

## LEGAL NOTICE

### UNOFFICIAL MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF UPTON, WESTON COUNTY, WYOMING

November 7, 2023

**THE REGULAR MEETING** of the Town Council of Upton, Wyoming was called to order at 7:00 p.m. on Tuesday, November 7, 2023, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Nicholas Trandahl, Council Members Joe Watt, Rick Rothleutner, Tiffany McMillan and Justin Norman. Staff present included Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, and Attorney Mark Hughes. Public attendance included Brittany Trandahl with the *Weston County Gazette*, Joey Danens, Harland Allen, Jeremiah Timker, and Tracy Cuffel with Razor City Realty.

**COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER MCMILLAN** SECONDED a motion to approve the consent agenda which included the minutes from the October 10, 2023 regular meeting as published, claims paid for November to date, and claims paid in October (utility payments, payroll, approved grant/loan expenses). All ayes, **MOTION CARRIED**.

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

#### CLAIMS PAID

Deposit/Overpayment (refunds) \$150.00; Reimbursements: K Erland (supplies) \$98.40; Transfer (reserves, debt service) \$500.00; \$1,200.00; Arrow Service (fuel) \$115.47; AT&T Mobility (utilities) \$52.89; Bailey Cracker (service) \$330.00; Black Hills Energy (utilities) \$4,835.17; \$251.42; Blue Cross Blue Shield (benefit) \$11,010.66; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$12,698.10; City of Newcastle (dispatch) \$1,686.00; ClingerHagerman (audit) \$3,000.00; Collins Communications, Inc. (service) \$330.50; Contractor's Supply (parts) \$961.34; Crook County (garbishment) \$798.98; CW Waste (contract) \$13,584.72; Department of Treasury (taxes) \$10,510.97; Emily Cork (service) \$255.00; Energy Labs (testing) \$66.00; Engineering Associates (service) \$16,416.67; \$2,266.03; \$280.00; Fisher Sand & Gravel Co. (supplies) \$63.82; Gillette Steel (parts) \$245.00; Hughes Law Office (retainer) \$1,600.00; Internal Revenue Service (payment) \$199.55; Joe's (supplies) \$235.79; Norco (parts) \$86.35; Northwest Pipefitting (supplies) \$2,514.72; One Call of WY (locates) \$13.00; Postmaster (postage) \$262.65; Range (utilities) \$635.49; Serrval (service) \$98.78; S&S Parts and Performance (service) \$85.16; Sundance Extinguisher (service) \$203.00; TeamLabs (supplies) \$501.50; Top Office Supply (service, supplies) \$305.34; Town of Upton (utilities) \$422.55; Upton Co-op (fuel, parts, supplies) \$2,586.22; USA Blue Book (parts) \$1,153.73; UVFD (supplies, equipment, utilities) \$773.59; Verizon (phone) \$75.06; Weston County Gazette (publishing) \$423.50; Wyoming Earthmoving Company (service) \$200.00; WY OSLI (debt) \$19,389.13; \$26,615.27; WY Retirement (benefit) \$6,941.06; \$168.75.

The following invoices will be paid from grant and/or loan funds when received: Engineering Associates (service) \$26,358.25; \$2,146.89 for the 6th Street Project and the Highway 16 Project; Hot Iron, Inc. (service) \$2,781.13; \$10,725.33; \$68,326.44; \$3,596.13 for the 6th Street Project and the Highway 16 Project.

#### SALARIES: \$32,607.33

#### CLAIMS DENIED: NONE

Council Member McMillan gave a brief update on the financial report from September for the Upton Golf Association. She will have October & November financial information and a season-end report for the December meeting.

**COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER** SECONDED a motion to open discussion for consideration of the second reading of Ordinance No. 4, Series 2023 entitled: AN ORDINANCE AMENDING PORTIONS OF CHAPTER 10 IN SECTION 10.32 OF THE UPTON MUNICIPAL CODE. Mayor Trandahl appreciated some suggestions derived from ordinances received from other municipalities including a total weight limit maximum, regardless of axle count, additional exemptions for the industrial park, and language regarding the origination and destination of truck traffic traveling over city streets. It was noted that most communities were ranging in the eight-to-ten-ton range for limits, and the engineering study for recently re-constructed streets in Upton was also referenced again with an email summarizing the findings. Joey Danens spoke regarding the psi weight of a ¾ ton pickup truck versus his semi and trailer and asked why recreational vehicles would be exempted if he was not allowed an exemption under the second reading draft of the new ordinance. Harland Allen spoke regarding the issues he has experienced with Mr. Danens trucking business being located near his residence and shared that there are other options for places to park semi-trucks and trailers used by other owner/operators in town. Mr. Danens spoke again regarding the purposeful parking of a feces covered cattle truck on his property on Wyoming Avenue to see if that would prompt his neighbors to speak with him instead of filing reports with the Upton Police Department. Clerk/Treasurer Millar shared that no input had been received from the public for the ordinance language to date outside council meetings. Mayor Trandahl encouraged input to be shared with city hall and then offered a friendly amendment to the motion to include a street exemption for the entire industrial park. Council Members Norman and Rothleutner were agreeable as the motion maker and second, respectively. All ayes, **MOTION CARRIED**.

