

Town of Upton
Regular Town Council Meeting
June 9, 2020

THE REGULAR MEETING of the Town Council of Upton, Wyoming was held at 7:00 p.m. on Tuesday, June 9, 2020 at the Upton City Hall located at 725 2nd Street in Upton, Wyoming immediately following the closing of the Annual Appropriations Hearing for fiscal year 2020-2021.

Present: Mayor Travis Beck, Council Members Dennis Stirmel, Justin Norman, David Watt and Joe Watt. Staff present included Attorney Mark Hughes, Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Fire Chief John Strong and Chief of Police Susan Bridge. Public attendance included *Weston County Gazette Assistant Editor* Nicholas Trandahl, UEDB Executive Director Stephanie Salazar, UEDB Director Carmen Diehl, Upton Golf Association representatives Shannon Johnston, Roxanne Duarte and Tiffany White, WYO Services LLC owner Kyle Materi, Rick Rothleutner and Bearlodge Engineering owner Kenny Rathbun.

COUNCIL MEMBER DAVID WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the May 12, 2020 regular meeting minutes as published with a spelling correction and the May 19, 2020 special meeting minutes as published. All ayes, MOTION CARRIED.

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

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

CLAIMS PAID:

Deposit Refund (refunds) \$72.20; \$77.80; Transfer (reserves, debt service) \$500.00, \$600.00, \$670.00; ACM, LLP (audit) \$8,400.00; Alpha Communications (lease) \$50.00; Always There Heating and Cooling (service) \$284.75; AT&T (phones) \$339.37; Black Hills Energy (utilities) \$5,231.76, \$574.11; BlueCross BlueShield of WY (benefit) \$15,405.96; Cambria Supply (supplies) \$50.15; CarQuest Automotive (parts) \$73.48; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$5,029.68; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$242.00; Crook County District Court (garnishment) \$593.54; CW Waste (contract) \$12,414.00; Dan Hart Patrol (service, parts) \$1,977.04; David Larson (reimbursement) \$101.97; Department of Treasury (taxes) \$10,213.79; Eastern Wyoming Equipment Co. (supplies) \$57.98; Energy Laboratories (samples) \$379.00; FirstNet (phones) \$175.04; Good Electric (service) \$9,100.00; Great Western Tire Co (service) \$156.00; Hawkins (supplies) \$7,078.63; Howard White Construction (service, parts, labor) \$9,055.12; Hughes Law Office (retainer) \$1,600.00; Joe's Food Center (supplies) \$78.43; Linda Taebel (services) \$420.00; Norman Engle (fee) \$350.00; Northwest Pipe Fitting (supplies) \$1,259.68; One Call (service) \$15.00; Postmaster (postage, permit) \$181.65; Powder River Energy (utilities) \$465.33; Rasmussen Electric (service) \$300.00; RT Communications (phones) \$619.95; S&S Parts and Performance (supplies) \$683.99; Servall (mats) \$107.41; Sundance Extinguisher, LLC (service) \$179.58; Team Lab Chemical (supplies) \$398.50; Titan Machinery (parts) \$7,136.77; Top Office Products, Inc. (service, supplies) \$51.00; Town of Upton (utilities) \$208.35; Upton Co-op (fuel, parts, supplies) \$1,856.97; Upton Senior Housing Authority (reimbursement) \$500.00; UVFD (reimburse) \$3,360.36; Verizon (phone) \$41.48; White's Frontier Motors (service) \$270.90; Weston County Gazette (publishing) \$512.00; WARWS (fee) \$418.00; WCNRD (trees) \$1,000.00; WY Retirement (benefit) \$6,780.38, \$255.00.

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The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (Pine Street BNSF Emergency Repair, Pearl Street Project) \$15,412.50, \$11,415.00; DRM, Inc. (Pine Street BNSF Emergency Repair) \$144,977.93; Hot Iron, Inc. (Pearl Street Project) \$267,634.90; NTI, LLC (Pine Street BNSF Emergency Repair) \$2,615.00; and Aaron Swan & Associates (Pearl Street Project) \$2,425.00.

SALARIES: \$29,042.54

CLAIMS DENIED: NONE

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER DAVID WATT SECONDED a motion to take the Weston County Dispatch Agreement with the City of Newcastle off the table. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding renewal of the dispatch agreement with the City of Newcastle. Chief Bridge commented that the agreement pricing had remained the same from fiscal year 2020. She also stated she would have more information about dispatch services during her report later in the meeting but that she was happy with signing the agreement at this time. There being no further comments, COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER DAVID WATT SECONDED a motion to approve the Mayor's signature on the Weston County Dispatch Agreement with the City of Newcastle from July 1, 2020 through June 30, 2020. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Change Order No. 1 from DRM, Inc. for the BNSF Emergency Waterline Repair to reconcile project costs to actual in the amount of \$31,159.73 increase due to over-run of aggregate base quantities on the BNSF right-of-way, extending the 8" waterline up Pine Street approximately 100 ft, and additional quantities of asphalt, road base and subgrade prep for replacement of existing pavement replacement for a total contract price of \$227,719.03. There being none, COUNCIL MEMBER DAVID WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the Change Order No. 1 from DRM, Inc. in the amount of \$31,159.73. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding three letters of interest for various boards appointed by the Town of Upton. Clerk/Treasurer Millar explained each letter and term. There being no further comment, COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER DAVID WATT SECONDED a motion to approve the appointment of Brittany Trandahl to a three year position representing the Town of Upton on the Weston County Travel Commission, of Donna Kennedy to the Upton Housing Authority Board and of Bob Eisenhower to the Planning Commission. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding the Annual Appropriation Ordinance for the Fiscal Year Ending June 30, 2021. There being none, COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER DAVID WATT SECONDED a motion to approve Ordinance No. 2, Series 2020 entitled: ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2021 on an emergency basis. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Resolution No. 11, 2020-Utility Rates 2020. Clerk/Treasurer Millar noted that the resolution was a result of an increase to the water rate necessary to balance the Water Fund Budget for fiscal year ending 2021 as passed in Ordinance No. 2, Series 2020. There being no further comments, COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER DAVID WATT SECONDED a motion to approve Resolution No. 11, 2020 entitled: A RESOLUTION OF THE TOWN COUNCIL OF UPTON, WESTON COUNTY, WYOMING ADOPTING UTILITY RATE AMOUNT INCREASES FOR THE FISCAL YEAR 202-2021. The resolution is available in full print in the Weston County Gazette, for viewing at www.townofupton.com or in person at City Hall. All ayes, MOTION CARRIED.

