

Town of Upton
Regular Town Council Meeting
August 8, 2023

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, August 8, 2023, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Nicholas Trandahl, Council Members Rick Rothleutner, Justin Norman and Tiffany McMillan. Council Member Joe Watt was absent. Staff present included Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Attorney Mark Hughes, Police Chief Susan Bridge and Fire Chief Les Riehemann. Public attendance included Lisa LeVasseur with the *Weston County Gazette*, Delane Haynes, and Taunya Offdenkamp.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the consent agenda which included the minutes from the July 11, 2023 regular meeting as published, claims paid for August to date, and claims paid in July (utility payments, payroll, approved grant/loan expenses). All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the claims for the Upton CoOp and the Weston County Gazette with Council Member Watt and Mayor Nicholas Trandahl recused due to a conflict of interest. All ayes. MOTION CARRIED.

CLAIMS PAID:

Deposit/Overpayment (refunds) \$150.00, \$125.00, \$111.09, \$105.33; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Alpha Communications (service) \$50.00; Arrow Services (fuel) \$53.94; AT&T Mobility (utilities) \$205.87; Bailey Crackel (service) \$330.00; Black Hills Energy (utilities) \$5,269.03, \$159.34; Blue Cross Blue Shield (benefit) \$11,010.66; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$10,036.50; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$58.00; Crook County District Court (garnishment) \$793.90; CW Waste (contract) \$14,312.60; Department of Treasury (taxes) \$228.35, \$11,052.15, \$990.40, \$25.50; Emily Cork (service) \$292.50; Energy Labs (testing) \$341.00; Engineering Associates (service) \$649.65, \$2,826.92, \$2,871.22; Fisher Sand & Gravel (supplies) \$926.81; Hughes Law Office (retainer) \$1,600.00; IIMC (dues) \$185.00; Joe's (supplies) \$140.90; Kustom Signals, Inc. (equipment) \$9,250.00; Newman Traffic Signs (signs) \$91.41; Northwest Pipefitting, (supplies) \$13,224.77; One Call of WY (locates) \$17.25; Postmaster (postage) \$264.69; PRECorp (utility) \$738.25; Range (phones) \$630.62; S & S Parts and Performance (service, parts) \$13.29; Servall (service) \$94.16; Summit Plumbing & Heating, LLC (service) \$450.00; Sundance Extinguisher (service) \$518.50 Office Supply (service, supplies) \$51.00; Town of Upton (utilities) \$377.55; Upton Co-op (fuel, parts, supplies) \$3,005.47; UVFD (reimbursement) \$1,768.44, \$1,00.94; Verizon (phone) \$79.90; Weston County Gazette (publishing) \$591.50; Weston County Children's Center (contribution) \$3,000.00; Weston County Clerk (fees) \$36.00, \$12.00; Weston County Humane Society (contribution) \$1,200.00; Weston County Senior Services (contribution) \$3,000.00; WAM-WCCA (debt) \$231.88; Wyoming Earthmoving Co. (service) \$1,344.15; Wyoming Network, Inc. (fee) \$300.00; WY OSLI (debt) \$778.66, \$2,724.18; WY Retirement (benefit) \$6,636.18, \$168.75; WY Secretary of State (fee) \$60.00.

The following invoices will be paid from grant and/or loan funds when received: Engineering Associates (service) \$1,074.65, \$26,921.90, \$16,977.39, \$1,174.65, \$99.27 for the Pearl Street Project, 6th Street Project, Willow Street Project, Pathways Project; Hot Iron, Inc. (service) \$8,051.28, \$152,974.26 for the 6th Street Project; Wyoming Earthmoving Co. (service) \$5,017.66, \$96,361.44 for the Emergency Lagoon Project.

SALARIES: \$35,264.19

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CLAIMS DENIED: NONE

Council Member McMillan shared the Upton Golf Association's financial statement and noted that the scheduled triathlon had been cancelled due to weather and course conditions.

Delane Haynes presented information regarding allowing the use of muffled engine compression braking within the city limits of Upton. The issue will be further discussed at a future meeting.

At approximately 7:30 p.m., Mayor Trandahl opened a budget amendment hearing. Clerk/Treasurer Millar requested a small change in the total amount of the amendment to include final charges from the garbage haul contractor for the cardboard compactor and landfill roll-offs for a total increase of \$1,586.00 to the published amount in the Landfill/Sanitation Fund Budget. There being no further public comment, the hearing was closed at 7:37 p.m.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve amending the FYE 2023 budget in the following particulars:

Increase the General Fund Budget by \$3,019.81 by budgeting \$3,019.81 from General Fund Cash Reserves. The monies will be used for overages in the General Government salaries in the amount of \$2,739.77 and Council salaries in the amount of \$280.04.

