MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF UPTON, WYOMING
Held on December 8, 2015

THE REGULAR MEETING of the Town Council of Upton, Wyoming was held at 7:00 p.m. December 8, 2015 at the Upton Community Center located at 917 N HWY 116 in Upton, Wyoming. Present for the meeting were: Mayor Dustin Upton, Councilmen Mark Mitchell, Travis Beck, David Watt, and Nathan Todd. Also present were: Attorney Mark Hughes, Sam Haptonstall, Mark Lindstrom, Todd Bennington, Brittany Trandahl, John Strong, Jason Pinter, Scott Gerber, Dan Hart, Pam Vandersnick, Linda Tokarczk, Neil Schiller, Victoria Schiller, Kelley Millar, and Rona Barker.

Mayor Upton opened the meeting by leading the group in the Pledge of Allegiance.

Councilman Watt made a motion to approve the minutes of the regular meeting of the Public Hearing, the Workshop Meeting, and the Regular Meeting of the November 10, 2015 council meeting. Councilman Beck seconded the motion, all voted in favor. Motion carried.

The following bills presented for payment: A.D.I. Insurance Agency, $150.00, $372.00; Aflac, $122.31; Alpha Communications, $50.00; Amy Douglas, $500.00; Arrow Service, $816.90; AT&T Mobility, $399.69; BHP, $5,562.61; BS/BC, $8,977.50; B-4 Automotive, $26.72, $418.77; Bearlodge Engineering & Surveying, $1,437.50; CNA Surety, $100.00; Chase Cardmember Service, $2,189.08; City of Newcastle, $1,622.00; Collins Communications, $28.00; Cummins Rocky Mountain LLC, $301.42; C.W. Waste, $5,964.15; Dakota Business, $34.86; Dept. of Treasury, $12,914.35; Dept. of Workforce Services, $1,221.95, $381.29; Energy Laboratories, $190.00; FSB (transfer), $670.00; Goodyear Commercial Tire, $202.55; Hughes Law Office, $834.50; Joe's Food Center, $28.29, 177.24; Municipal Code, $300.00; NW Pipe Fittings, $29.64; NCPERS Wyoming, $16.00; Pacific Steel, $458.89; Postmaster, $172.20; Powder River Energy, $328.41, $145.91; RT Communications, $1,159.19; Record Supply, $393.04; Staples Print Solutions, $1,013.12; Servall, $75.21; SourceGas, $384.69; Upton Co-op, $1,581.82, $261.31; Upton Fire Department, $211.99; USDA Forest Service, $140.27; WARS, $425.00; Weston County Gazette, $581.25; Wyoming DEQ, $234.98; Wyoming Machinery, $152.31; Wyoming Network, $50.00; SLIB, $7,620.51; Wyoming Retirement System, $6,115.63, $420.00. **SALARIES:** Rona Barker, $2,630.14; Travis Beck, $554.10; Chris Brooks, $376.78; David Brooks, $1,575.60; Joseph Creamer, $3,573.21; Patrick Crow, $300.14; Michael Hobbs, $2,552.59; Lynn Hofland, $3,000.89; Virginia Jenkins, $51.16; David Larson, $3,128.46; Mark Lindstrom, $4,278.54; Mark Mitchell, $730.47; Corina McPeters, $148.17; Kelley Millar, $2,061.01; Colleen Moneymaker, $147.07; William Palmer, $3,151.82; Jason Pinter, $2,088.26; Nathan Todd, $517.16; Dustin Upton, $153.92; David Watt, $591.04; Bob Willis, $992.41. Councilman Beck made a motion to pay the bills. Councilman Mitchell seconded the motion, and all voted in favor. Motion carried.

Pam Vandersnick requested permission for the bars to be open 24 hours for New Year's Day. Councilman Todd made a motion to grant the request. The motion was seconded by Councilman Mitchell, and all voted in favor. Motion carried. Pam explained that Country Corner will provide patrons with a sober driver to take them home, should they wish. A sober driver to bring the patron back to his or her vehicle will also be provided, if requested.

