Town of Upton
Regular Council Meeting
Tuesday, April 12, 2016

The regular meeting of the Town Council of Upton, Wyoming was held at 7:00 p.m. April 12, 2016 at the Upton Community Center located at 917 N HWY 116 in Upton, Wyoming.

Present: Mayor Dustin Upton, Councilmen David Watt & Travis Beck, Mark Lindstrom, Kelley Millar, David Larson, Mark Hughes, John Strong, Brandi & Austin Lunstra, Todd Bennington, David McElhiney, Justin, Katie, Avril & Landon Norman, Sonia Strong, Alyssa Jackson, Danielle McMillan, Brittany Trandahl, Rick Rothleutner, and Lacey Gurien.

Absent: Councilmen Nathan Todd & Mark Mitchell

Mayor Upton called the meeting to order by leading the group in the Pledge of Allegiance.

Councilman Beck made a motion seconded by Councilman Watt to approve the minutes of the Regular Meeting of the Town of Upton held on March 8, 2016. Motion passed.

Councilman Watt made a motion, seconded by Councilman Beck to pay the following bills: Aflac, $122.31; Alpha Communications, $50.00; American Technical Services, $1,915.00; American Welding & Gas, $259.39; Arrow Services, $575.60; AT&T Mobility, $401.24; B-4 Automotive, $514.65, $11.36; Black Hills Energy, $5,889.16; Bearlodge Engineering & Surveying, $70.00; BCBS, $8,977.50; C.W. Waste, $5,964.15; Chase Cardmember Service, $1,815.34; City of Newcastle, $1,622.00; Collins Communications, $28.00; Gillette Contractors, $55.80; Dakota Business Center, $40.00; Deposit/Overpayment Refunds, $367.80; Dept. of Treasury, $11,891.08; Dept. of Workforce Services, $329.47, $1,158.61, $381.29; DXP Enterprises, $88.00; Elk Ridge Golf Club, $705.00; Energy Labs, $300.00; FSB (trf), $670.00; Hawkins, $491.30; Honnen Equip., $6.72; Hughes Law Office, $632.40; Joe's Food Center, $194.19; John Deere Financial, $3,632.12; Kriz-Davis, $1,634.00; L.N. Curtiss, $3,292.60; LGLP, $6,957.00, $500.00; Mike Brewer, $149.22; NEWY, $500.00; N.W. Pipe Fittings, $2,931.76; Norco Inc., $419.51; One-Call of Wyoming, $22.50; Powder River Energy, $238.81, 242.25; Pacific Steel, $816.69; Pat Crow, $245.36; ProForce Law Enforcement, $1,017.59; RT Communications, $1,156.05; Record Supply, $89.94; Servall Uniform, $74.76; SourceGas, $710.64; Stine Electronics, $1,047.00; The Radar Shop, $252.00; Titan Machinery, $1,182.38; Top Office Products, $51.00; Upton Co-op, $1,204.07, $1,275.62; Upton Fire Department, $58.48; Walmart Community/RFCSLLC, $47.94; WAM, $300.00; WARWS, $435.00; Weston County Clerk, $75.00; Weston County Clerk, $96.00; Weston County Gazette, $448.75; Weston County Senior Services, $3,000.00; Weston County Treasurer, $25.00; Wyoming Network, $50.00; Wyoming Retirement, $420.00, 6,508.88; NCPERS Wyoming, $16.00; Zions Bank, $11,246.13;. **SALARIES:** Rona Barker, $2,839.58; David Brooks, $1,933.89; Joseph Creamer, $3,018.86; Patrick Crow, $300.14; Michael Hobbs, $2,779.06; Lynn Hofland, $3,205.07; Virginia Jenkins, $70.35; David Larson, $3,001.65; Mark Lindstrom, $4,636.25; Corina McPeters, $148.17; Kelley Millar, $2,290.42; Lynette Moneymaker, $158.38; William Palmer, $3,094.58; Jason Pinter, $1,174.46; Dustin, $103.92. Motion passed.

Rick Rothleutner presented the Council a map of a proposed single phase power line running from near the landfill, across part of the Upton Golf Course, and connecting to the Upton Municipal Gun Range. The local gun club received a grant to install the service and is working with Powder River Energy Corporation to get the necessary permissions and easements. Councilman Beck moved to approve the gun club move forward with having the easement drafted, seconded by Councilman Watt. Motion passed. Superintendent Lindstrom will attend a meeting with Mr. Rothleutner and representatives from PREC on Monday, April 18, 2016 to discuss the project.

