

Town of Upton
Regular Town Council Meeting
April 13, 2021

THE REGULAR MEETING of the Town Council of Upton, Wyoming was called to order at 7:00 p.m. on Tuesday, April 13, 2021 at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Travis Beck, Council Members Justin Norman, Joe Watt, Dennis Stirmel and Nicholas Trandahl. Staff present included Attorney Mark Hughes, Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Chief Susan Bridge, Officer Dave Larson and Fire Chief John Strong. Public attendance included Ann Barker with the *Weston County Gazette*, Upton Golf Association's Roxanne Duarte, Dave Upton, Sandy Upton, Cheri Claycomb, Weston County Children's Center-Upton Director Myla Mills, Rick Rothleutner, Betty Strong, Delayne Haynes, Tracie Haynes, Gloria Riehemann and Stacie Hoxie.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TRAND AHL SECONDED a motion to approve the Consent Agenda which included the March 9, 2021 regular meeting minutes as published, claims paid to date in April and claims paid in March including corrected claims, utilities, payroll expenses and approved grant expenses. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve payment of the Upton Co-op and Weston County Gazette bills with Council Members Watt and Trandahl recusing themselves due to a conflict of interest. All ayes, MOTION CARRIED.

CLAIMS PAID:

Deposit Refund (refunds) NONE; Reimbursements: \$21.04, \$207.65; Transfer (reserves, debt service) \$500.00, \$600.00, \$670.00; Alpha Communications (service) \$50.00; Arrow Services (fuel) \$121.04; AT&T (phones) \$265.65; APT US&C (fee) \$200.00; Big Horn Hydraulics (parts) \$4.50; Black Hills Energy (utilities) \$6,106.52, \$1,467.31; \$752.68; BlueCross Blue Shield of WY (benefits) \$13,877.10; Cambria Supply (supplies) \$195.58; Cellular Plus (phone) \$33.49; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$14,619.00; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$242.00; Contractor's Supply (parts) \$308.62; CR Electric, Inc. (service) \$734.00; CW Waste (contract) \$11,664.00, \$500.00; Dearborn National (benefit) \$107.88; Department of Treasury (taxes) \$11,158.49; Department of Workforce Services (benefit) \$4,187.38, \$602.55, \$319.87; Emily Cork (service) \$285.00; Energy Laboratories (samples) \$42.00; Ferguson Waterwork (parts) \$1,927.06; Fisher Sand & Gravel (supplies) \$55.77; FirstNet (phones) \$175.96; Gillette Steel (parts) \$329.00; Great Western Tire Company (parts) \$2,151.80; Hughes Law Office (retainer) \$1,600.00; Joe's Food Center (supplies) \$137.43; Kimberly Williams (supplies) \$12.57; Newman Traffic Signs (signs) \$419.40; Norco, Inc. (supplies) \$302.93; Northwest Pipefitting (parts) \$694.72; One Call of WY (service) \$16.50; Postmaster (postage) \$183.60; PRECorp (utilities) \$558.71; Quality Agg & Construction (supplies) \$6,963.25; Range (phones) \$641.11; Raquel Merritt (services) \$60.00; Ringer Law, P.C. (contract service) \$1,440.00; S & S Parts and Performance (parts) \$990.57; Scott's Small Engine (parts/service) \$1,039.00; Servall (mats) \$114.12; Team Laboratory (supplies) \$800.00; Texas Refinery Corp. (supplies) \$717.00; Top Office Products, Inc. (service/supplies) \$95.82; Town of Upton (utilities) \$208.35; Upton Co-op (fuel, parts, supplies) \$2,311.61; Upton Housing Authority (reimburse liability insurance) \$500.00; UVFD (reimburse) \$6,382.96; Verizon (phone) \$44.56; Weston County Clerk (elections) \$697.68; Weston County Gazette (publishing) \$252.00; Weston County Senior Citizens (contribution) \$3,000.00; White's Canyon Motors (vehicle) \$38,640.00; Wyoming Earth Moving Company (service) \$10,441.73; WY Retirement (benefit) \$7,450.57, \$225.00.

The following invoices will be paid from grant and/or loan funds when received: NONE

SALARIES: \$44,656.33

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CLAIMS DENIED: NONE

Mayor Beck read a list of proclamations including:

EMS Week May 16-23, 2021 & Firefighter's Day May 4, 2021

Public Works Week May 16-22, 2021

National Police Week May 9-16, 2021

Municipal Clerk's Week May 2-8, 2021

All proclamations are in appreciation for the service of municipal and volunteer staff.

Mayor Beck then read an excerpt from a Proclamation of Arbor Day 2021 urging *“all to plant and care for trees gladden the heart, to promote the well-being of this and future generations and in loving memory of the beloved Linda Taebel who had a skilled green thumb and the most wonderful oasis in her back yard.”*

Myla Mills, Director of the Upton location of the Weston County Children's Center, came before the Council to ask that funding in the amount of \$3,000.00 be again approved during the upcoming budget session for fiscal year ending 2022. The Council asked some clarifying questions about budget cuts and funding for the Center. Ms. Mills will be invited back to the budget workshop for follow up.

A brief discussion regarding a potential land sale in the Bobcat Subdivision was held with interested buyer Scott Ascarrunz via speaker phone including the potential for large debris and parts of the former buildings foundation being buried on the property. No action was taken.