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN** SECONDED a motion to open discussion for consideration of Resolution No. 7, 2023 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD FOR A GRANT THROUGH THE MUNICIPAL SOLID WASTE FACILITIES CEASE AND TRANSFER PROGRAM ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF UPTON, WYOMING.

Superintendent Lindstrom explained the process and the program for constructing a transfer station in Upton, to be ultimately operated by the Weston County Solid Waste District, who is also providing the required match of \$225,000.00. This application will be heard by the SLIB at the December 7, 2023 meeting. All ayes, **MOTION CARRIED**.

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN** SECONDED a motion to open discussion for consideration of Resolution No. 23, 2023 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM ON BEHALF OF THE GOVERNING BODY OF THE TOWN OF UPTON. Council Member McMillan reviewed the grant project for the Cedar Pines Golf Course Pump-house Replacement. All ayes, **MOTION CARRIED** with a spelling correction.

**COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER MCMILLAN** SECONDED a motion to open discussion to consider Resolution No. 24, 2023 entitled: RESOLUTION FOR VACATION OF ALL OF HALF STREET IN THE NEIMAN ADDITION, TOWN OF UPTON, WESTON COUNTY, WYOMING. A petition requesting the vacation of Half Street in Blocks 15 and 16 of the Neiman Addition.

From Arrow Services, Inc. Superintendent Lindstrom explained the request. All ayes, **MOTION CARRIED** with a verbiage correction.

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN** SECONDED a motion to open discussion to consider holding a budget amendment hearing at approximately 7:15 p.m. during the regular meeting held on December 12, 2023 to amend the budget in the following particulars:

a. Increase the General Fund Budget by \$29,430.00 by budgeting \$29,430.00 from the ARPA Reserve. These monies will be used to pay for a color multi-machine in the amount of \$3,626.50, for new equipment in the amount of \$10,145.50, and for equipment repairs in the amount of \$13,658.34 as eligible expenditures allowed per the US Treasury guidance for ARPA fund in the total amount of \$29,430.00. Special Note: The remaining funds in the ARPA Reserve will be transferred to the Capital Improvement Reserve, split between water and sewer funds.

Clerk/Treasurer Millar asked for the request to be amended to include grant funds awarded to the Town of Upton by the Wyoming Energy Authority in the amount of \$12,500 and the local match of \$1,250.00 for a total of \$13,750.00 to be used to replace lighting at the Upton Community Center with LED options. The additional request increases the proposed amendment to \$43,180.00 and was offered as a friendly amendment to the original motion. Council Members Watt and McMillan agreed as the motion maker and second, respectively. All ayes, **MOTION CARRIED**.

**COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER MCMILLAN** SECONDED a motion to open discussion to consider the Mayor's signature on a Memorandum of Agreement between the Town of Upton and the Wyoming Department of Environmental Quality for entrance into the Municipal Solid Waste Cease and Transfer Program. This MOA is partnered with Resolution No. 7, 2023. All ayes, **MOTION CARRIED**.

Chief Bridge had submitted her report prior to the meeting. Clerk/Treasurer Millar shared that Chief Bridge had permission to use a certified scale in the industrial park and would be setting up training with WYDOT for her department to be trained on properly using the scale. Mayor Trandahl shared that the two older police vehicles were having some big-ticket repairs done per Chief Bridge, and suggested the consideration of a replacement vehicle may need to be done soon.

Chief Riehemann will have his report for the December meeting. Superintendent Lindstrom gave his report with an update that the Town was awarded grant funding for the Montana Avenue project at the special SLIB meeting on November 2, 2023 in the amount requested of \$473,086.00. He noted that the project was designed and would be going out to bid soon.

**COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT** SECONDED a motion to open discussion to consider placing the Town's Freightliner semi and belly dump for sale with a minimum bid of \$6,000.00, as per Superintendent Lindstrom's recommendation. All ayes, **MOTION CARRIED**.

Clerk/Treasurer Millar gave her report. She noted that Rusty Bell from the Office of Economic Transformation would be attending an upcoming meeting to present information regarding opportunities and work being done in our area.

There being no further business before the Council, **COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN** SECONDED A MOTION to adjourn. All ayes, **MOTION CARRIED**. The meeting adjourned at 8:17 p.m.

Nicholas Trandahl, Mayor

Attest: Kelley Millar, Clerk/Treasurer

Publish: November 16, 2023.