

Town of Upton
Regular Town Council Meeting
April 14, 2026

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, April 14, 2026 at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Council Members Justin Norman, Rick Rothleutner and Joe Watt. Mayor Trandahl and Council Member Tiffany McMillan were absent. Vice Mayor Norman led the meeting. Council Staff present included Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Chief Brian Meals, Chief Les Riehemann, Assistant Fire Chief Ty Kennedy, EMS Supervisor Tiffany Riehemann and Attorney Mark Hughes. Public attendance included Jack Elberson and Dan E Hart with Jack'd Up Trucks, Glen Wise and a guest, Gene Oswood with East Summit Construction, Joe Messner with Engineering Associates, Rick Donner, Dolores Donner, Gloria Knapp and Scott Evans with ITT Services, dba Irontown Tavern, Mandy Kirk and guest, Lynette Armijo and guests, and John Marshall.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the consent agenda which included the minutes from the March 10, 2026 regular meeting minutes as published, claims paid for April to date, and claims paid in March (utility payments, payroll, and approved grant/loan expenses). All ayes, MOTION CARRIED.

By rule of necessity, COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the claims for the Weston County Gazette and the Upton CoOp. All ayes, MOTION CARRIED.

CLAIMS PAID:

Deposit/Overpayment (refunds) \$48.00, \$46.00, \$125.00; Reimbursements: \$365.32, \$19.89; Advanced Communications (lease) \$244.00, \$244.00; Arrow Service (fuel) \$476.23; Bailey Crackel (service) \$345.00; Black Hills Energy (utility) \$880.44, \$1,295.57, \$5,606.17; Blakeman Propane (fuel) \$57.10; Blue Cross Blue Shield (benefit) \$10,972.20; Bound Tree (supplies) \$73.12; Cambria Supply (parts) \$129.02; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$6,356.07; Collins Communications, Inc. (service) \$58.00; Combined Communications JPB (dispatch) \$8,915.53; Core & Main (parts) \$141.96; Custom Auto & Truck (service) \$80.00; CW Waste (service) \$12,696.00; Dearborn (benefit) \$89.16; Department of Treasury (taxes) \$10,684.11; Department of Workforce Services (benefits) \$167.99, \$4,425.06; Energy Labs (testing) \$76.00; Gillette Steel (parts) \$282.50; Good Electric (service) \$5,448.18; Hawkins (supplies) \$2,561.50; Hughes Law Office (retainer) \$1,600.00; Joe's Food Center (supplies) \$148.87; June Shell (service) \$142.50; Kustom Signals (parts) \$415.00; LGLP (liability insurance) \$600.00, \$1,200.00, \$5,075.00; LinkTech (service) \$539.96; Matheson Trigas, Inc. (supplies) \$135.92; Norco, Inc. (supplies) \$134.56; Northwest Pipefitting (parts) \$1m958.64; One Call of WY (locates) \$25.20, \$7.35; Pacific Steel (materials) \$105.13; Postmaster (postage) \$298.90; PRECorp (utilities) \$585.10; Range (utilities) \$627.41; Servall (service) \$128.84; Team Labs (supplies) \$2,740.50; The Radar Shop (service) \$273.00; Thunder Basin Ford (parts) \$2,552.68; Top Office Supply (service) \$186.61; Town of Upton (utilities) \$352.00; Upton Chamber of Commerce (employee appreciation) \$1,200.00; Upton Co-op (fuel, parts, supplies) \$2,634.83; Upton Municipal (transfer) \$90.00; Upton Arena Club (distribution) \$3,000.00; Verizon (phone) \$81.35; Weston County Clerk (fee) \$12.00; Weston County Gazette (publishing) \$379.45; Weston County Senior Services (contribution) \$3,000.00; Wyoming Apparatus (service) \$450.00; WY Retirement (benefit) \$7,272.48, \$281.25.

The following invoices will be paid from grant and/or loan funds when received: Dan Hart Patrol Services (service) \$20,638.00; Engineering Associates (service) \$251.22, \$10,307.32, \$39,570.49, \$5,185.92,

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\$15,273.54, \$14,166.70 for the North Pine Transmission Project, Phase 1.1 Whitetail/Redwood, Phase 1.2 Birch/Juniper, Phase 2.2 Wyoming/Montana.

