) \$2,118.76; Norco (supplies) \$23.96; Northwest Pipefitting (parts) \$9,020.21; One Call of WY (locates) \$15.00; Print Mark-Et (supplies) \$41.20; Postmaster (postage) \$170.10; PRECorp (utilities) \$583.11; Record Supply (parts) \$185.70; RT Communications (phones) \$654.21; Servall (mats) \$88.44; Timberline Services (services on Kellogg Street Change Order #5) \$23,464.53; Top Office Products, Inc. (services) \$51.00; Tracy Motor Co (parts) \$114.11; Upton Co-op (fuel, parts, supplies) \$3,307.58; UVFD (reimbursement) \$1,202.85; Verizon (phone) \$41.07; Wally's Spraying (service) \$320.00; Weston County Children's Center (distribution) \$3,000.00; Weston County Gazette (publishing) \$2,772.26; Weston County Humane Society (distribution) \$1,200.00; Weston County Senior Services (distribution) \$3,000.00; WAMCAT (dues) \$130.00; Wyoming Secretary of State (notary) \$30.00; WYO Services, LLC (services) \$8,030.00; Wyoming Network (services) \$300.00; Yellowstone Valley Parts (parts) \$521.57.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (Upper Pine Street Project, 3<sup>rd</sup> Street Project, Pearl Street Project, and Emergency Pine Street Railroad Water Line Unofficial Minutes of the Regular Meeting August 13, 2019

Crossing Projects) \$4,857.50, \$13,620.00, \$7,820.90, \$4,742.50, \$2,127.50; JW Services (3<sup>rd</sup> Street Project) \$133,547.43; Timberline Services (Upper Pine Street Project) \$108,748.94.

**SALARIES:** \$33,014.63

**CLAIMS DENIED: NONE**

Steve Hampton presented the financials for the golf course. He said the course may need the Honor Farm to come up to perform some grounds maintenance and will go through Superintendent Lindstrom to arrange the date. In discussion regarding school tournaments, he commented that some visiting school vouchers go unpaid for food and course use. Council Member Joe Watt asked about the amount paid the Weston County School District #7 each year for use of the course. WCSD #7 is invoiced for \$1,000.00 each year.

Mayor Beck asked for public comment in the consideration of Ordinance No. 6, Series 2019-Trash Collection Updates. There being none, COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the third and final reading of Ordinance No. 6, Series 2019 entitled: AN ORDINANCE AMENDING PORTIONS OF CHAPTER 8 SECTION 8.04.025. All ayes, MOTION CARRIED.

Kenny Rathbun, with Bearlodge Engineering, gave an update on current projects in the Town of Upton including paving for the 3<sup>rd</sup> Avenue project that is scheduled for later in the week and the pouring of concrete for access points on Kellogg Street.

Attorney Hughes informed the Council that he had heard via email from WYDOT regarding the proposed annexation petition. WYDOT is not going to sign the petition, however, they stated that they are not against the annexation either. Attorney Hughes was directed to include the portion of Highway 16 in the annexation petition and present it at the next meeting. The inclusion of the highway in the annexation petition make the process slightly longer, but also opens jurisdiction abilities for the Upton Police Department.

Mayor Beck asked for public comment regarding the designation of Wyoming Community Gas funds given to the Town each spring for being a member of Wyoming Community Gas. Superintendent Lindstrom suggested using the monies to purchase new chairs for the Community Center. The amount of the designation is \$3,907.92 and can be split as the Council sees fit for multiple projects. Staff was asked to get estimates for chairs and tables for discussion at the September meeting.

Mayor Beck asked for public comment regarding a proclamation designating August 2019 as Agent Orange Awareness Month. There being none, COUNCIL MEMBER JOE WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the Mayor's signature on the proclamation. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Resolution No. 2, 2019-Liquor License and Permit Fee Schedule Update. Clerk/Treasurer Millar explained that the fees were not changing for those that had been set by a previous resolution, however, there is an addition of Additional Dispensing Room Permits and Open Container Permits with associated fees of \$100.00 and \$50.00, respectively, as allowed by statute and ordinance. COUNCIL MEMBER JOE WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve Resolution No. 2, 2019-Liquor License and Permit Fee Schedule Update. All ayes, MOTION CARRIED.

Mayor Beck asked for more information regarding Ordinance No. 7, Series 2019-Parking from Chief Bridge. She explained that the current form was a very rough draft of the proposed changes and asked that she have time to work through the ordinance before presenting it in proper format at the September meeting. She said she Unofficial Minutes of the Regular Meeting August 13, 2019

has been working through current municipal code to make sure everything is included and repealed as necessary with the new ordinance and that it addresses the Town's needs appropriately. COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to table the discussion until the September meeting. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar asked for a budget amendment hearing to be held at approximately 7:15 p.m. during the September 17, 2019 regular meeting to amend the fiscal year ending 2020 budget in the following particulars:

Increase the General Fund budget by \$2,500.00 by budgeting \$2,500.00 from General Fund Cash

Reserves. The monies will be used to update the Upton Municipal Code Books to date.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to hold a budget hearing as stated above. All ayes, MOTION CARRIED.

Mayor Beck asked for comments and discussion regarding the proposed Cemetery, Records Retention and Financial Statements (F66) policies presented. COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the presented policies. All ayes, MOTION CARRIED.

Chief Bridge presented her report and stated that the Upton Police Department will be attending as many of the EMT classes as their workload and schedule allows. She also told the Council of some water damage at the Police Department due to a backed-up drain. She said some of the already aged carpet had been affected and will now need to be removed and replaced.

Chief Strong was not present but had given his approval via email for a presented Special Events: Bonfire permit for the Weston County School District. The bonfire will be held next to the tennis courts on Monday, September 23, 2019. The Council concurred with the approval.

Superintendent Lindstrom gave his report stating that the work in connection with the EPA letters sent out on July 30, 2019 was near complete and would be finished well before the given deadline. He also updated the Council on the AML grant process for the Willow Street Project. Council Member Joe Watt asked to be part of the final walk through for the current projects as they are wrapping up. Superintendent Lindstrom will be having a meeting with Cort Cundy from CW Waste regarding an official contract for services beyond the closure of the Upton Landfill. Council Member Joe Watt asked if it was necessary to go out for bids for trash collections. Attorney Hughes will check the statute and advise, however, he did not immediately feel that it was required.

Clerk/Treasurer Millar read an accolade note received for Superintendent Lindstrom from Wyoming Secretary of State, Ed Buchannan that thanked him for his diligent work in making great things happen for the Town of Upton. She also announced that Deputy Clerk/Treasurer June Shell had been awarded a \$500.00 WAMCAT scholarship to attend the Fall Institute. The draft F66 Census report was presented for review and is balanced for FYE 2019. The final report will be submitted online. Council Member Joe Watt asked about other ways to mitigate past due utility accounts. He suggested increasing the penalty amounts for late bills or the amounts assessed when a property is shutoff due to non-payment. Clerk/Treasurer Millar will bring an updated resolution to the September meeting to address an increase to the penalty amount for disconnected services due to non-payment. She then presented some information regarding an application from Black Hills Energy made June 3, 2019 to the Public Service Commission to increase natural gas rates for the newly consolidated gas services acquired by BHE. A letter of protest from the Town of Upton will be submitted to the Office of Consumer Advocate to go on record. Further action as the application progresses will be monitored and discussed.

There being no further business, COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER JOE WATT SECONDED a motion to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 8:25 p.m.

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Travis Beck, Mayor

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Attest Kelley Millar, Clerk-Treasurer