

Town of Upton
Regular Town Council Meeting
September 13, 2022

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, September 13, 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 Dublin Hughes of Hughes Law Office filling in for Mark Hughes who was absent, Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Police Chief Susan Bridge, and Fire Chief Mike Hiatt. Public attendance Tiffany and Les Riehemann, and Amy Cook with the Upton Fire Department, Kole Schell with Bearlodge Engineering, and Neil Schiller.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the consent agenda including minutes from the August 9, 2022 regular meeting as published, to pay September claims to date, and to pay claims paid in August 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 WATT MOVED, COUNCIL MEMBER NORMAN 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) \$52.25, \$358.75, \$49.00, \$40.30; Reimbursements NONE; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Alpha Communications (tower lease) \$50.00; APT US&C (dues) \$259.00; Arrow Service (fuel) \$188.89; AT&T Mobility (phones) \$133.85; Bailey Crackel (service) \$150.00; Bearlodge Engineering (service) \$8,320.00; Black Hills Energy (utilities) \$8,787.99, \$148.26; Black Mountain Software (software) \$1,750.00; Blue Cross Blue Shield (benefit) \$12,276.74; Blue360 Media (supplies) \$417.73; Cambria Supply (parts) \$27.90; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$7,422.54; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$58.00; Contractor's Supply (parts) \$103.80; Crook County District Court (garnishment) \$701.33; CW Waste (contract) \$14,809.96; Department of Treasury (taxes) \$10,810.72; Emily Cork (service) \$300.00; Energy Laboratories (samples) \$998.00; Ferguson Enterprises, Inc. (parts-reissue) \$7,690.42, \$2,500.00; Fisher Sand & Gravel (supplies) \$681.89; Good Electric (service) \$350.00; Hughes Law Office (retainer) \$1,600.00; Great Western Tires (parts) \$585.00; Joe's Food Center (supplies) \$74.43; Midwest Pest (service) \$360.00; Northwest Pipefitting(parts) \$99.84; Postmaster (postage) \$225.72; PRECorp (utility) \$843.47; One Call of WY (locates) \$10.50; Range (phones) \$635.91; S & S Parts (parts, supplies) \$1,436.38; Servall (service) \$140.19; Slattery Enterprises (service) \$570.00; Sundance Extinguisher (service) \$315.00; Top Office Supply (service) \$175.45; Team Labs (supplies) \$299.50; Torgerson's (service) \$1,340.00; Town of Upton (utilities) \$365.00; Upton Co-op (fuel, parts, supplies) \$3,874.28; Upton Municipal Court (fine) \$106.00; UVFD (reimburse) \$115.36; Verizon (phone) \$79.51; Weston County Gazette (publishing) \$630.25; WEC (supplies) \$770.40; WY Office of State Lands (debt service) \$7,620.51, \$3,295.68; WY Retirement (benefit) \$6,464.49, \$168.75; Wyoming Signs, LLC (shipping) \$50.23; Wyoming State Treasurer (unclaimed property) \$6.00.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (service) \$2,230.00, \$1,240.00, \$16,737.50; for the Emergency Lagoon Repair, Willow Street and Pearl Street Phase Project Phase II.

SALARIES: \$31,215.02

CLAIMS DENIED: NONE

Mayor Beck noted the Proclamation declaring September 11, 2022 Patriot Day and John Strong Day in remembrance of the tragedies of September 11, 2001 and the service of Fire Chief John Strong.

There was no Golf Association report.

Clerk/Treasurer Millar gave an update on the WYDOT Pathways Master Plan. WYDOT is in the process of approving rates for Bearlodge Engineering and will send that approval when complete.

Clerk/Treasurer Millar had also gotten word that the WYDOT Aviation Master Plan was ready for presentation, which will be at a later meeting.

Mayor Beck explained the proposed update to the Country Club Estates covenants, noting that currently there is not a clause that addresses amendments or modifications to the covenants. The proposed language to be added to the current covenant document read as follows:

X
AMENDMENTS TO COVENANTS

This section shall serve as the provision allowing for these covenants to be modified or amended by a positive vote of the majority property owners.

Further changes included the renumbering the existing section X to XI and the existing section XI to XII. Attorney Dublin Hughes saw no issues with the proposed language. There being no further public comment, COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to add the above state provision and renumber the covenants accordingly. All ayes, MOTION CARRIED. The Town of Upton is the current majority property owner and will have the approved amended covenants recorded.

Mayor Beck asked for public comment regarding the agreement for construction services with Hot Iron, Inc. for the Pearl Street Phase II project in the amount of \$302,367.15. There being none, COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the mayor's signature on the agreement. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Change Order No. 1 from Hot Iron, Inc. for the Willow Street project for an increase to the project in the amount of \$33,902.85. The change order includes additional drainage being added to the project to alleviate issues causing the east side curbs to buckle and curing a long-standing drainage issue. There being no further public comment, COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve Change Order No. 1 from Hot Iron, Inc. for the Willow Street project for an increase in the project in the amount of \$33,902.85. All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding the agreement for planning services with Bearlodge Engineering for the WYDOT Pathways Master Plan project. Clerk/Treasurer Millar noted that an approval would be contingent upon WYDOT's review. There being no further public comment, COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the agreement contingent upon WYDOT's review and approval of rates. All ayes, MOTION CARRIED.

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Mayor Beck asked for public comment regarding the agreement for material testing services with Inberg-Miller for the Pearl Street Phase II project in the estimated amount of \$2,690.00. There being no further comment, COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the agreement. All ayes, MOTION CARRIED.

Chief Bridge gave her report and noted that the department has been arresting on several old warrants issued by the new justice.

Chief Hiatt gave his report and advised the council that he would likely be retiring in December. Tiffany and Les Riehemann were on hand to explain some options to be explored for staffing and maintaining the ambulance service the Upton Volunteer Fire Department provides. Tiffany and Clerk/Treasurer Millar have been working on some realistic numbers for a proposed budget to start and will hopefully have something to look at for the October meeting. Some ideas proposed, regardless of the financial information, were an EMS or Rural Health District, hiring a private ambulance company and contracting the services, as well as attempting to fund and staff the ambulance municipally.

Superintendent Lindstrom gave his report with updates on current and future projects.

Clerk/Treasurer Millar gave her report. She had received an engagement letter from ClingerHagerman to perform the Town's annual audit. One of the partners had worked on previous audits and Clerk/Treasurer Millar is comfortable with using the new firm for the FYE 2022 audit. COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the engagement of ClingerHagerman for the FYE 2022 in the amount of \$14,450.00. All ayes, MOTION CARRIED.

Mayor Beck updated the council on the dispatch meeting held on September 13th in the Homeland Security Office between the Town of Upton, Weston County and the City of Newcastle, as well as the Weston County Fire Protection District. He also added that representatives from the Town would be in attendance at the October 3, 2022 meeting of the Newcastle City Council for further discussion.

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 7:42 p.m.

Travis Beck, Mayor

Attest: Kelley Millar, Clerk/Treasurer