

Town of Upton
Regular Town Council Meeting
March 12, 2024

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, March 12, 2024, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Nicholas Trandahl, Council Members Tiffany McMillan, Rick Rothleutner, and Justin Norman. Council Member Joe Watt was absent. Staff present included Clerk/Treasurer Kelley Millar, Foreman Amber Ryan, Police Chief Susan Bridge, Fire Chief Les Riehemann and Attorney Mark Hughes. Public attendance included Lisa LeVasseur with the *Weston County Gazette*, Georgina Ashby-Ravine, Martin Ravine, Tiffony Riehemann, Amy Cook, Kenny Rathbun with Engineering Associates, Shane Kirsch with Campbell County Health, Crystal Canfield with the Upton Golf Association.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the consent agenda which included the minutes from the February 13, 2024 regular meeting as published, claims paid for March to date, and claims paid in February (utility payments, payroll, approved grant/loan expenses). All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the claim for the Upton Co-op and the Weston County Gazette with Mayor Trandahl recused due to a conflict of interest. All ayes. MOTION CARRIED.

CLAIMS PAID:

Deposit/Overpayment (refunds) \$0.00; Reimbursements: \$10.00; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; ACED (service) \$576.00; Arrow (fuel) \$79.48; Axon Enterprise (service agreement) \$3,513.76; Bailey Crackel (service) \$240.00; Black Hills Energy (utilities) \$5,399.41, \$1,909.77; Blue Cross Blue Shield (benefit) \$12,414.03; Casper Star Tribune (ad) \$488.68; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$10,111.80; Collins Communications, Inc. (service) \$58.00; CR Electric (service) \$235.30; CW Waste (contract) \$13,461.75; Dana Kepner Co (parts) \$1,634.30; Department of Treasury (taxes) \$10,817.44; Emily Cork (service) \$285.00; Engineering Associates (service) \$868.14, \$2,420.07, \$7,600.00, \$400.00; Energy Labs (testing) \$66.00; Good Electric (service) \$13,750.00; Gillette Steel (parts) \$139.00; Hughes Law Office (retainer) \$1,600.00; Joe's (supplies) \$319.94; Kyle Studie (service) \$385.00; LGLP (premium) \$6,534.00, \$600.00, \$600.00; \$600.00; Midwest Assistance (fee) \$485.00; News Letter Journal (ad) \$675.00; Omega (service) \$45.00; Newcastle Ace Hardware (parts) \$898.98; Northwest Pipefitting (parts) \$282.46; One Call of WY (locates) \$6.00; Postmaster (postage) \$266.06; PRECorp (utility) \$703.68; Railroad Mgmt Co. (fee) \$379.14; Range (utilities) \$633.11; Servall (service) \$103.48; Sundance Extinguisher (service) \$501.50; TeamLab (supplies) \$859.50; Top Office Supply (service) \$149.97; Town of Upton (utilities) \$327.49; Upton Co-op (fuel, parts, supplies) \$4,153.61; UVFD (supplies, equipment, utilities, reimbursement) \$2,659.83; Verizon (phone) \$75.07; WARWS (training) \$790.00; WC Combined Dispatch JPB (dispatch) \$8,915.83; Weston County Gazette (publishing) \$825.00; WY Retirement (benefit) \$6,698.09, \$168.75.

The following invoices will be paid from grant and/or loan funds when received: Engineering Associates (service) \$4,885.61, \$5,410.00 for the Montana Avenue Project and Colorado Avenue projects.

SALARIES: \$33,201.47

CLAIMS DENIED: NONE

Unofficial Minutes of the Regular Meeting March 12, 2024

Mr. Rathbun with EA presented a report for the WYDOT Pathways Planning Study along with maps and a suggested project priority list. He will provide an additional map with the options consolidated for review as well.

