

Wheatland, Wyoming
September 8, 2003

RECORD OF PROCEEDINGS FOR THE
GOVERNING BODY OF THE
TOWN OF WHEATLAND

A regular meeting of the governing body of the Town of Wheatland, County of Platte, State of Wyoming was held on Monday, September 8, 2003 at 7:00 P.M. in the Town Hall, the regular meeting place of the Town Council pursuant to the law.

The meeting was called to order by Mayor Pro-Tem, Jeff Wilhelm and upon roll call it was that the following were present: Mayor Pro-Tem, Jeff Wilhelm, Councilmen Wilson, Hensel and Geile. Also present were Clerk/Treasurer, Cindy Kahler, Police Chief, Steve Gilmore, Asst Town Attorney, Rex Johnson, and Town Engineer, Russ Schamel.

The agenda was presented and Mayor Pro-Tem, Wilhelm stated that the "Water/Wastewater report" under reports and under new business "water restrictions" and "starling infestation". A motion was made by Councilman Geile and seconded by Councilman Wilson to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting of August 11, 2003 and the special meetings of August 20, 2003 and September 4, 2003 were presented. A motion was made by Councilman Wilson and seconded by Councilman Hensel to approve the minutes from the meetings on August 11th, 20th and September 4, 2003 as presented. Motion carried.

The vouchers for the month of August were presented for payment. A motion was made by Councilman Hensel and seconded by Councilman Geile to approve the vouchers as presented. Motion carried. The vouchers are as follows: Airgas-supplies-31.56; Allen's Parts-veh maint-330.26; Atlas Office Products-supplies-165.58; Auto Electric-veh maint-76.70; Belzona Rocky Mtn-supplies-295.00; Best Western-lodging-98.71; Bob Ruwart-veh maint-131.72; Cellular One-phones-146.33; Charlie Trimble-Snap On-tools-42.60; Cobitco-oil-7633.70; Communicom-internet-235.85; Consolidated Mfg-supplies-264.69; Countermeasures Tactical -supplies-425.00; Couier By George-freight-50.00; Crescent Electric-supplies-1255.79; Crystal Ice-supplies-10.80; Dana Kepner-supplies-432.32; Dave's Auto Body- veh maint-650.00; DBC Irrigation-repairs-1675.24; Dept. Of Revenue-sales tax-2557.06; Div. Of Workers Comp-workers comp-5719.53; Douglas Weaver-legal fees-1750.00; Drube's Mfg-supplies-134.06; Phil Dumars-contract labor-195.00; Eastern Wyo. Ambulance Service-service-9000.00; Emergency Vehicle Equip-supplies-710.91; Energy Labs-supplies-835.00; Equifax-credt report-6.40; Farm Plan-supplies-112.59; Farm Police Supply-supplies-237.95; Fig U Rose-flowers-

