

Town of Upton
Regular Town Council Meeting
October 11, 2022

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, October 11, 2022, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Travis Beck, Council Members, Joe Watt, Justin Norman, and Nicholas Trandahl. Council Member Dennis Stirmel joined via ZOOM. Staff present included Attorney Mark Hughes, Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Police Chief Susan Bridge, and Fire Chief Mike Hiatt. Public attendance Kade McMillan with the *Weston County Gazette*, Kenny Rathbun with Bearlodge Engineering, Rick Rothleutner, Josh Reiniger and Neil Schiller. Tiffany Riehemann with the Upton Fire Department joined via ZOOM.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the minutes from the September 13, 2022 regular meeting as published. All ayes, MOTION CARRIED.

COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to pay October claims to date. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to pay claims paid in September for utilities, payroll and approved grant expenses. All ayes, MOTION CARRIED.

COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the claim for the Upton CoOp with Council Member Watt recused due to a conflict of interest. All ayes. MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to pay the claim for the Weston County Gazette with Council Member Trandahl recused due to a conflict of interest. All ayes, MOTION CARRIED.

CLAIMS PAID:

Deposit Refund (refunds) \$4.91; Reimbursements \$346.49, \$110.09; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Alpha Communications (tower lease) \$50.00; Arrow Service (fuel) \$310.88; AT&T Mobility (phones) \$156.46; Bailey Crackel (service) \$135.00; Bearlodge Engineering (service) \$6,350.00; Black Hills Energy (utilities) \$7,464.49, \$158.45; Black Mountain Software (software) \$62.50; Blue Cross Blue Shield (benefit) \$12,276.74; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$7,653.05; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$58.00; Crook County District Court (garnishment) \$726.02; CW Waste (contract) \$14,175.36; Dash Medical Gloves (supplies) \$194.90; Dearborn Life Insurance (benefit) \$89.53; Department of Treasury (taxes) \$10,283.01, \$183.60; Department of Workforce Services (benefit) \$2,866.01, \$27.96; Emily Cork (service) \$300.00; EJ Construction (materials) \$1,145.48; Energy Laboratories (samples) \$422.00; FirstNet (utility) \$1.60; First State Bank of Newcastle (final debt payment) \$16,517.79; Gillette Steel Center (parts) \$754.00; Hughes Law Office (retainer) \$1,600.00; Hawkins, Inc. (supplies) \$1,605.71; Iron Creek Services, LLC (service) \$467.60; Joe's Food Center (supplies) \$57.36; JP Cooke (supplies) \$81.95; Norco, Inc. (supplies) \$97.97; Postmaster (postage) \$227.48; PRECorp (utility) \$623.52; One Call of WY (locates) \$11.25; Quality Agg & Construction (supplies) \$490.99; Range (phones) \$631.82; Scott Lindstrom (parts) \$677.00; Servall (service) \$46.73; Slattery Enterprises (service) \$2,242.50; Top Office Supply (service) \$51.00; Team Labs (supplies) \$988.00; Town of Upton (utilities) \$365.00; Upton Co-op (fuel, parts, supplies) \$2,334.75; UVFD (reimburse) \$843.03; Verizon (phone) \$79.40; Weston County Clerk (fee) \$18.00; Weston County Gazette (publishing) \$360.00; Weston County Senior Unofficial Minutes of the Regular Meeting October 11, 2022

Services (contribution) \$3,000.00; WEC (supplies) \$600.00; WY Office of State Lands (debt service) \$26,615.27; WY Retirement (benefit) \$6,601.88, \$168.75; WWQ & PCA (fee) \$375.00.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (service) \$1,040.00, \$38,516.25, \$1,785.00 for the Willow Street and Pearl Street Project Phase II; Hot Iron, Inc. (service) \$360,479.84, \$223,827.48, \$15,710.86, \$11,780.39, \$148,875.32, \$7,835.54 for the Willow Street and Pearl Street Phase II Project.

SALARIES: \$33,554.25

CLAIMS DENIED: NONE

There was no end of the year Upton Golf Association report.

Clerk/Treasurer Millar gave a progress update on the WYDOT Pathways project. The design agreement is in place and work on the planning document will commence.

The presentation of the WYDOT Aviation Master Plan will be scheduled for a future meeting.