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Mayor Beck asked for public comment on the preliminary covenants for Lots 1 through 8 in Block 40 of the Sawmill Addition and Lots 1 through 7 in the Bobcat Subdivision. Clerk/Treasurer Millar explained that the covenants for the Sawmill Addition were from a previous sale of land nearby with possible changes to a provision requiring a certain square footage on a build to be erected and that the Bobcat Subdivision were copied from the Ponderosa Subdivision with legal description changes that could include each or all lots, and pointed to the restrictions about only stick built homes being allowed for construction. Council Member David Watt asked that the Council have time to look over the covenants and bring their changes, etc. back to the July meeting for review.

Mayor Beck then asked for an update from the Upton Golf Association. Shannon Johnston, board member, gave a brief financial update and will email those to Clerk/Treasurer Millar to disperse to the Council. She asked for clarification on the amount budgeted by the Town for the golf course and was informed of a \$7,000 line item provision passed in the Annual Appropriations Ordinance No. 2, Series, 2020. She also updated the Council that plans for pouring a concrete pad to grill outside on were in progress and should be completed within the week. An estimate of the cost had been sent to the Town. Roxanne Duarte spoke to the Council about working together in the case of mowing and the use of Town equipment at the golf course as well as a breakdown of current golf course equipment that was now in need of repair to be functional. Mayor Beck explained that it was not always a simple matter to send Town equipment or personnel to the golf course due to other scheduled activities within the Town.

Kyle Materi came before the Council and submitted a letter regarding his interest to purchase Lots 1 through 8 in Block 40 of the Sawmill Addition for economic development. The Council agreed to hold a public hearing at 6:30 p.m. on Tuesday, July 14, 2020 to solicit public comment regarding the potential land sale.

At approximately 7:15 p.m., Mayor Beck opened the budget amendment hearing by asking for public comment. There being none, he closed the hearing at 7:16 p.m.

COUNCIL MEMBER DAVID WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve amending the fiscal year 2019-2020 budget in the following particulars:

Increase the General Fund Budget by \$10,000.00 by budgeting \$10,000.00 from General Fund Cash Reserves. The monies will be used to pay for Building Repairs at City Hall in the amount of \$2,500.00, Engineering Fees related to a potential Land Sale in the amount of \$1,600.00, Dues and Fees for a potential Land Sale in the amount of \$2,800.00, for Golf Course Lease for Utilities in the amount of \$1,100.00 and for Maintenance and Repair at the Golf Course for a culvert replacement in the amount of \$2,000.00.

All ayes, MOTION CARRIED.

Mayor Beck answered questions from the public regarding agenda items addressed out of order and he explained that some items had been skipped because interested parties were not present at the time those items came up for discussion.

Chief Bridge gave her report and updated the Council on a meeting she had attended with members of the City of Newcastle Council regarding issues with dispatch services. She and Chief Strong explained some of the ongoing issues with dispatch efficiencies and a lack of updated technology in use by dispatch services. An advisory board or possibly a Joint Powers Board were options discussed as options moving forward and are being worked on by Weston County Homeland Security Coordinator Gilbert Nelson at the direction of the Weston County Commissioners.

Chief Strong gave his report.

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Superintendent Lindstrom gave his report and update on current projects wrapping up on Pine and Pearl Streets. He also explained that littering from uncovered loads being hauled to the landfill is still an issue and becoming worse each week. He and Clerk/Treasurer Millar had done some research on ordinances from other municipalities regarding fees and fines for uncovered loads and they will be working on a possible addition or ordinances to address the issue for presentation at the July meeting.

Clerk/Treasurer Millar gave her report and updated the Council on the upcoming closure of the Rest Area east of Upton. The state had sent a letter of notification to each municipality and county effected as well as to the convenience stores to prepare for the closures. The letter also stated that there was an option for the Town to lease the Rest Area. Mayor Beck asked that the leasing option be researched and brought back to the July meeting for discussion.

Mayor Beck brought up the possible replacement of a recently out of commission fairway mower for the golf course. He asked the Upton Golf Association to look for options on purchase of a used machine and the availability of rental machines for the season.

There being no further business, COUNCIL MEMBER DAVID WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 7:59 p.m.

Travis Beck, Mayor

Attest Kelley Millar, Clerk-Treasurer