Members of the Upton Volunteer Fire Department presented updated information regarding EMS classes to be offered in Upton and included a sign-up sheet from a recent recruitment event of people interested in participating in the class and with the Department. Class size would be limited to 12, with a minimum of 6, and only those with valid Upton residential address (to include those living within the radius as set forth by the UVFD bylaws) would be eligible to have the class paid for by the Town. Total cost per student is estimated at \$925.00 with a class of 12. Other classes in the Moorcroft and Gillette area are being offered for between \$950.00 and \$1,300.00 per student. Ms. Ashby-Ravine would like to start the first class in mid-April or May so as to be finished up before the holidays. Prospective students should inquire with the UVFD for more information on the class and requirements to participate.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the management agreement, as is, for the Upton Golf Course in the fiscal year ending June 30, 2025. Crystal Canfield with the Upton Golf Association came before the council to request that the management agreement be renewed as is and additionally requested the Town continue paying the electric bills. She also asked if the Town could spray for mosquitos at least twice per season at the course. Foreman Ryan will follow up with Superintendent Lindstrom in regard to the spraying and the Association's budget request will be reviewed during upcoming workshops. All ayes, MOTION CARRIED. Council Member McMillan recused herself from the vote due to a conflict of interest and will remain the council liaison to the Upton Golf Association Board.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve the Upton Gun Club's request to SELL alcohol at the Upton Community Center on April 6th, 2024 for the Upton Gun Club Banquet with Irontown Tavern as the licensee. All ayes, MOTION CARRIED. Council Member Rothleutner recused himself from the vote due to a conflict of interest.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLUETNER SECONDED a motion to approve the construction agreement with Engineering Associates for the Montana Avenue project in an amount not to exceed \$55,657.00. Attorney Hughes made the council aware of the limited liability provision in the contract where EA would only be responsible for any amount up to their contract amount and that resolution to conflicts would require mediation steps before litigation. All ayes, MOTION CARRIED.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve the bid recommendation from EA to award the Montana Avenue project to Timberline Services in the amount of \$390,965.25 and with a friendly amendment, to further approve the Mayor's signature on finalized contract documents for the project due to perceived timing issues that may affect the funding source and contingent upon receipt of the proper and valid required documents and bond being in place. Attorney Hughes raised a question regarding retainage. Mr. Rathbun stated that all contracts would follow state statute for retainage provisions. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Clerk/Treasurer Millar as the Town of Upton Voting Delegate for the Summer WAM Convention with Superintendent Lindstrom as a back-up. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve the staff and committee recommendation to select Engineering Associates as the engineering firm for design and permitting for a three-phase water and sewer project, contingent upon agreeable terms and

conditions to include progress milestones. Clerk/Treasurer Millar presented the information from the selection committee. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar presented a request for property to be put up for bids in the Bobcat Subdivision along with the 2021 Appraisal Report for the lots. Staff recommended a minimum price per square foot based on the appraisal of \$1.60/sq. ft. Lot 1 in Block 2 of the Bobcat Subdivision of the Ellis Subdivision of the Cordingly Addition will be advertised for bid as required. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve a change of request from the Upton Chamber of Commerce to HAVE, not sell alcohol at the Festival of Tables in the Upton Community Center on Saturday, March 16, 2024. All ayes, MOTION CARRIED.

Chief Bridge gave her report and updated the council on the progress of the dispatch switchover that is causing some reporting issues. She has also been able to meet with businesses in the industrial park to vet their needs as more businesses come online in the area.

Chief Riehemann gave his report.

Foreman Ryan gave the public works report.

Clerk/Treasurer Millar gave her report. The regular meeting for April was rescheduled from April 9th to April 16th due to staff scheduling conflicts. A budget workshop was scheduled for May 14th after the regular meeting adjourns. The council gave consensus to submit staff recommendations for the WAM-JPIC Board of Director elections. A brief legislative update was given.

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 8:58 p.m.

Nicholas Trandahl, Mayor

Attest: Kelley Millar, Clerk/Treasurer