Mayor Beck asked for public comment regarding the Reiniger plat approval. Superintendent Lindstrom displayed the mylar for the Reiniger properties split out on East Street and explained that each lot met city standards and has separate water, sewer and electric services, which was confirmed by Mr. Reiniger. Mr. Reiniger also stated the access easements were in place for the properties. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the plat as presented. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding the designation of FYE 2023 Wyoming Community Gas contribution funds. Superintendent Lindstrom and Clerk/Treasurer Millar presented options to use approximately \$1,459.75 to supplement the Veteran's Banner Project to include the installation of more display poles, placement, welding, painting and supplies; and approximately \$2,495.22 for a Mural Project on the north side of the Upton Community Center. The mural is being designed by Bailey Crackel of Crackel Artworks. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the designations as presented. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding the repeal of Section 5.08 CATV Franchise of the Upton Municipal Code. Attorney Hughes advised that the repeal needed to be completed via ordinance that will be presented for first reading at the November meeting. He also noted that a 30-day notice was required to repeal the agreement. Clerk/Treasurer Millar will send a copy of the draft ordinance and letter to Tongue River Cable as they were the last provider that discontinued cable service circa 2016.

Mayor Beck asked for public comment regarding Change Order No. 1 from Bearlodge Engineering for the construction portion of the additional work on the Willow Street Project. Kenny Rathbun explained the change order to include 5th Street to the intersection at Pine Street and the alley up to Birch Street. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve Change Order No. 1 from Bearlodge Engineering in the amount of \$19,660.00 to bring the total contract price not to exceed \$139,560.00 for the additional work to include the remainder of 5th Street to the Pine Street intersection and the alley up to Birch Street in the project scope. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Change Order No. 2 from Hot Iron, Inc. for the additional work on the Willow Street Project. Kenny Rathbun explained the change order to be for the same work as the previously approved Change Order No. 1 from Bearlodge Engineering (noted above). COUNCIL MEMBER Unofficial Minutes of the Regular Meeting October 11, 2022

NORMAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve Change Order No. 2 from Hot Iron, Inc. in the amount of \$158,709.89 to bring the total contract price to \$907,887.74 for the additional work to include the remainder of 5th Street to the Pine Street intersection and the alley up to Birch Street in the project scope. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar presented UPTON 008-Service Agreement Policy for review. The policy remains unchanged and was noted to be working well to set expectations for those entities provided funding contributions outside of the Town of Upton including the Weston County Senior Services, Weston County Children's Center, and the Weston County Humane Society.

Chief Bridge gave her report.

Chief Hiatt gave his report. Tiffany Riehemann, one of only two EMTs with the Upton Volunteer Fire Department, gave an overview of work she and Clerk/Treasurer Millar had been doing related to the municipal funding of Emergency Medical Services Department. Clerk/Treasurer Millar explained the first draft financial information gathered by EMT Riehemann from surrounding EMS providers combined with averages from the current ambulance service that is part of the Upton Volunteer Fire Department. A rough total of \$150,000.00 for expenditures including four EMTs salaries and benefits, general expenses related to the operation of the service, contract billing, equipment replacement reserves, and a housing allowance to accommodate EMTs who would not reside in Upton full time. The information was provided for discussion purposes only. The consensus of the Council was for EMT Riehemann and Clerk/Treasurer Millar to begin conversations with the Weston County Commissioners regarding the formation of a county-wide rural health district and the possibility of a special election for such a district formation. It was noted that there is draft legislation specific to EMS special districts that could provide for the use of up to 4 mills, where the current rural health district is limited to only 2 mills.

Superintendent Lindstrom gave his report and update on projects.

Clerk/Treasurer Millar gave her report. Mayor Beck gave an update regarding dispatch after attending the City of Newcastle's October 3rd meeting.

Attorney Hughes offered his help with the rural health district.

Mayor Beck will gather dates for a workshop with the Cedar Pines Country Club property owners to make further changes to the covenants. He also gave a brief update on a meeting he and Superintendent Lindstrom had attended with Rare Earth Resources.

There being no further business before the Council, COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED A MOTION to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 7:47 p.m.

Travis Beck, Mayor

Attest: Kelley Millar, Clerk/Treasurer