

Town of Upton  
Regular Town Council Meeting  
June 14, 2022

**THE ANNUAL APPROPRIATIONS HEARING** for the Town of Upton was called to order at 6:46 p.m. on Tuesday, June 14, 2022 at the Upton City Hall located at 725 2<sup>nd</sup> Street in Upton, Wyoming. Mayor Beck opened the hearing asking for public comment regarding the proposed budget for the fiscal year ending June 30, 2023. Staff commented that they had no significant changes to the proposed budget. There was no other public comment. The hearing was closed at 6:47 p.m.

**THE REGULAR MEETING** of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, June 14, 2022, at the Upton City Hall located at 725 2<sup>nd</sup> Street in Upton, Wyoming.

Present: Mayor Travis Beck, Council Members, Joe Watt and Nicholas Trandahl. Council Member Dennis Stirmel joined via ZOOM link. Council Member Justin Norman was absent. Staff present included Attorney Mark Hughes, Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Police Chief Susan Bridge and Fire Chief Mike Hiatt. Public attendance included Rick Rothleutner, Kenny Rathbun with Bearlodge Engineering, Jaye Pickarts with Rare Element Resources, Kade McMillan with the *Weston County Gazette*, Roxanne & Sam Duarte, Tabitha Pierce, & Doyle Bayer all with the Upton Golf Association.

COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the consent agenda including minutes from the May 10, 2022 regular meeting as published, claims paid for June to date and claims paid in May for utilities, payroll and approved grant expenses. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TRANDAHL 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 STIRMEL 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) \$50.00, \$49.00; Reimbursements: \$9.41, \$6.80; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Alpha Communications (tower lease) \$50.00; AT&T Mobility (phones) \$249.24; Bailey Crackel (service) \$195.00; Bearlodge Engineering (service) \$2,950.10; Black Hills Energy (utilities) \$5,470.96, \$705.52; Blue Cross Blue Shield (benefit) \$13,876.75; Cambria Supply (parts) \$110.66; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$9,921.10; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$58.00; Crackel Artworks (service) \$832.00; CW Waste (contract) \$12,528.00; Department of Treasury (taxes) \$10,798.65; Emily Cork (service) \$270.00; EJ Construction & Service (service) \$200.00; Energy Laboratories (samples) \$472.00; Ferguson Enterprises, Inc. (parts, ARPA AMR) \$7,690.42; FirstNet (phones) \$175.28; Fisher Sand & Gravel (supplies) \$485.52; Gillette Steel (parts) \$270.00; Great Western Tire (service) \$228.00; Hughes Law Office (retainer) \$1,600.00; Imperial Pump Solutions, LLC (ARPA Scada) \$1,145.00, \$10,002.56; Iron Creek Services (service) \$462.40; Joe's Food Center (supplies) \$126.96; Postmaster (postage, permit) \$210.00; PRECorp (utility) \$562.36; One Call of WY (locates, dues) \$3.00; Range (phones) \$623.10; Rocky Mountain Print Solutions (supplies) \$180.00; Servall (service) \$88.46; Sundance Extinguisher (service) \$557.50; Top Office Supply (service) \$51.00; Town of Upton (utilities) \$208.35; Upton Co-op (fuel, parts, supplies) \$3,699.97; UVFD (reimburse) \$879.00; Verizon (phone)

\$79.36; Weston County Gazette (publishing) \$392.00; Weston County Clerk (fees) \$24.00; WY Retirement (benefit) \$7,037.11, \$168.75; WYO Services (parts) \$375.00.

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

**SALARIES:** \$32,397.80

**CLAIMS DENIED:** NONE

Jaye Pickarts with Rare Element Resources came before the council to give an update on the company's pilot plant project for processing rare earth elements. Mr. Pickarts included a rough timeline of how the project should progress, stating that they are in the design and permitting process presently. He did assure the council that all of the funding is in place. He looks forward to a great relationship with the Town and community.

Roxanne Duarte came before the council with an update on the needs for the Cedar Pines golf course including a recent report from the Wyoming Department of Agriculture stating that the clubhouse backroom would need to be repaired and upgraded immediately. She gave cost estimates for some of the materials needed, has donated materials lined up for part of the project and noted that the labor would be donated by members of the Association. Ms. Duarte also reported on a severe leak in the middle of fairway #1 that would need to be addressed. She gave cost estimates for equipment needed and noted that the labor would be donated by Sam Duarte and Doyle Bayer. Options for less expensive, more local equipment rentals were discussed and will be researched. The pressure tank for the well servicing the clubhouse had failed as well. Doyle Bayer was able to purchase a new pressure tank and will submit a receipt for reimbursement in the amount of approximately \$346.00. Superintendent Lindstrom will arrange for the tank to be installed. It was noted that a budget request for the upcoming fiscal year of \$8,000.00 from the Association was denied in favor of per occurrence information coming before the council for specific review and approval. The partial request for \$7,000.00 to cover power, property insurance and other internal costs for the golf course was incorporated in the budget for the upcoming fiscal year.