26.25; Forestry Supply-supplies-181.80; Future Fascinations-computer-156.00; Gall's Inc-supplies-1948.18; Gases Plus-supplies-8279.96; Go Zone-supplies-37.50; Hall's Safety-supplies-47.60; HR Computer Consulting-computers-204.00; Huffer's Food Pride-supplies-54.21; Huskie Tools-veh maint-479.20; IC Group-supplies-495.00; Independent Testing-inspection-1406.25; Jim's Refrigeration-supplies-255.00; Ionex-phones-54.22; Jack's Electric-supplies-3461.33; Jeff Billing-bandshell finish-650.00; Joannette Wardell-labor-150.00; Kinder Morgan-heat-306.07; Kriz Davis-supplies- 562.00; KYCN-adv-100.00; LaFarge Road Marking-paint-1114.25; Laramie Peak Medical Clinic-supplies-54.00; Lawson Products-supplies-422.09; Layne Western-well work-2545.00; Mader/Tschacher/Peterson-audit fees-7000.00; Megger-supplies-205.47; Mikes Printing-supplies-356.44; Northern Tool-supplies-1451.41; Odean Parts-veh maint-571.35; Orbitcom-phones-2926.52; Page One-pagers-40.40; Pamida-supplies-108.46; P.C. Record Times-advertising-2975.42; Double "D's" Cleaning-janitorial-400.00; Pitmon Glass-supplies-26.00; Pitney Bowes-postage meter-117.07; P.C. Concrete-concrete-49.40; Priester Supplies-supplies-226.80; Purchase Power-postage-554.00; Quill Corp-supplies-89.70; Qwest-phones-66.19; Radio Shack-supplies-272.97; Rex Johnson-legal fees-400.00; Larae Richmond-labor-57.00; Rocky Mtn. Information-dues-100.00; S & S Plumbing-supplies-96.00; Safeway -supplies-24.48; Salt City Sales-supplies-409.50; Simon Contractors-supplies-410.52; Skarshaug Testing-gloves-175.42; State of Wyoming-sales tax-7391.42; Steve Gilmore-travel expenses-181.86; Subway-supplies-35.77; Sunshot Engineering-engineering-210.00; T & R Electric-supplies-1442.50; Teel Gun Works-supplies-964.90; Corporate Office-supplies-4.06; The St. Paul-insurance-696.05; Tire Centers-supplies-187.95; Town of Wheatland-petty cash-828.93; Tri-Hydro-landfill monitoring-382.84; Tru Green Chemlawn-spraying-6630.00; Two Way Radio-supplies-270.00; Ultramax Ammunition-supplies-1074.00; University of Wyoming-registration-105.00; U.S. Flag & Flagpole-1032.17; Van Diest Supply-supplies-1427.25; Verizon Wireless-phones-139.59; W.S. Darley & Co.-Supplies-53.23; Wheatco Sales & Service-gas & dsl-3959.71; Wheatland Automotive-veh maint-874.36; Wheatland Coop-gas & dsl-2849.15; Wheatland Fire Dept.-travel expenses-553.66; Wheatland Fire Equipment-supplies-1606.09; Bloedorn Lumber-supplies-160.17; Wheatland REA-power-2575.42; Wheatland True Value-supplies-96.94; Worldcom-phones-5.12; Wyoming Machinery-supplies-388.77; Wyoming Rents-supplies-1230.00; Xerox-copiers-282.45; Energy Labs-testing-710.00; Wyoming Mun. Power Agency-power-116,675.28; Sunshot Engineering-engineering-1858.00; Qwest-phones-49.05; Payroll-gross-150,067.47; Total Vouchers- \$384,764.89.

Mayor Pro Tem Wilhelm administered the Oath of Office to Jeffrey Rice-a new police officer with the Wheatland Police Department.

Mayor Pro Tem Wilhelm administered the Oath of Office to Ryan Floyd- a new police officer with the Wheatland Police Department.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Wilson and seconded by Councilman Hensel to approve the financial report and place it on file. Motion carried.

Mayor Pro Tem Wilhelm presented the reports from the Police Dept., Public Works Depts,

Ambulance Service, Fire Dept., Municipal Court, Chamber of Commerce, Wyoming Municipal Power Agency, Planning/Building Inspector, and the Water/Wastewater Dept.. Mayor Pro Tem Wilhelm stated that since there were no questions or concerns voiced regarding any of the reports, they would be placed on file.

Mayor Pro Tem Wilhelm introduced proposed Ordinance No. 695 on third reading and final passage. A motion was made by Councilman Hensel and seconded by Councilman Geile to pass proposed Ordinance No. 695 on third reading and final passage. Motion carried 4-0. Mayor Pro Tem Wilhelm declared Ordinance no. 695 adopted. Ordinance No. 695 its entirety follows:

ORDINANCE NO. 695

AN ORDINANCE AMENDING ORDINANCE NO. 649 ESTABLISHING RATES FOR ELECTRICAL SERVICE FOR THE TOWN OF WHEATLAND.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING.

There is hereby established the following monthly rates for electricity provided to consumers by the Town of Wheatland:

Section 1:

Residential

Service Charge	\$5/mo./meter
0 - 500 KWH	\$.055/KWH
Over 500 KWH	\$.052/KWH

Section 2.