Increase the Sanitation & Landfill Fund Budget by \$9,670.12 by budgeting \$9,670.12 from the Sanitation and Landfill Cash Reserves. The monies will be used for overages in Contract-Garbage Hauling in the amount of \$7,892.50 for garbage haul, \$700.00 for roll off tips and \$976.00 for cardboard tips, and Landfill salaries in the amount of \$101.62.

All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Resolution No 20, 2023 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD FOR A LOAN THROUGH THE STATE REVOLVING FUND ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF UPTON for the Clean Water SRF program for the Town of Upton Water, Sewer and Stormwater Replacements in an amount up to \$4,120,000.00. Superintendent Lindstrom explained that with only eight big replacement projects left in the Town's Capital Improvement Plan, it made sense to submit one application with the remaining projects in a phased approach. All ayes, MOTION CARRIED. Copies of the resolution are available in person at City Hall or online at www.townofupton.com.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve Resolution No 21, 2023 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD FOR A LOAN THROUGH THE STATE REVOLVING FUND ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF UPTON for the Drinking Water SRF program for the Town of Upton Water, Sewer and Stormwater Replacements in an amount up to \$5,130,000.00. This is the drinking water portion of the above referenced remaining projects in the Town's CIP. All ayes, MOTION CARRIED. Copies of the resolution are available in person at City Hall or online at www.townofupton.com.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve Resolution No 22, 2023 entitled: A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE WYOMING GOVERNOR'S MATCHING FUNDS PROGRAM FROM
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INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) in an amount up to \$3,082,250.00. This is the matching portion for the above referenced remaining projects in the Town's CIP. All ayes, MOTION CARRIED. Copies of the resolution are available in person at City Hall or online at www.townofupton.com.

Discussion regarding the three resolutions above included concerns over how much the loan portions of project funding would affect water and sewer rates. Clerk/Treasurer Millar explained that the calculations were for worst case scenario and that the effect was residential water rates potentially increasing from \$19.00 per month base rate to \$25.00 per month base rate over the next five years, with incremental increases continuing to be sure the enterprise fund was self-sustaining; and residential sewer rates potentially increasing from \$24.00 per month to \$30.00 per month over the same period, also with continued incremental increases to ensure self-sustainability in the fund. Taunya Offdenkamp expressed concerns for those on a fixed income being able to afford increased utility bills. Clerk/Treasurer Millar further explained that debt service in early calculations would increase rates, but that all measures to mitigate steep increases had been and would be considered before moving forward with any projects. Superintendent Lindstrom also offered that with any principal forgiveness or other grant versus loan funding opportunities, the need for loans could be reduced as well. Mayor Trandahl reiterated that all measures to mitigate utility rates would be considered before moving forward.

COUNCIL MEMBER NORMAN MOVED, COUNCIL ROTHLEUTNER SECONDED a motion to approve updating Resolution No 11, 2023-DWSRF Loan Application and No 12, 2023-CWSRF Loan Application for the Colorado Avenue project to the corrected amounts of \$388,682.00 and \$ 206,250.00, respectively. Initial resolutions passed were for the full amount of the project without matching funds. All ayes, MOTION CARRIED. Copies of the resolutions are available in person at City Hall or online at www.townofupton.com.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Water Tap Fees 2023-2 to increase water tap fees. All ayes, MOTION CARRIED. A copy of the fee increase is available in person at City Hall or online at www.townofupton.com.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve changes to UPTON 028-Accounts Payable Policy to include " or his/her designee" after Mayor and after Clerk/Treasurer in Section 4.5. All ayes, MOTION CARRIED.

No changes were made to UPTON 020-Grant and Loan Application Policy.

Chief Bridge gave her report. She was asked about some emailed complaints received. She noted that the radar trailer had been ordered and would be here sometime in September or October.

Fire Chief Riehemann gave his report and noted some new members joining the department. He also let the council know that there is a high likelihood of Upton having no EMTs after December 2023.

Superintendent Lindstrom gave his report.

Clerk/Treasurer Millar gave her report.

Attorney Hughes commented on protections from referenced litigation in earlier discussions regarding engine brakes.

There being no further business before the Council, COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED A MOTION to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 8:44 p.m.

Nicholas Trandahl, Mayor

Attest: Kelley Millar, Clerk/Treasurer