Alyssa Jackson presented the Council with information regarding a newly formed youth soccer league for Upton. She asked that the league have use of portions of the baseball fields for their practices and possibly games or scrimmages for the fall and spring soccer seasons. She also requested that, if approved, the "out of bounds" fencing and posts be removed from the outfield of field #2 as it could create a safety hazard for the players. Use of the bathrooms and concession stand area was also requested. Councilman Watt moved to allow the usage of the fields as mapped out, as well as use of the bathrooms and concession stand areas. Councilman Beck seconded. Motion passed.

Katie Norman approached the Council about amending the existing ordinance that disallows chickens to be kept in town. She read a report of proposed rules to manage having the animals in city limits including a licensing fee each year and a limit of six hens with no roosters. Upon advice from Attorney Hughes, Councilman Watt moved to table the discussion until the next meeting to allow for the entire Council to hear the proposal. Councilman Beck seconded. Motion passed and the proposal was tabled.

David McElhiney came before the Council to ask for reimbursement of the cost of digging a sewer line from a property he recently purchased at 824 Ash. He stated he had previously experienced issues when he purchased property at 817 and 814 Holly Avenue and is under the understanding that he is supposed to have four total taps, that he only has three taps, and that he has paid for two of those taps twice. Mr. McElhiney asked that the Council consider paying for the second dig costs of $2000.00, as he had invested $5000.00 with both digs, and was already out of pocket that amount. Superintendent Lindstrom included a report regarding this issue with as-built drawings for the Council's review, and also noted that after his crew had spent time working with Mr. McElhiney on the sewer without locating the existing tap that he had authorized a new tap to be installed at no additional cost. Councilman Watt questioned the cost for a sewer tap, which Superintendent Lindstrom stated was $475.00. Councilman Watt clarified that any costs incurred from the main line to the property were the responsibility of the property owner. Upon advisement from Attorney Hughes, Councilman Watt moved to authorize Superintendent Lindstrom to investigate how much of the total cost was spent digging in the alleyway by speaking with Sam Haptonstall, the contractor, and getting a voucher for that amount of time to Mr. McElhiney to submit to the Town. Councilman Beck seconded. Motion passed. Mayor Upton also asked that Superintendent Lindstrom speak with the project engineer from the 2010 replacement project and make sure the tap that was paid for by the Town was in fact installed at the marked location on the maps provided in the as-built drawings.

Councilman Watt made a motion, seconded by Councilman Beck to pass on the third and final reading: ORDINANCE NO. 2, SERIES 2016 entitled: AN ORDINANCE PROVIDING AN ADDITIONAL SECTION ON ABATEMENT OF JUNK VEHICLE(S) TO CHAPTER 8.16 OF THE UPTON MUNICIPAL CODE. Motion passed.

A resolution from the Weston County Commissioners asking support for re-allocating $20,586.95 from CWC #13102 to CWC #11182 Courthouse HVAC Project was presented. Councilman Beck moved to support the resolution, Councilman Watt seconded. Motion passed.

Mayor Upton asked that Department Heads get job descriptions finalized for review. Deputy Clerk Millar was asked to send out a reminder email regarding the completion of the job descriptions.

Deputy Clerk Millar informed the Council of the recent Wyoming Community Gas contribution received in the amount of $2,746.24 and reported that it was nearly $1000.00 more than the 2015 contribution. She then requested a budget workshop for April 21, 2016 at 7:00 p.m. at City Hall, for easier access to a computer. The Council was asked to appoint a voting delegate for the WAM convention on June 10, 2016. Councilman David Watt was appointed with Superintendent Mark Lindstrom as an alternate. Those planning to attend the convention were asked to commit in the next week so early registration can be completed.

Deputy Clerk Millar then relayed to the Council that a voucher for payment of mileage had been submitted by the Honorable Judge Patrick Crow asking for mileage to be paid from April and May of 2015, as well as several months in the current fiscal year. It was noted that an agreement had been made between the former Mayor and Judge Crow that mileage would be paid in addition to a monthly salary, but no voucher for services had been received until this request. All mileage was quoted at the lower 2016 rates effective 1/1/2016 and a message was sent to Judge Crow asking for a monthly voucher for mileage to be submitted. Attorney Hughes asked that the Clerk email any information regarding the appointment of Judge Crow and any payment agreement for review.