Residential customers having residences heated entirely with electric heat

Service Charge	\$5/mo./meter
0 - 500 KWH	\$.055/KWH
501-2000 KWH	\$.052/KWH
Over 2000 KWH	\$.045/KWH

Section 3.

Commercial

Service Charge	\$10/mo/meter
0 - 500 KWH	\$.090/KWH
501-2000 KWH	\$.065/KWH
Over 2000 KWH	\$.055/KWH

Section 4.

Large Commercial

Service Charge	\$35/mo/meter
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0- 2,000 KWH	\$.10/KWH
2,001-20,000 KWH	\$.045/KWH
Over 20,000 KWH	\$.024/KWH
Demand Charge	\$8.40/KWH (over 30)

Section 5.

Mercury Vapor Lights:

175 watt mercury vapor light,
dawn to dusk service \$7.00 per month

Section 6.

Ordinance No. 501,620 and 649 and all other ordinances in conflict with this Ordinance are hereby repealed.

This Ordinance shall become effective the 1st day of November, 2003.

Passed and approved this 14th day of July, 2003 on first reading.

Passed and approved this 11th day of August, 2003 on second reading.

Passed and approved this 8th day of September, 2003 on third reading and final passage.

/s/ Mayor, Joel Dingman

Attest:

/s/ Clerk/Treasurer, Cindy Kahler

Mayor Pro Tem Wilhelm introduced proposed Ordinance No. 696 on third reading and final passage. A motion was made by Councilman Geile and seconded by Councilman Wilson to pass proposed Ordinance No. 696 on third reading and final passage. Motion carried 4-0. Mayor Pro Tem Wilhelm declared Ordinance No. 696 adopted. Ordinance No. 696 follows in its entirety.

ORDINANCE NO. 696

AN ORDINANCE AMENDING APPENDIX B OF ORDINANCE NO. 605 FOR THE ESTABLISHMENT OF EACH USER'S WASTEWATER SERVICE CHARGE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING:

Appendix B of Ordinance No. 605, which is referred to in Section 5 of said ordinances, is amended to read as follows:

APPENDIX B
RATE SCHEDULE

Residential users are considered to be one class of user and are assessed a charge of \$7.00 per month. Non-residential users with water usage no greater than the average residential user's water usage of 6,600 gallons per month and with BOD and TSS no greater than the average residential user's strength of 200 ppm BOD and 250 ppm TSS will pay \$7.00 per month.

Non-residential users with water usage volumes greater than the average residential user, i.e. 6,600 gallons per month, will pay a total charge of equal to their monthly usage divided by 6,600 multiplied by \$6.30; thus, non-residential charges will be based on actual monthly water meter readings.

Any non-residential user with BOD and TSS greater than the average residential user's strength of 200 ppm BOD and 250 ppm TSS will pay a surcharge in accordance with the rates shown in the surcharge rate schedule.

All other provisions and appendices of Ordinance No. 605 shall remain in full force and effect.

This ordinance shall become effective the 1st day of November, 2003.

Passed and approved this 14th day of July, 2003 on first reading.

Passed and approved this 11th day of August, 2003 on second reading.

Passed and approved this 8th day of September, 2003 on third reading and final passage.

/s/ Mayor, Joel Dingman

Attest:

/s/ Clerk/Treasurer, Cindy Kahler

Proposed Ordinance No. 697 was introduced and read on third and final passage. A motion was made by Councilman Hensel and seconded by Councilman Wilson to adopt proposed Ordinance No. 697 on third and final passage. Motion carried. Mayor Pro-Tem Wilhelm declared the motion carried and Ordinance No. 697 adopted. Ordinance No. 697 in its entirety follows:

ORDINANCE NO. 697

AN ORDINANCE ESTABLISHING MONTHLY RATES FOR
GARBAGE COLLECTION AND REPEALING ALL PREVIOUS
ORDINANCES ESTABLISHING COLLECTION RATES.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
WHEATLAND, WYOMING:

The following rates are hereby established for the collection of garbage and refuse:

Section 1. Residential Rates:

(A) Single family dwellings shall pay \$11.00 per month for weekly collection.

