Town of Upton
Regular Council Meeting
Tuesday, May 10, 2016

The regular meeting of the Town Council of Upton, Wyoming was held at 7:00 p.m. May 10, 2016 at the Upton Community Center located at 917 N HWY 116 in Upton, Wyoming.

Present: Mayor Dustin Upton, Councilmen Travis Beck, Nathan Todd, and David Watt: Also present were: Attorney Mark Hughes, Mark Lindstrom, Lynn Hofland, John Strong, Rick Rothleutner, Todd Bennington, Judy Keller, Brandy and Austin Lundstra, Katie, Justin, and Avril Norman, Brittany Trandahl, Neil and Vickie Schiller, Jory Hillman, David and Deborah McElhiney, Lacey Gurien, Kevin McMaster, Kelley Millar, and Rona Barker.

Absent: Councilman 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 April 12, 2016, and the minutes of the Budget Workshop held on April 21, 2016. Motion passed.

Councilman Watt made a motion, seconded by Councilman Beck to pay the following bills: ADI Insurance Agency, $105.00; AFLAC, $122.31; Alpha Communications, $50.00; Arrow Services, $727.29; AT&T Mobility, $399.95; BC/BS, $8,977.50; B-4 Automotive, $288.35, $162.85; Big Horn Hydraulics, $53.12; Black Hills Energy, $5,752.91; Cambria Supply, $25.29; Chase Cardmember Services, $3,694.00; City of Newcastle, $1,622.00; Collins Communications, $28.00; C.W. Waste, $5,964.15; Dakota Business Center, $234.66; Deposit Refunds, $85.15; Department of Treasury, $12,317.74; Department of Workforce Services, $1,200.12, $381.29; Energy Laboratories, $40.00; Elkhorn Ridge Golf Course, $529.00; Goodyear Commercial Tire, $161.00; First State Bank, $670.00; Gateway Auto Supply, Inc., $261.16; Gillette Steel Center, $408.40; Hughes Law Office, $ 937.40; Joe's Food Center, $237.45, $61.42; NCPERS Wyoming, $16.00; Pacific Steel, $317.91; Petty Cash, $21.63; Postmaster, $215.00, $163.54; Powder River Energy Corp., $272.34, $265.94; Proforce Law Enforcement, $170.52; Record Supply Inc., $13.98; Regional Health, $100.00; RT Communications, $1,152.19; Servall Uniform, $75.72; SourceGas, $640.55; Top Office Products, $65.49; Townsend Company, $25.00; Upton Co-op, $915.73, 227.42; Upton Fire Department, $1,421.88; Weston County Gazette, $504.38; Wyoming Association of Municipalities, $675.00; Wyoming Network, Inc., $50.00; Wyoming Retirement, $420.00, $6,455.01; **SALARIES:** Rona Barker, $2,630.98; David Brooks, $1,858.95; Joseph Creamer, $3,474.75; Patrick Crow, $300.14; Michael Hobbs, $2,471.18; Lynn Hofland, $3,393.47; Virginia Jenkins, $65.54; David Larson, $3,214.16; Mark Lindstrom, $4,324.05; Corina McPeters, $148.17; Kelley Millar, $2,096.88; Colleen Moneymaker, $248.88; William Palmer, $2,944.31; Jason Pinter, $1,430.50; Dustin Upton, $103.92; Robert Willis, $823.97. Motion passed.

Katie Norman came before the Council asking for permission to have backyard chickens within the city limits. Her proposal stated that there could be no roosters, the chickens would be contained, and no butchering of chickens within the city limits would be allowed. She explained the benefits of having chickens. After discussion, Councilman Beck moved to bring the issue off the table, seconded by Councilman Watt. Motion carried. Council Todd then made a motion, seconded by Council Beck to have Attorney Hughes draft an Ordinance allowing chickens in city limits. All voted "aye" and the motion carried. This Ordinance will be ready for first reading at the June 14, 2016 council meeting.

David McElhiney again asked the Council to reimburse him $1,000 of the costs involved in digging the sewer line at 824 Ash. At the April 12, 2016 council meeting the Council agreed to look into the expenses involved in digging in the alley. After some discussion Councilman Todd made a motion to pay $375.00 to Mr. McElhiney and waive the tap fee. The motion was seconded by Councilman Beck. All voted in favor, and the motion passed. A sum of $375.00 will be paid to Mr. McElhiney upon receipt of a signed voucher to city hall.

Neil Schiller stated that everything is going well at the golf course. He reported that the clubhouse had been updated. He further stated that the gate to the golf course will be locked when no one is there. A key will be supplied to the fire department.