Linda Tokarczk updated the Council in regard to Rare Earth Resources. She explained downsizing changes within their company, deadlines that have been moved, and at the present time, it is not a great climate for permitting.

Scott Gerber asked the Council for permission to move ahead with WYDOT to create a project at the airport, and go through the bidding process. Scott then asked for help with the bidding, and the electrical portion of the project. Superintendent Lindstrom will provide the needed help.

Neil Schiller provided the Council with a corrected address for the golf course. The golf course lease will be presented at the January, 2016 Council meeting for possible approval by the both the Town of Upton and Upton Golf LLC.

Councilman Mitchell made a motion to appoint Superintendent Mark Lindstrom as the official voting delegate for the 2016 WAM Winter Workshop Business Meeting that will be held in Cheyenne, Wednesday, February 17, 2016. Councilman Watt seconded the motion, and all voted in favor. Motion carried.

Discussion was held in regard to an available Wyoming Community Gas grant. This grant is offered for community improvements. This will be an agenda item at the January council meeting.

A workshop meeting in respect to city hall, the police department, and the community center will be held at 6:30 p.m. on Tuesday, January 12, 2016. Councilman Watt asked that cost estimates be supplied regarding moving city hall and the police department to the community center, update the present city hall, update the city hall with the edition of the police department, or to build a new police department. All of this will be considered before any decision is made in regard to where city hall or the police department will be located.

Discussion was held in regard to the WAM-WCCA Energy Lease Program Request for Proposals. No action was taken by the Council at this time.

Councilman Mitchell stated that it would cost approximately $500 to print 800 copies of the Emergency Plan for town residents. He told the Council that the School would work with him in getting the copies distributed. Councilman Mitchell then asked the Council for permission to proceed with the project. Councilman Beck made a motion to proceed. The motion was seconded by Councilman Watt, and all voted "aye". Motion carried.

Attorney Hughes reiterated that amendments to the Junk Ordinance were not quite ready.

At 7:30 p.m. Mayor Upton held a hearing to amend the Town of Upton, Wyoming Budget for the Fiscal Year 2015-2016 in the following particular:

Increase the General Fund Budget by $45,870.00 from the WYDOT Aeronautics Division Grant Funds. The money will be spent on Airport safety, security, and tie-down re-establishment expenses incurred at the Upton Municipal Airport.

Mayor Upton then called for a comment and objection period. Attorney Mark Hughes commented that Sundance delayed plans for their airport, and in doing so, Hulett was able to capitalize on the opportunity and Sundance lost out. There being no more comments or objections, Councilman Mitchell made a motion to amend the budget. Councilman Watt seconded the motion, and all voted in favor. Motion carried.

Two Resolutions in regard to garbage pickup were discussed by the Council. After discussion, Councilman Mitchell made a motion to approve Resolution No. 6, 2015 entitled: A RESOLUTION OF THE TOWN COUNCIL OF UPTON, WESTON COUNTY, WYOMING ADOPTING GARBAGE RATE INCREASES FOR THE FISCAL YEAR 2015-2016. Councilman Watt seconded the motion, and all voted "aye" with the exception of Councilman Todd who voted "nay". Motion carried. The Resolution is as follows:

RESOLUTION NO. 6, 2015

A RESOLUTION OF THE TOWN COUNCIL OF UPTON, WESTON COUNTY, WYOMING ADOPTING GARBAGE RATE INCREASES FOR THE FISCAL YEAR 2015-2016

WHEREAS, the Town Council of Upton, Weston County, Wyoming has met and considered its budget for the fiscal year 2015-2016; and

WHEREAS, the Town Council of Upton, Weston County, Wyoming imposes fees to recoup the costs of all services resulting from all enterprise funds expenditures; and

WHEREAS, the Town Council of Upton, Weston County, Wyoming is required to balance the budget and all enterprise funds must be self-sustaining ; and

WHEREAS, the Town Council of Upton, Weston County, Wyoming is amending only the garbage rate portion of Resolution No 3, 2015 passed on June 9, 2015; and