(B) Multi-family dwellings, including but not limited to duplexes, four-plexes, apartment complexes and senior complexes shall pay \$11.00 per month per occupied unit for weekly collection.

Section 2. Business and Professional Office Rates:

(A) The following businesses shall pay \$80.00 per month for six day per week collection:

(1) All restaurants, including not for profit clubs that serve meals on a regular or sporadic basis.

(2) Hospitals

(3) Nursing Homes

(4) Convenience Stores

(5) Veterinary Services

(B) The following businesses shall pay \$15.00 per month for twice a week collection.

(1) Professional offices for each office occupied.

(2) Community organizations that do not sell for or alcoholic beverages

(3) Day care centers not located in a personal residence

(4) Churches

(C) Grocery Stores shall pay \$135.00 per month for six day a week collection.

Section 3. Public Buildings

(A) Platte County School District #1 shall pay \$250.00 per month for five day a week collection.

(B) Platte County shall pay \$135.00 per month for five day a week collection at the Platte County Courthouse.

(C) Platte County Public Library shall pay \$15.00 per month for twice a week collection.

Section 4. Other Rates

All other businesses or public buildings not specifically set forth above:

(A) \$20.00 per month for twice a week collection

(B) \$30.00 per month for five day a week collection.

(C) In the event more than one business is located in the same building, but the businesses are owned by the same entity, the businesses will be considered one business, however will be charged \$30.00 per month whether the collection is twice a week or five day a week collection.

(D) In the event more than business is located in the same building, and

the businesses are owned by different entities, each business will pay a separate rate each month depending on the number of collections each week.

- (E) Residential dwellings in which a business is also located shall pay \$20.00 per month for weekly collection.

Section 5. Repeal:

All ordinances previously enacted establishing rates for collection of garbage and refuse are hereby repealed.

This ordinance will become effective on November 1, 2003.

Passed and approved this 14th day of July, 2003 on first reading.

Passed and approved this 11th day of August, 2003 on second reading.

Passed and approved this 8th day of September, 2003 on third reading and final passage.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Town Clerk

Proposed Ordinance No. 698 was read on third and final reading. A motion was made by Councilman Wilson and seconded by Councilman Geile to approve proposed Ordinance No. 698 on third reading and final passage. Motion carried. Mayor Pro Tem Wilhelm declared the motion carried and Ordinance No. 698 adopted. Ordinance No. 698 in its entirety follows:

ORDINANCE NO. 698

AN ORDINANCE ESTABLISHING RESTRICTIONS FOR USE OF THE SANITARY LANDFILL AND REPEALING ALL CONFLICTING ORDINANCES AND POLICIES.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING:

Section 1. Use of Landfill:

A. No nonresident of Platte County shall use the landfill except as provided by separate contract.

B. No commercial hauler of garbage and refuse shall use the landfill except as provided by separate contract.

Section 2. Restrictions on Use:

A. The following materials will not be accepted in the landfill and it shall be unlawful for any person to dispose of the following materials in the landfill:

1. Asbestos or any materials containing asbestos.
2. Chemical, pesticides and insecticides or any container which has been used for the storage of any chemical, pesticide or insecticide.
3. Salvage or junk vehicles.
4. Printing Ink

The Town does hereby reserve the right to refuse any material which it feels will be detrimental to the operation of the landfill.

