

Town of Upton
Regular Town Council Meeting
September 12, 2023

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, September 12, 2023, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Nicholas Trandahl, Council Members Joe Watt, Rick Rothleutner and Justin Norman. Council Member Tiffany McMillan 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 Brittany Trandahl with the *Weston County Gazette*, Lori Materi with the Upton Airport Board, Kenny Rathbun with Engineering Associates, Delane and Tracie Haynes, Kyle and Jennifer Hamilton, Joey Danens, Neil Schiller, Dennis Stirmel, Harland Allen, Jeremiah and Sarah Tinker and Patrick Sheldon.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the consent agenda which included the minutes from the August 8, 2023 regular meeting as published, claims paid for September to date, and claims paid in August (utility payments, payroll, approved grant/loan expenses). Council Member Rothleutner asked for the voucher from the Upton Volunteer Fire Department to be removed from the consent agenda pending more information on charges. All ayes, MOTION CARRIED.

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

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

CLAIMS PAID:

Deposit/Overpayment (refunds) \$150.00, \$125.00, \$85.00, \$125.00; Reimbursements: N Trandahl (fuel) \$127.36; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Alpha Communications (service) \$50.00; Arrow Services (fuel) \$112.86; APT US & C (dues) \$259.00; AT&T Mobility (utilities) \$205.87; Bailey Crackel (service) \$390.00; Black Hills Energy (utilities) \$6,352.20, \$149.11; Blue Cross Blue Shield (benefit) \$10,308.84; Cambria Supply (supplies) \$37.42; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$10,046.34; City of Newcastle (dispatch) \$1,686.00; CivicPlus (service) \$300.00; ClingerHagerman (audit) \$10,000.00; Collins Communications, Inc. (service) \$58.00; CW Waste (contract) \$14,333.72; Dana Kepner Co. (supplies) \$2,354.94; Department of Treasury (taxes) \$10,576.55; Emily Cork (service) \$300.00; Energy Labs (testing) \$1,352.00; Engineering Associates (service) \$50.00, \$560.00, \$165.00, \$6,274.93, \$2,415.00; Ferguson Enterprises (service) \$2,018.76; Hughes Law Office (retainer) \$1,600.00; Joe's (supplies) \$14.99; McKaylia Stevenson (service) \$60.00; Northwest Pipefitting, (supplies) \$231.96; Novus Auto Glass (service) \$620.00; Omega Computers (service) \$60.00; One Call of WY (locates) \$10.50; Postmaster (postage) \$261.12; PRECorp (utility) \$601.12; Reiniger Custom Services (service) \$337.50; Rocky Mountain Print Solutions (supplies) \$182.00; S & S Parts and Performance (service, parts) \$913.56; Servall (service) \$140.19; Sundance Extinguisher (service) \$455.50; Top Office Supply (service, supplies) \$5,742.45; Town of Upton (utilities) \$422.55; Upton Co-op (fuel, parts, supplies) \$4,176.84; Van Diest Supply (supplies) \$636.75; Verizon (phone) \$98.16; Weston County Gazette (publishing) \$745.50; Weston County Clerk (fees) \$12.00, \$12.00; WY OSLI (debt) \$7,620.51, \$821.96, \$600.73, \$1,872.99, \$1,081.98, \$4,151.78, \$26,901.80; WY Retirement (benefit) \$7,294.10, \$168.75.

The following invoices will be paid from grant and/or loan funds when received: Engineering Associates (service) \$35,867.31, \$34,786.57 for the Pearl Street Project, 6th Street Project; Hot Iron, Inc. (service) \$20,383.13, \$387,279.39 for the 6th Street Project; Wyoming Earthmoving Co. (service) \$8,438.85, \$444.15 for the Emergency Lagoon Project.

SALARIES: \$35,071.65

CLAIMS DENIED: UVFD (reimbursement) \$541.58 due to questions about a charge. This claim will be revisited at the October meeting.

Mayor Trandahl read a proclamation in remembrance of John Strong Day and Patriot Day.