Deputy Clerk Millar asked if there were any resolutions the Town of Upton would like to submit for presentation at the WAM convention to garner statewide support. None were presented. The Council was then asked for input on a possible Prescription Take Back Day in the Town of Upton. The event would need to have a police officer present for collection. Mayor Upton asked the Clerk to discuss the event with Chief Hofland. Officer Larson was asked for his input; he had headed up a similar effort at a previous agency. It was later discussed that the take back day could coincide with Hazardous Waste Pick-Up Day to kick off the project.

Deputy Clerk Millar presented the Council with a proposal to pay off some existing, high interest debt for the Town of Upton held through the State of Wyoming. It was researched that rates could not be lowered unless the Town was in arrears or refinanced the loans at a private financial institution. Clerks Barker and Millar had worked out paying the debts off using reserve funds and using currently budgeted payment amounts to have the Town pay itself back for the loans over a ten year period and estimated savings of $364,000.00 in interest over the term of the loans. Councilman Watt moved to table the proposals until the May meeting to allow the entire Council to weigh in on any decision. Councilman Beck seconded. Motion passed. The proposal was tabled.

Officer David Larson gave the police department report.

Fire Chief John Strong gave the fire department report and noted that he would be late to the budget workshop next week. The Weston County Search and Rescue will be attending the Upton Volunteer Fire Department's meeting that night to discuss ways the agencies can help each other in various situations. The Council was encouraging of this relationship.

Attorney Hughes asked if the Cedar Street plots and dedications had been recorded. Superintendent Lindstrom told the group that everything was recorded at this time.

Superintendent Lindstrom reported that a third cardboard trailer was almost finished and that the two in use were being utilized well. He also told the Council that Goose Landing was close to being finished tying into the town's water and sewer services. Mayor Upton asked about Clean-Up Week, which Superintendent Lindstrom said would be scheduled possibly in June noting that the spring weather any earlier has caused issues in the past. Mayor Upton then also noted that Superintendent Lindstrom was working with Black Hills Energy to switch the street lighting over to LED bulbs for an approximate savings of 50% compared to the current hardware. Superintendent Lindstrom expects the grant paperwork for this project to be ready for submission at the August State Lands Investment Board meeting.

In other Business, Lacey Gurien from the Weston County Natural Resource District was in attendance and approached the Council about her goals for branching out to Upton from the District with projects like Hazardous Waste Pick-Up Day, a community garden that she had been discussing with Katie Norman, and other worthwhile events. She told the group that with current budget restraints, the District's board had proposed only collecting e-waste in Upton during the Hazardous Waste Pick-Up as there would be no need for an onsite chemist. She also suggested collecting prescription drugs in conjunction with the event to kick start that program. Ms. Gurien stated that the District's board would be making a formal request for $1500.00 from the Town of Upton for the upcoming fiscal year. After some discussion, Mayor Upton suggested the possible use of Water Well #6 for green projects,

including the community garden. Katie Norman will be on the May agenda with more information about the community garden options.

Mayor Upton announced that he had gotten word from an Upton Economic Development Board member that the grant for Option C for the Multi-purpose Building in the Upton City Park had been approved by the SLIB and to expect work associated with the project to be forthcoming.

Justin Norman, along with Councilman Watt and Mayor Upton, asked when the bathrooms in the City Park would be opened. Superintendent Lindstrom stated that they are normally opened in late April, depending on the weather, and that a leak in the water system was being worked on this year. He said they would likely be opened within the next week. Katie Norman inquired about a lost and found box at the City Park as she has noticed a lot of kid's clothes, coats, etc. being left behind. After discussion, Mayor Upton asked that a lost and found receptacle be looked into for the City Park. Deputy Clerk Millar, representing the Upton Ladies of Adventure, asked about alcohol use at the baseball fields for possible pick-up softball games. Attorney Hughes and Councilman Watt reiterated a recent change to an ordinance allowing open container only in the City Park but not in or on any other thoroughfare in the city limits. Attorney Hughes suggested contacting Black Hills Energy about a program offered by Powder River Electric Corp. called "Operation Round-Up" that provides funding for various projects in the City of Sundance, as an option to help pay for small improvements in the park or elsewhere in town as needed. Mayor Upton will contact the BHE offices for more information.

There being no further business, a motion was made to adjourn by Councilman Watt, and seconded by Councilman Beck. All voted in favor and the motion passed. The meeting adjourned at 8:25 p.m.

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Mayor

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Attest Deputy Clerk