

Town of Upton
Regular Town Council Meeting
November 8, 2022

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, November 8, 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*, Rick Rothleutner, Tiffony Riehemann with the Upton Volunteer Fire Department and Neil Schiller.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the consent agenda which included the minutes from the October 11, 2022 regular meeting as published, claims paid for November to date, and claims paid in October (utility payments, payroll, and approved grant/loan 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/Overpayment (refunds) \$76.00, \$50.00, \$125.00; Reimbursements none; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Arrow Service (fuel) \$269.57; AT&T Mobility (phones) \$206.17; Bailey Crackel (service) \$135.00; Bearlodge Engineering (service) \$130.00; Black Hills Energy (utilities) \$4,767.69, \$235.79; Blue Cross Blue Shield (benefit) \$12,276.74; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$3,930.61; City of Newcastle (dispatch) \$1,686.00; Civic Plus (service) \$300.00; Collins Communications, Inc. (service) \$58.00; Crackel Artworks (service) \$1,247.61; CW Waste (contract) \$13,584.72; Department of Treasury (taxes) \$9,816.22; Emily Cork (service) \$255.00; Energy Laboratories (samples) \$3,692.00; ES Designs (service) \$30.00; FirstNet (utility) \$175.72; Hughes Law Office (retainer) \$1,600.00; McKaylia Stevenson (service) \$90.00; Northwest Pipe Fitting (parts) \$2,444.66; Postmaster (postage) \$224.40; PRECorp (utility) \$532.43; One Call of WY (locates) \$13.50; Range (phones) \$630.07; Ricks Electric (ARPA) \$37,243.97; S&S Parts & Performance (supplies, parts, equipment) \$1,459.44; Servall (service) \$93.46; Top Office Supply (service) \$224.56; Torgerson's (parts) \$212.00; Town of Upton (utilities) \$365.00; Upton Co-op (fuel, parts, supplies) \$2,802.52; UVFD (reimburse) \$9,418.00; Verizon (phone) \$85.37; Weston County Clerk (fee) \$12.00; Weston County Gazette (publishing) \$345.00; WY Office of State Lands (debt service) \$19,389.13; WY Retirement (benefit) \$6,220.00, \$168.75; WYO Services (service) \$5,866.00.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (service) \$20,778.78, \$2,068.76, \$4,770.00 for the Willow Street, Pearl Street Project Phase II and Emergency Lagoon Project; Hot Iron, Inc. (service) \$307,453.04, \$16,181.74, \$149,020.33, \$7,843.18 for the Willow Street and Pearl Street Phase II Project; Inberg-Miller Engineers (service) \$12,337.60; Morrison Maierle Engineers (service) \$35,322.20 for the Airport Master Plan Project. Bearlodge Engineering was paid \$1,040.00 as reported in the October 11, 2022 minutes for the UTAP (Upton Trails and Pathways) Planning Document Project.

SALARIES: \$29,231.59

Unofficial Minutes of the Regular Meeting November 8, 2022

CLAIMS DENIED: NONE

Mayor Beck asked for public comment regarding the Certification of Substantial Complete for the Willow Street Project to include the 5th Street addition and the Pearl Street Project. Both projects were noted to be substantially complete as walk-throughs on October 31, 2022. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the Certifications of Substantial Complete for both projects. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding a budget amendment hearing to be held during the regular meeting on December 13, 2022 at approximately 7:15 p.m. to amend the Fiscal Year 2022-2023 budget in the following particulars:

- a. Increase the Sanitation Fund Budget in the amount of \$8,845.46 by budgeting \$8,845.46 to be received from a rate increase effective 12/1/2022. The monies will be used to cover fuel surcharges incurred due to rising diesel fuel prices. This rate increase is intended to be temporary, if possible, and may sunset only after the garbage haul contractor ceases passing on the fuel surcharge and the entirety of the budget amendment is recaptured. This rate increase will be itemized separately on each utility bill and accounted for in a separate line item.

Clerk/Treasurer Millar explained the proposed rate increase of \$2.5122 per can, per tip, per month that was necessary to ensure that the Sanitation enterprise fund was balanced as per Wyoming State Statute, without depleting reserves. COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve holding the above state hearing. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Resolution No. 11, 2022-Utility Rate Increase for fuel surcharges. The sanitation rate increase was reiterated. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STRIMEL SECONDED a motion to approve the RESOLUTION NO. 11, 2022 entitled-A RESOLUTION OF THE TOWN OF UPTON, WESTON COUNTY, WYOMING ADOPTING UTILITY RATE AMOUNT INCREASES FOR THE FISCAL YEAR 2022-2023. All ayes, MOTION CARRIED. A full version of Resolution No. 11, 2022 will be published in the *Weston County Gazette*, available online at www.townofupton.com or in person at city hall.

Mayor Beck asked for public comment regarding Ordinance No. 3, Series 2022- Repeal CATV 5.08. Clerk/Treasurer Millar explained that the cable TV franchise agreement had been codified into the Upton Municipal Code at some point after passage in 1977 and was now outdated and unnecessary as there are no cable TV providers in the Upton area and the provisions had expired circa 1982. COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the first reading of ORDINANCE NO. 3, SERIES 2022 entitled- AN ORDINANCE REPEALING ORDINANCE NO. 235, SERIES 1977, AS AMENDED BY ORDINANCE NO. 5, SERIES 1998 AND PROVIDING FOR AN EFFECTIVE DATE. All ayes, MOTION CARRIED. The ordinance will have a second reading at the December 13, 2022 regular meeting.

Chief Bridge gave her report noting that Trunk or Treat had been a success and that contacts for October were down but had also been of a more violent nature.

Chief Hiatt gave his report and clarified that Crook County took one call due to the location of the patient.

Superintendent Lindstrom gave his report and shared that the Town of Upton had been awarded \$1,445,000.00 in Water and Sewer ARPA funds from a state pot for the Sixth Street Water and Sewer Replacement Project. He also gave notice that the Water Development office would be finishing up a Level I study for the Town of Upton to be capped off with a public meeting near the end of November or beginning of December depending

on schedules, and that a special meeting will be necessary to award the bid for the Emergency Lagoon Repairs Project. Official notices will be forthcoming for each meeting.

Clerk/Treasurer Millar gave her report. A request to have, not sell, alcohol at two family holiday events at the Upton Community Center was received from Lee and Tammy McCoy. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the events to be held on November 24th, 2022 and December 23rd, 2022 to have, not sell, alcohol at the Upton Community Center. All ayes, MOTION CARRIED.

A brief update regarding the presentation of EMS District options given to the Weston County Commissioners at their November 1, 2022 meeting was discussed.

Mayor Beck will have Country Club Estates property owners suggest dates and times to Clerk/Treasurer Millar for meetings to discuss further amendments to the property covenants.

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 7:26 p.m.

Travis Beck, Mayor

Attest: Kelley Millar, Clerk/Treasurer