At approximately 7:53 p.m., Mayor Beck opened the budget amendment hearing by asking for public comment on the request to amend the 2021-2022 budget in the following particulars:

Increase the General Fund Budget by \$33,013.00 by budgeting \$22,050.00 from general fund reserves and \$10,963.00 from the ARPA Fund Reserve. The funds will be used to cure end of the year expenditures for city hall building maintenance in the amount of \$2,000.00, convention and meeting expenses in the amount of \$2,500.00, training and education expenses in the amount of \$150.00, dues and fees in the amount of \$4,000.00, street department equipment repairs and maintenance in the amount of \$17,000.00 that are above and beyond anticipated expenditures; and ARPA expenditures in the amount of \$10,963.00 to the total allotment of \$91,575.00 received.

There being no public comment, the hearing was closed at 7:55 p.m.

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED** a motion to approve amending the budget in the above stated particulars. All ayes, **MOTION CARRIED.**

There were no updates for the WYDOT Pathways or Aviation Master Plan projects.

Mayor Beck asked for public comment regarding a design contract with Bearlodge Engineering for the 6<sup>th</sup> Street project. Superintendent Lindstrom explained that this would preliminary work for the project making it possible for a higher score in the upcoming state ARPA granting process. **COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED** a motion to approve the agreement with Bearlodge

Engineering for the design and permitting phase of the 6<sup>th</sup> Street Water & Sewer Project in the amount of \$93,5730.00. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding an updated design contract with Bearlodge Engineering for Phase II of the Pearl Street Project. Superintendent Lindstrom noted that this project was approved for Mineral Royalty Grant funds from the State Lands & Investments Board at the June 2, 2022 meeting and would finish off the sewer replacement on Pearl Street. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the agreement with Bearlodge Engineering for the additional design and permitting work for the Pearl Street Project Phase II in the amount of \$7,500.00. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Resolution No. 7, 2022. Clerk/Treasurer Millar explained that the resolution would increase current retail and restaurant liquor license fees from \$500.00 per year to \$750.00 per year, increase Limited Club Retail licenses to comply with state statute of \$1,500.00, increase Microbrewery and Winery permits from \$300.00 per year to \$500.00, increase 24-hour Catering Permits from \$10.00 per day to \$50.00 per day, and increase 24-hour Malt Beverage Permits from \$10.00 per day to \$25.00 per day. She also noted that the increases were included in the appropriations for the upcoming fiscal year. The effective date of the increases would coincide with the new fiscal year and all other liquor licenses not provided for in the Resolution would be set at the state minimum fee. COUNCIL MEMBER STRIMEL MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve Resolution No. 7, 2022 entitled: A RESOLUTION ESTABLISHING FEES FOR THE ISSUANCE OF ALCHOHOL AND MALT BEVERAGE LICENSES AND PERMITS WITHIN THE TOWN OF UPTON, WYOMING. All ayes, MOTION CARRIED. All resolutions can be viewed in person at City Hall or online at [www.townofupton.com](http://www.townofupton.com).

Mayor Beck asked for public comment regarding Ordinance No. 2, Series 2022 for the annual appropriations of fiscal year ending June 30, 2023. Each Department Head was asked for comment, and all were agreeable to the proposed appropriations. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve on an emergency basis, Ordinance No. 2, Series 2022 entitled: ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2023, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF UPTON, WESTON COUNTY, WYOMING. All ordinances can be viewed in person at City Hall or online at [www.townofupton.com](http://www.townofupton.com). This ordinance will be published in its entirety in the Weston County Gazette.

Mayor Beck opened the discussion regarding UPTON017-Cemetery Plot Policy. The policy was approved in August 2019 and included establishing provisions for perpetual care. It was decided to revisit the issue after gathering more options from surrounding cemeteries and cemetery districts to determine the best path moving forward. It was also noted that the Town operates the Upton Greenwood Cemetery in the capacity of selling lots to individuals, but that once the sale is complete those lots are personal property and are expected to be maintained by the owner(s). It was also shared that access to the Honor Farm inmates has been extremely limited and unavailable to help at the cemetery and the city park.

Chief Bridge gave her report.

Chief Hiatt had been called out at the start of the meeting but had submitted his report for review.

Superintendent Lindstrom gave his report and updated the council on project progress including Willow Street's delay due to material arrival delays.

Clerk/Treasurer Millar gave her report.

Attorney Hughes noted that he had been approached by golfers at a tournament in Sundance about future funding for the Cedar Pines golf course.

There being no further business before the Council, COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED A MOTION to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 8:21 p.m.

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Travis Beck, Mayor

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Attest: Kelley Millar, Clerk/Treasurer