B. The following materials will be accepted subject to stated conditions.

1. Maximum of five (5) gallons of oil which shall be placed in containers provided at the landfill.
2. Soil removed from contaminated areas if prior written approval from the disposal is obtained from the Wyoming Dept. Of Environmental Quality.
3. All appliances which contain or have contained chlorofluorocarbons (CFC) and hydrochlorofluorocarbons (HCFC) (freon) if:
 - (a) The person desiring to dispose of the appliance provides written documentation that the Freon has been removed by a refrigerant technician. The documentation shall provide the date, the name of the technician and the technician's I.D. number and type of license, serial number of the appliance and any other pertinent information which the landfill operator deems necessary. The written documentation must include a statement by the refrigerant technician that the information contained therein is true and accurate.
 - (b) In the event the person desiring to dispose of the appliance does not have written document that the Freon has been removed by a refrigerant technician, the person desiring to dispose of the appliance shall pay a fee as established by the Town for each appliance disposed of. In addition to payment of the fee, the person shall sign a written document indicating the type of appliance, date and stating that the Freon has not been removed or accidentally released to the best of his knowledge.

Section 3. Repeal:

All ordinances, policies and provisions of the Code of the Town of Wheatland previously enacted regulating the use of the landfill and establishing fees for the use of the landfill which are in conflict herewith are hereby repealed.

This ordinance will become effective October 1, 2003.

Passed and approved this 14th day of July, 2003 on first reading.

Passed and approved this 11th day of August, 2003 on second reading.

Passed and approved this 8th day of September, 2003 on third reading and final passage.

/s/ Mayor, Joel Dingman

Attest:

/s/ Clerk/Treasure, Cindy Kahler

Mayor Pro Tem Wilhelm opened the bids for the new pickup for the Water/Wastewater Department. The bids are as follows:

Ruwart Motors:

Chevrolet - \$35,478.00

Dodge - \$34,972.00

Laramie Peak Motors:

Ford - \$33,251.00

Mayor Pro Tem Wilhelm directed the Town Mechanic, Kevin Jenkins and the Water/Wastewater Department to look at the bids to see which pickup met the specifications and return to the Council with a recommendation.

Clerk/Treasurer, Cindy Kahler reported that Carl Jensen has the veterans statue that was purchased in June. There was a brief discussion on placing the statue and Mrs. Kahler is to do some research on location and Council with a recommendation.

A discussion was held on the continuation of the water restrictions since the weather has cooled off. Water Dept. Head, Pete Delgado and Town Engineer, Russ Schamel stated that the restrictions should stay on for a while yet, since everyone is used to them and it seems to be working fairly well. Town Engineer, Russ Schamel stated that he is moving forward with the plans for the new well that is to be drilled by the water tower in Black Mtn.. Water Dept. Head, Pete Delgado stated that he plans to work on the North Booster station and Black Mtn. Well #2 this winter to improve their efficiency. Mr. Delgado stated that he felt we should continue with the water tips in the paper and perhaps expand on the education of the public. Engineer, Russ Schamel recommended the Town consider a SCADA system on the water system to operate more efficiently.

Mayor Pro Tem Wilhelm stated that the citizens on the South end of 12th and 13th Streets are having a serious problem with starlings. Mr. & Mrs. John Wickam were present and stated that for the past three weeks they have experienced a terrible problem and tried several things to get rid of the birds to no avail. Mr. Wickam asked if he could have permission to shoot fireworks in the evening and possible get rid of the birds. Gerry Munger was present and stated that the power plant has a serious problem every year with starlings and have not found anything that will actually get rid of them, as they always return. Police Chief, Gilmore stated that the Town Council should look at the ordinance regarding fireworks and consider the use of fireworks for designated areas and times to see if it would do anything to abate the nuisance. Mayor Pro Tem Wilhelm stated that the Council would look at the Ordinance and meet later in the week to discuss the issue further.

Town Mechanic, Kevin Jenkins recommended the purchase of the Dodge pickup from Ruwart Motors as it meets or exceeds all of the specifications. A motion was made by Councilman Geile and seconded by Councilman Wilson to accept the bid of Ruwart Motors for a Dodge pickup in the amount of \$34,972.00. Motion carried 3-1.

With no further business to come before the governing body, Mayor Pro Tem Wilhelm adjourned the meeting at 8:05 P.M.. The next regular meeting of the Town Council of the Town of Wheatland will be held on October 13, 2003.

Mayor, Pro Tem Jeff Wilhelm

Attest:

Town Clerk/Treasurer, Cindy Kahler