The power bills for the golf course will be paid by the Town of Upton, and for May and June, Upton Golf, LLC will reimburse the Town. It was agreed that the Town will keep $3,500.00 of the proposed $8,500.00 budgeted for the golf course in FY 16-17 to pay property insurance and power bills. Anything over that amount will be reimbursed to the Town by Upton Golf, LLC. Anything up to $500 at a time will be charged to the Town to be paid out of the proposed golf budget upon presentation of a signed voucher. Anything over $500 must have Council approval before purchasing.

Neil Schiller asked to borrow the Town's brush hog to knock down the rough at the golf course. Upton advice from Attorney Hughes, Councilman Watt made a motion that town personnel will run the equipment to knock down the rough. The motion was seconded by Councilman Beck, and all voted in favor. Motion carried.

Judy Keller updated the Council in regard to the Senior Center. She reported that all is going well, but they are still working on getting an industrial oven. A lease agreement between the Town and the Senior Center was discussed. Judy will take the information back to her Board for consideration. Judy will attend the June council meeting to revisit a lease and utilities. Discussion was also held in regard to the police department being located in the west half of the building.

Councilman Beck made a motion, seconded by Councilman Watt to allow alcohol usage at the McPeter's graduation party to be held at the community center on May 22, 2016. All voted "aye" and the motion carried. Councilman Beck made a motion, seconded by Councilman Watt to allow alcohol usage at the Medlen wedding reception to be held at the community center on June 11, 2016. All voted in favor, and the motion carried. Councilman Beck made a motion seconded by Councilman Watt to allow alcohol usage at the Dysart wedding reception to be held at the community center on June 25, 2016. All voted "aye", and the motion carried.

Employee job descriptions were given to the Council for their review. These will be addressed at the June council meeting.

Councilman Beck made a motion to approve the City and Town Dispatch Agreement for July 1, 2016 through June 30, 2017 at a cost of $1,686.00 per month. Councilman Beck made a motion to approve the agreement. Councilman Todd seconded the motion, and all voted in favor. Motion passed.

Councilman Beck made a motion to pass RESOLUTION NO. 5, SERIES 2016: Proclaiming June 5, 2016, and annually thereafter as Arbor Day in the town of Upton, Wyoming, to be celebrated and observed as may be appropriate to honor the importance of trees in our daily lives and to promote the planting and care of trees in Upton, Wyoming. Councilman Watt seconded the motion, and all voted in favor. Motion passed. A full copy of the Resolution may be viewed at city hall or at www.townofupton.com.

Placing city hall and/or the police department in the community center was again discussed. The Council liked the option to move city hall to Room 4 of the community center. The police department may be moved to Rooms

5 & 6, or possibly placed at another location entirely. The council meetings would be held in Room 1. It was decided that Superintendent Lindstrom, Deputy Clerk Millar, and Clerk Barker would complete drawings, and advertise for bids from contractors to do the project.

Councilman Beck made a motion to renew the WAM-JPIC Health Insurance with the 3.5 percent increase over last year. Councilman Watt seconded the motion, and all voted in favor. Motion carried.

The Council agreed to hold another budget workshop. The meeting will be held on Friday, May 20, 2017 at 7:30 p.m. in City Hall.

Councilman Watt made a motion to hold a hearing for the proposed ANNUAL APPROPRIATION ORDINANCE for the fiscal year ending June 30, 2017 at 6:45 p.m. on June 14, 2016 at the community center. Councilman Beck seconded the motion, and all voted in favor. Motion passed. Councilman Watt then made a motion to pass the ANNUAL APPROPIATION ORDINANCE on an emergency basis at the June 14, 2016 regular council meeting. Councilman Todd seconded the motion, and all voted in favor. Motion carried.

Addendums to the Town of Upton Personnel Policy will be a consideration at the June council meeting.

A teen delegate for the WAM Conference to be held in June was discussed. Deputy Clerk Millar stated that Mr. Johnson planned to contact her if any of the high school students were interested in attending. To date, Mr. Johnson has not contacted her with anyone interested in attending the conference.

Councilman Watt made a motion to move off the table the motion to pay off Loan JPA 555-WE and Loan JPA 528-WE. Councilman Beck seconded the motion, and all voted in favor. Motion, carried. Councilman Watt made a motion to pass RESOLUTION NO. 6, SERIES 2016. Councilman Todd seconded the motion, and all voted in favor. Motion passed. Councilman Beck then made a motion to pass RESOLUTION NO. 7, SERIES 2016. Councilman Watt seconded the motion, and all voted in favor. Motion passed. The Resolutions are as follows:

RESOLUTION NO. 6, SERIES 2016

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS TO PAY OFF SLIB LOAN #JPA 555-WE

WHEREAS, the economic climate has caused uncertainty concerning future revenues for the Town; and

WHEREAS, the Town has an outstanding long-term debt with the State Lands Investment Board which has over fifteen years' of payments remaining, and which will cost the Town over Two hundred eighty-eight thousand dollars ($280,000) in interest over the course of the loan; and