SALARIES: \$37,176.19

CLAIMS DENIED: NONE

Vice Mayor Norman read the following Proclamations by title:

- National Child Abuse Prevention Month, April 2026
- National Public Safety Telecommunications Week, April 12-18, 2026
- National Travel & Tourism Week, May 3-9, 2026
- National Economic Development Week, May 4-8, 2026
- Earth Day, April 22, 2026
- Arbor Day, April 24, 2026
- Municipal Clerk's Week, May 3-9, 2026
- National Police Week, May 10-16, 2026 and Peace Officers Memorial Day May 15, 2026
- National Public Works Week, May 17-23, 2026
- National EMS Week, May 17-23, 2026 and Firefighter's Day, May 4, 2026

Clerk/Treasurer Millar updated the council regarding the renewal of a liquor license where requirements were not satisfied before the license expired on March 31, 2026. The documentation required had been received on the afternoon of April 1, 2026. Clerk/Treasurer Millar noted that she had spoken at length with the Wyoming Liquor Division and Attorney Hughes over the previous weeks and recommended renewal of the license to ITT Services, dba Irontown Tavern with the provision of a probationary period of two-years where the licensee shall not violate any federal, state or local laws. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the renewal with the probation provision for two years. All ayes, MOTION CARRIED.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the first reading of Ordinance No. 1, Series 2026 entitled: ANNUAL APPROPRIATIONS ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2027. All ayes, MOTION CARRIED.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve advertising to hold a budget amendment hearing in the following particulars:

- a. Increase the Sewer Fund budget by \$87,728.10 by budgeting \$87,720.10 from Sewer Fund Debt Reserves. The funds will be used to retire debt from CWSRF #190-Willow Street Project in the amount of \$87,172.59 principal and approximately \$555.51 interest.

This matter will be acted upon at approximately 7:35 p.m. during the regular meeting on Tuesday, May 12, 2026.

All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve advertising to hold a budget amendment hearing in the following particulars:

- a. Increase the General Fund budget by \$179,462.00 by budgeting \$179,462.00 from General Fund Cash Reserves. The funds will be used for a portion of the paving on the Colorado Avenue project not anticipated during the original project scope.
- b. Increase the Water Fund budget by \$115,846.49 by budgeting \$115,846.49 from Capital Construction Water Fund Cash Reserves. The funds will be used to complete payment for non-SRF eligible water items on the Colorado Avenue project.

- c. Increase the Sewer Fund budget by \$65,163.65 by budgeting \$65,163.65 from Capital Construction Sewer Fund Cash Reserves. The funds will be used to complete payment for non-SRF eligible items on the Colorado Avenue project.

This matter will be acted upon at approximately 7:30 p.m. during the regular meeting on Tuesday, May 12, 2026.

All ayes, MOTION CARRIED.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve renewal of the lease agreement between the Upton Senior Center Board and the Town of Upton for use of the Upton Senior Center for a period beginning July 1, 2026 and ending June 30, 2028. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the first reading of Ordinance No. 3, Series 2026 entitled: AN ORDINANCE GRANT A NONEXCLUSIVE FRANCHISE TO POWDER RIVER ENERGY CORPORATION TO CONSTRUCT, ACQUIRE, OPERATE AND MAINTAIN AN ELECTRIC SYSTEM IN THE TOWN OF UPTON, WYOMING AND THE FURNISH ELECTRICITY TO THE TOWN AND THE INHABITANTS THEREOF, AND TO USE THE STREETS, ROADS, ALLEYS AND OTHER PUBLIC PLACES WITHIN THE TOWN ; LENGTH OF THE FRANCHISE; FRANCHISE FEE; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. The original term proposed was five years and is amenable to a term of ten years for this ordinance. All ayes, MOTION CARRIED.

Glen Wise came before the council to inquire about purchasing lots to building housing units. Mr. Wise presented his plan to the council and asked that the following lots be priced and advertised for sale under economic development: housing as per WS 15-1-112(b)(i)(D) to be developed into single family homes.