Dennis Stirmel addressed the council regarding a parking warning he received for an overweight truck parked on a paved city street. He asked if other tickets or warnings had been written, shared where he routinely parks his trailer and stated the conditions of First Street were not good. He would be willing to have a permitting process in order to park his truck at his home. Chief Bridge shared with the council that the municipal judge had proposed the option of suspending the current ordinance in question (*Ord. 5-1988 §149, 1988: Ord. 288 §1, 1983*) until the replacement ordinance in progress passed the required three readings.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the suspension of Ord. 5-1988 §149, 1988: Ord. 288 §1, 1983, pending the passage of a replacement ordinance. All ayes, MOTION CARRIED.

The Upton Golf Association submitted a profit & loss statement prior to the meeting.

Lori Materi updated the council on the Wyoming Aeronautics Capital Improvement Plan (WACIP) progress for Upton and briefly reviewed two of the projects on the short-term list and the collaboration efforts with other smaller Wyoming airports. She advised the council that she would recommend moving up the option for the Town to own the entirety of the property, currently owned by the US Forrest Service, where most of the runway is located. This type of project is something WYDOT Aviation could provide funding for and suggested at a WACIP update in August. The council agreed to Ms. Materi's recommendation. She also encouraged members of the council to attend the WYDOT Commissioner's meeting in Gillette on Friday, September 29, 2023.

Several citizens spoke about the use of engine compression brakes and possible changes to the current ordinance prohibiting the use inside city limits.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Change Order No. 3 from Wyoming Earthmoving Company for the Emergency Lagoon Project in the amount of \$33,541,67, increasing the total contract price to \$375,620.95 for extra work necessary to complete the project. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the review of the Weston County Emergency Operations Plan with minor grammatical and logistics corrections made. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Change Order No. 1 from Hot Iron, Inc. for the 6th Street Project in the amount of \$520,661.75 to continue work down Cedar Street and include a line repair between Division Street and 6th Street due to surplus monies from the original project bringing the total contract amount to \$1,422,987.01 and adding 48 days to the original contract. All ayes, MOTION CARRIED.

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COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve Change Order No. 2 from Hot Iron, Inc. in the amount of \$6,007.91 for items not included in the original bid but installed by the contractor. Because the amount will be paid from the Force Account there is no change to the original contract price and no additional days added to the original contract for this work. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve Change Order No. 1 from Engineering Associates in the amount of \$80,000.00 to continue work down Cedar Street and include a line repair between Division Street and 6th Street due to surplus monies from the original project bringing the total contract amount to \$212,011.00. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the apparent low bidder for the Highway 16 Water Crossing Project, Hot Iron, Inc. whose bid was \$204,068.71, as recommended by Kenny Rathbun from Engineering Associates. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve allocating the Wyoming Community Gas Contribution funds in the amount of \$4,091.34 to improvement and updates at the Upton Community Center to include painting, a mural, and possibly more tables and chairs. All ayes. MOTION CARRIED.

The workshop regarding covenants for the Country Club Estates is scheduled for Tuesday, October 10, 2023 at 6:00 p.m.

Chief Bridge gave her report.

Chief Riehemann gave his report.

Superintendent Lindstrom gave his report.

Clerk/Treasurer Millar gave her report. She noted a late special event permit request from Weston County School District #7 had been received and did not meet the requirements specified on the permit as neither the Fire or Police Chief had been contacted and the county fire ban was still in effect. COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the permit pending approval from Fire Chief Riehemann and Police Chief Bridge. All ayes, MOTION CARRIED. Further education and information will be provided for the applicant for future requests.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve a recommended correction to Resolution No. 11 and Resolution No. 12, 2023 for the Drinking and Clean Water State Revolving Fund loan applications to match the resolution amounts to the application amounts, as per the Office of State Lands request. Resolution No. 11 is reduced by \$24,293 to \$364,389 and Resolution No. 12 remains at \$206,250.00. All ayes, MOTION CARRIED. Resolution No. 20 and Resolution No. 21 for the Big Water and Big Sewer SRF applications will remain unchanged, however, the applications will be updated to reflect the resolution amounts.

There being no further business before the Council, COUNCIL MEMBER WATT 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