WHEREAS, the Town Council agrees it is in the Town's best interest to pay off the existing balance of the loan with available funds, thus eliminating the payments and saving the Town the additional interest; and

WHEREAS, the amounts now being collected and set aside for the payment of the loan will be sufficient to repay the amount being appropriated in approximately ten (10) years; and

WHEREAS, pursuant to W.S. 15-2-201(e), no expenditure can be made unless an appropriation has first been made;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the Town of Upton, that $302,432.06 in funds available in the account labeled "Hi-Fi Checking Acct", (currently $1,063,125.80), be appropriated and paid to the State of Wyoming to pay off the remaining balance as of June 17, 2016 of $302,432.06 on SLIB Loan #JPA-555WE,

AND that the amounts currently being collected for the loan payment will be deposited in the aforesaid "Hi-Fi Checking Acct" account until the amount equals the amount being appropriated from the General fund.

APPROVED by Motion duly made and seconded in Open Session and DATED this 10th day of May, 2016.

TOWN OF UPTON

RESOLUTION NO. 7, SERIES 2016

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS TO PAY OFF SLIB LOAN #JPA-528

WHEREAS, the economic climate has caused uncertainty concerning future revenues for the Town; and

WHEREAS, the Town has an outstanding long-term debt with the State Lands Investment Board which has over fifteen years' of payments remaining, and which will cost the Town over Eighty-four thousand dollars ($84,000) in interest over the course of the loan; and

WHEREAS, the Town Council agrees it is in the Town's best interest to pay off the existing balance of the loan with available funds, thus eliminating the payments and saving the Town the additional interest; and

WHEREAS, the amounts now being collected and set aside for the payment of the loan will be sufficient to repay the amount being appropriated in approximately ten (10) years; and

WHEREAS, pursuant to W.S. 15-2-201(e), no expenditure can be made unless an appropriation has first been made;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the Town of Upton, that $126,211.08 in funds available in the account labeled "Hi-Fi Checking Acct", (currently $1,063,125.80), be appropriated and paid to the State of Wyoming to pay off the remaining balance as of June 17, 2016 of $126,211.08 on SLIB Loan #JPA-528,

AND that the amounts currently being collected for the loan payment will be deposited in the aforesaid "Hi-Fi Checking Acct" account until the amount equals the amount being appropriated from the General fund.

APPROVED by Motion duly made and seconded in Open Session and DATED this 10th day of May, 2016.

TOWN OF UPTON

Councilman Beck made a motion to hold a Budget Amendment Hearing to: amend the Town Budget for the Fiscal Year 2015-2016 in the following particulars:

1. Increase the General Fund Budget by $302,432.06 by budgeting $302,432.06 from General Fund cash reserves. Furthermore, transferring debt in the amount of $302,432.06 from the Sewer Fund to the General Fund. The monies will be used to pay off State Lands Investment Board loan JPA-555WE Pine Street Improvement in the amount of $302,432.06, which includes $291,969.16 in principal and $10,462.90 in interest.
2. Increase the General Fund Budget by $126,211.08 from the General Fund cash reserves. Furthermore, transferring debt in the amount of $126,211.08 from the Water Fund to the General Fund. The monies will used to pay off State Lands Investment Board loan JPA-528 Water Tank in the amount of $126,211.08, which includes $120,972.79 in principal and $5,238.29 in interest.

Councilman Watt seconded the motion, and all voted in favor. Motion passed. This matter will be considered and acted upon by the Town Council of Upton, Wyoming at 7:30 p.m. at the regular meeting to be to be held at 7:00 pm on June 14, 2016 at the Upton Community Center.

Chief Hofland gave a copy of the police department report to the Council for their review. Fire Chief Strong had submitted his report prior to the council meeting. No questions were asked of either department.

Attorney Hughes updated the Council that he will be speaking to Judge Crow about mileage and submission of charges in June. He also explained some questions on his current billing to the Town of Upton and asked for the

Council's expectations going forward regarding calls received in his office. The Council agreed that only calls referred to the attorney should be handled on the town's behalf and are very confident of Attorney Hughes' capability in all matters concerning the Town of Upton.

Superintendent Lindstrom reported that Clean-Up Days will be June 1, June 3, and June 4, 2016 with landfill hours from 10 a.m. to 5 p.m. each of those days.

In other business, Rick Rothleutner updated the Council on some changes required to the plans for extending electrical service to the Upton Gun Club. Mayor Upton read two thank you notes received for use of the Community Center and reminded the group to be prepared for the upcoming park project as that grant had been approved by the State Lands and Investment Board. Clerk Barker told the group that no action could be taken regarding the grant until the notice to proceed is received from the Wyoming Business Council.

There being no further business, a motion was made to adjourn by Councilman Watt, and seconded by Councilman Todd. All voted in favor and the motion passed. The meeting adjourned at 9:27 p.m.