Lots 2, 3, & 4 in Block 9

Lots 2,3,4,6,7 & 8 in Block 10

Lots 2,3,4,6,7 & 8 in Block 11

Lots 3,4,5,6,7 & 8 in Block 12

Lots 5,6,7 & 8 in Block 19

Lots 1,2,3,4,5,6,7 & 8 in Block 22

Lots 1 & 2 in Block 25

Lots 1,2,3,4,5,6,7 & 8 in Block 26

Lots 1,2,3,4,5,6,7 & 8 in Block 27

Approximately 476,491 square feet or 10.94 acres, 51 lots for \$0.29 per square foot. It was recommended that current restrictive covenants for the lots be repealed as well.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve advertising the lots under WS 15-1-112(b)(i)(D) at the suggested price of \$0.29 per square foot and consideration of removal of the current restrictive covenants. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the first reading of Ordinance No. 2, Series 2026 entitled: AN ORDINANCE AMENDING A NONEXCLUSIVE FRANCHISE FROM THE TOWN OF UPTON, WESTON COUNTY, WYOMING TO SPECTRUM PACIFIC WEST, LLC AN INDIRECT SUBSIDIARY OF CHARTER COMMUNICATIONS, INC. TO PROVIDE SERVICES AS SPECIFIED IN THE AGREEMENT, ESTABLISHING THE TERMS AND CONDITIONS OF SAID FRANCHISE, AND PROVIDING FOR AN EFFECTIVE DATE.

Superintendent Lindstrom explained that the current franchise agreement was not clear on street cutting and representatives from Spectrum had reached out about installing their services through street cuts. The provision of disallowing street cutting had been discussed in each reading of Ordinance No. 3, Series 2024 extensively. In

an effort to protect the substantial investment of tax payer funds in the streets, water and sewer infrastructure in the Town of Upton the following amendments to the original agreement were proposed:

In Section 4 Use of the Streets and Dedicated Easements, paragraph b. would now read:

The facilities of the Grantee shall be installed underground, **subject to approval and permitting by the Town**, in those Service Areas where existing telephone and electric services are both underground at the time of system construction and may be installed underground in other areas at the discretion of Grantee. In areas where either telephone or electric utility facilities are installed aerially at the time of system construction, the Grantee may install its facilities aerially with the understanding that at such time as the existing aerial facilities are required to be placed underground by the Grantor, the Grantee shall likewise place its facilities underground. In the event Grantor or any agency thereof directly or indirectly reimburses any utility for the placement of cable underground or the movement of cable, Grantee shall be similarly reimbursed.

and a new paragraph e. would read:

Placement of all underground facilities by Grantee shall be approved and permitted by the Superintendent prior to construction. Failure to secure approval prior to placement of facilities shall render this Ordinance subject to termination.

All ayes, MOTION CARRIED. A copy of the proposed amendments will be sent to the proper contact at Spectrum/Charter as required.

At approximately 7:31 p.m., Vice Mayor Norman opened the public hearing for a proposed budget amendment in the following particulars:

- a. Increase the General Fund budget by \$22,636.00 by budgeting \$22,636.00 from General Fund Cash Reserves. The funds will be used for salary and benefits for a full-time police officer through June 30, 2026.

There was no public comment, and the hearing was closed at 7:32 p.m.

COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the above-mentioned budget amendment. All ayes, MOTION CARRIED. Chief Meals shared that he had six applicants, two that were very strong applicants interested in the position currently and that the additional officer would cover five shifts in addition to the ten currently covered by the Upton Police Department.

Chief Meals gave his report. It was noted on the Joint Powers Board's financial reports that \$0 had been collected for E911 revenues. Clerk/Treasurer Millar shared that none of the current board was properly bonded to receive the funds and that funds had not been picked up from the Weston County Treasurer since May 2025. A balance of approximately \$ 57,037.47 was available for pick by a properly bonded board member or employee of the JPB. This information had also been share with board member James Curren.

Chief Riehemann gave his report.

Superintendent Lindstrom gave his report and noted that the playground equipment at the park would be cordoned off for inspection and repairs in April.

An anticipated executive session was pushed to the May meeting.

Clerk/Treasurer Millar gave her report and recommended a slate of candidates for the WAM JPIC board consisting of Tony Cross, Human Resources Director for Jackson Hole Airport, Torrey Racines, Executive Director for the Local Government Liability Pool, and herself. These were the only candidates offered from the pool .

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the recommendation of WAM JPIC candidates for the board. All ayes, MOTION CARRIED.

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Attorney Hughes gave brief comment regarding the liquor license renewed during the meeting and will send a letter regarding the probationary period to be sure the entity is clear on the expectations of the licensee.

There being no further business before the Council, COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUNTER SECONDED A MOTION to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 7:59 p.m.

Justin Norman, Vice Mayor

Attest: Kelley Millar, Clerk/Treasurer