Stacie Hoxie presented the Council with signatures for support of allowing the keeping of chickens within city limits and explained further reasoning behind her request for the issue to be revisited. Dave & Sandy Upton, Betty Strong and Gloria Riehemann spoke in opposition of a change to current ordinances prohibiting the keeping of livestock, to include chickens, within city limits. After a lengthy discussion, Council Member Norman suggested that a community committee with representation from each viewpoint be assembled to work out details to be presented to the Council at a future date with suggestions for moving forward. No action was taken.

At approximately 8:03 p.m., Mayor Beck opened the budget amendment hearing and asked for public comment. There being none, he closed the hearing at 8:04 p.m.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve amending the budget in the following particulars:

Increase the General Fund budget by \$53,000.00 by budgeting approximately \$36,500.00 from the Police Department Reserve account and approximately \$16,500.00 from the General Fund Cash Reserves, more specifically the PEAKS Cash Account. The monies will be used to purchase a new police vehicle, upfitting and decals for the vehicle.

All aye, MOTION CARRIED.

Roxanne Duarte approached the Council about a possible modification to the Management Agreement with the Upton Golf Association to add a provision for primitive camping places around the CBQ Reservoir. The Upton Gun Club noted that they were in support of the addition and would be committed to continuing to improve the access road as well. Ms. Duarte had a concern of liability and the need for additional coverage. Attorney Hughes suggested that concerns are valid but would likely be minimal. Liability carriers for the Upton Golf Association and the Town will be contacted as well as the Wyoming Game & Fish, with whom the Town contracts for the upkeep of fish in the reservoir. No action was taken.

Mayor Beck asked for public comment regarding an approval to release a Request for Proposals for Highspeed Internet/Broadband Services. Clerk/Treasurer Millar provided some information about the RFP process related
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to Wyoming Business Council grants. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the release of the RFP. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Resolution No. 4, 2021 authorizing the submission of a grant to the WYLITE Energy Grant Program for LED lighting upgrades at the Upton Community Center in an amount not to exceed \$25,000.00, there being none, COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve RESOLUTION NO. 4, 2021 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE WYLITE ENERGY PROGRAM THROUGH THE STATE ENERGY OFFICE ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF UPTON. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding a request to have, not sell alcohol, at the Upton Community Center on April 24, 2021 for a birthday party, there being none, COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the request. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding a request to sell alcohol at a benefit event at the Upton Community Center on May 7, 2021. The requesting parties will also be working with a local or county liquor license holder for the inclusion of wine sales in conjunction with a requested malt beverage permit for the event. COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the request. All ayes, MOTION CARRIED. It was suggested that the liability insurance requirement for the malt beverage permit applicant be waived for this event only. COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve a waiver for the liability insurance requirement for the malt beverage permit applicant for this event only. All ayes, MOTION CARRIED. Liability insurance will still be required of any liquor licensee issued a catering permit for the wine sales at the event.

Rick Rothleitner was also on hand to request permission to have a liquor license holder sell alcohol at a fundraising event at the Upton Community Center on June 26, 2021. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the request. All ayes, MOTION CARRIED.

A tentative budget workshop was scheduled for 7:00 p.m. on Thursday, April 29, 2021 at City Hall.

Chief Bridge gave her report and updated the Council on progress for the newly purchased police vehicle.

Chief Strong gave his report and reminded the Council about a meeting with the County Commission coming up regarding dispatch services. He noted that he had not been officially invited to the meeting, which Chief Bridge echoed. Mayor Beck indicated that attendance by both Chiefs, Clerk/Treasurer Millar and Council Members Trandahl and Stirmel would be preferred.

Superintendent Lindstrom gave his report noting that more principal forgiveness had been given for the Willow Street project. He also asked for an update to the Water Tap Fees to reflect an increase in the price of materials. Mayor Beck asked for public comment, Council Member Watt asked if the Town of Upton's fees would be in line with surrounding areas. Superintendent Lindstrom explained the process he uses to recover the cost of the materials for taps and how it is different from some surrounding areas, but that it was a fair and equitable process. COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve an increase in Water Tap Fees from \$1,600.00 for a ¾" tap to \$2,100.00 and from \$2,000.00 for a 1" tap to \$2,500.00. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar presented her report. She inquired about asking a Wyoming Downs, LLC representative to attend a meeting to discuss options that had been presented to the Weston County Commissioners. Mayor Beck prefers to have a conversation with the Commission first and then see about moving forward. Clerk/Treasurer Millar also announced the upcoming WAM Convention in July and asked for those interested in attending to be in contact soon so registration could be completed at the early bird pricing. She then presented the WAM-JPIC Ballot for selection and suggested that the current nominees were adequate for the positions and had been great to work with.

Attorney Hughes had made some suggested changes to a professional services contract with Morrison & Maierle for the Upton Municipal Airport Master Plan Project. He advised that the changes he had requested were made and was comfortable with authorizing the Mayor's signature. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the Mayor's signature on the professional services agreement with the updated changes requested. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to retire into executive session as per WS 16-4-405(a)(vii) at approximately 8:43 p.m.

The regular meeting resumed at 9:15 p.m.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the Mayor to contact Mr. Ascarrunz regarding the land sale. All ayes, MOTION CARRIED.

There being no further business, COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 9:16 p.m.

Travis Beck, Mayor

Attest Kelley Millar, Clerk-Treasurer