NOW, THEREFORE BE IT RESOLVED by the Town Council of Upton, Weston County, Wyoming that a change in the following particulars will become effective January 1, 2016:

GARBAGE	**NEW RATE**	**OLD RATE**
BASE RATE	**$ 28.50**	**Residential**
ADDITIONAL CAN COST - 96 GAL.	**$ 7.00**	**$28.50**
ADDITIONAL CAN COST – 300 GAL.	**$ 13.00**	
		Commercial
1-96 GAL. CAN	**$ 28.50**	**$34.75 1x/wk**
2-96 GAL. CANS	**$ 35.50**	**$39.75 2x**
3-96 GAL. CANS	**$ 42.50**	
1-300 GAL. CAN	**$ 42.50**	
2-300 GAL. CANS	**$ 55.50**	
3-300 GAL. CANS	**$ 68.50**	
4-300 GAL. CANS	**$ 81.50**	
5-300 GAL. CANS	**$ 94.50**	
6-300 GAL. CANS	**$107.50**	
7-300 GAL. CANS	**$120.50**	

DONE IN OPEN SESSION this 8th day of December, 2015

Councilman Todd called for a motion to pass on an emergency basis ORDINANCE NO. 3, SERIES 2015 entitled: AN ORDINANCE AMENDING PORTIONS OF CHAPTER 8 SECTIONS 8.04.020 THRU 8.04.050 AND SECTIONS 8.04.110 THRU 8.04.130. Councilman Mitchell seconded the motion, and all voted in favor. Motion passed.

Vice Mayor Beck called for a motion to pass on the first reading ORDINANCE No. 1, SERIES 2016 entitled: AN ORDINANCE VACATING AND ABANDONING PORTIONS OF CEDAR STREET AND 5TH AVENUE IN THE NEIMAN ADDITION, FIRST ENLARGEMENT TO THE TOWN OF UPTON, WESTON COUNTY, WYOMING. Both Mayor Upton and Councilman Watt recused themselves from voting or commenting on this Ordinance due to personal involvement. Councilman Todd made a motion to pass the above captioned Ordinance on the first reading. The motion was seconded by Councilman Mitchell. All voted in favor, and the motion passed.

The police department report was submitted by Officer Jason Pinter. The fire department report was submitted by Fire Chief John Strong. Chief Strong reported that the fire department now has a State Forestry vehicle at a cost of $1,596.00. The vehicle pumps, but does have some leaks. A pump mechanic will be coming in to fix it. Chief Strong stated that they are considering purchasing a brand new basic structural fire truck.

Attorney Hughes stated that he is working on a release form. This form will have to be signed by anyone receiving the old playground equipment. Councilman Watt will contact the Children's Center to see if they still want the old equipment. If not, there are other interested parties.

Superintendent Lindstrom asked permission to possibly purchase a 2006 Kubota tractor with a 15 foot mower deck from the State of Wyoming for $5,500.00. This was not in the budget, therefore a budget amendment will be needed to purchase the tractor and mower deck. Councilman Watt made a motion to allow Superintendent Lindstrom to look into buying the tractor and mower deck. Councilman Todd seconded the motion, and all voted in favor. Motion carried.

Superintendent reported to the Council that the landfill will be open on Saturday, December 26th. He further told the Council that he will have a trailer for residents to drop cardboard on, and it will be in place at the city shop before Christmas.

In other business, Dan Hart brought to the Council his idea of expanding the old M&M Station that he has purchased. He was interested in purchasing the lot directly behind the station from the town for expansion purposes. Superintendent Lindstrom will do some research and get the lot dimensions within the next week. Dan is interested in purchasing the land for economic development.

Superintendent Lindstrom was asked to look into obtaining a side by side with a sweeper and plow for the town streets, sidewalks, and walking path.

Deputy Millar asked the Council to consider Black Mountain software for city hall. No decision was made at that time

There being no further business before the Council, a motion was made to adjourn by Councilman Watt and it was seconded by Councilman Beck. All voted in favor, and the motion carried. The meeting adjourned at 8:17 p.m.

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Mayor

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Attest Clerk