

Wheatland, Wyoming  
September 13, 2004

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

The regular meeting of the Town Council of the Town of Wheatland, Platte County, State of Wyoming was held in the Council Room of the Town Hall at 7:00 P.M. Monday, September 13, 2004.

The meeting was called to order by Mayor Dingman and upon roll call it was found that the following were present; Councilmen Wilhelm, Hensel, Geile and Wilson. Also present was Clerk/Treasurer, Cindy Kahler, Town Attorney, Doug Weaver and Town Engineer, Russ Schamel.

Mayor Dingman stated that the agenda needed to be amended to include "shop hoist" under "new business". A motion was made by Councilman Wilson and seconded by Councilman Geile to approve the agenda as amended. Motion carried.

The minutes of the regular meeting held on August 9, 2004 and the special meeting held on August 23, 2004 were presented. A motion was made by Councilman Geile and seconded by Councilman Wilhelm to approve the minutes of the regular meeting and the special meeting as presented. Motion carried.

The vouchers for the month of August, 2004 were presented for payment. A motion was made by Councilman Hensel and seconded by Councilman Wilson to pay the vouchers as presented. Motion carried. The vouchers are as follows: Airgas-supplies-227.98; Allen's Parts-veh maint-6444.65; Atlas Office Products-supplies-349.43; Auto Electric-veh maint-42.15; Automatic Garage Door Inc.-repairs-526.45; Blackwolf Transport-freight-216.47; Bob Ruwart Motors-veh maint-150.20; Brown Company-supplies-165.96; Cellular One-phones-98.46; Chemsearch-supplies-352.47; Communications Source-supplies-582.42; Communicom Services-services-262.88; County Police Supplies-supplies-610.05; Crescent Electric-supplies-2341.42; Crum Electric-supplies-2540.00; Crystal Ice-supplies-24.30; Dana Kepner-supplies-2783.74; Dept. Of Revenue-sales tax-2477.69; Diamond Vogel-supplies-142.00; Div. Of Workers Comp-workers comp-7052.58; Drive Train-veh. maint-17.53; Drube's Mfg-supplies-464.72; Phil Dumars-contract labor-195.00; Dust Busters-supplies-77.85; Elite Auto Glass-repairs-388.18; Energy Labs-water testing-220.00; Equifax-report-4.20; Farm Plan-supplies-155.05; Fat Boys-repairs-60.00; Gall's Inc-supplies-352.21; Gases Plus-supplies-23.56; Glendo Marina-repairs-130.00; Grainger-supplies-30.44; HHS International-school-135.00; Huffers Food Pride-supplies-115.32; Hydrotex-supplies-1724.01; Industrial Dist.-supplies-42.62; Intech-supplies-99.35; Intermountain Sweeper-supplies-297.10; Jack's Electric-supplies-574.16; Jeff Wilhelm-mileage-109.90; Kilmer Dist-supplies-168.00; Kinder Morgan-heat-249.31; Koch Materials-supplies-2424.31; Kriz Davis-supplies-961.14;

LaFarge Road Marking-supplies-2479.80; Laramie Peak Motors-veh maint-90.72; Law Enforcement Targets Inc.-supplies-330.68; Lawson Products-supplies-323.00; Layne Christensen-well work-33,687.00; Lock Trucking-supplies-25.85; My-Lor-supplies-33.85; MC Products-supplies-44.40; Mater/Tschacher/Peterson-audit fees-8000.00; Mikes Printing-supplies-1992.14; Odean Parts-veh maint-285.61; Page One-pagers-40.00; Pamida-supplies-147.00; P.C. Memorial Hospital-health fair booth-30.00; P.C. Parks and Recreation-expenses-29,448.67; P.C. Record Times-3042.65; P.C. Resource Dist-dures-200.00; Double "D" Clearing-janitorial-400.00; Pipers-supplies-29.34; Pitney Bowes-supplies-107.57; Project Safe-contribution- 6000.00; Quill Corporation-supplies-154.31; Qwest-phones-158.31; RMIN-dues-100.00; Shorey Electronics-supplies-130.03; Rex Johnson-insurance-400.00; Larae Richmond-alterations-194.00; S & S Plumbing-supplies-733.68; Safeco Ins.-inbs-92.71; Seton Name Plate-signs-191.89; Sierra Springs-supplies-54.50; Simon Contractors-supplies-2024.22; Slafter Oil-supplies-310.55; Solid Waste Systems-supplies-3150.00; State of Wyoming-sales tax-7236.51; Sunshot Engineering-engineering-446.50; T & R Electric-supplies-590.00; Town Treasurer-petty cash-969.47; Tru Green Chemlawn-spraying-5763.75; Two Way Radio-supplies-270.00; Universal Police Supply-supplies-168.05; Van Diest-supplies-181.20; Verizon Wireless-phones-1052.20; The VWE Group-44.06; WAMCAT-dues-80.00; WADCO-contribution-3750.00; Waterous Company-supplies-120.09; WESCO-supplies-746.20; Western Plains-supplies-1239.19; Western United-supplies-472.00; Wheatco Sales & Service-gas,dsl-4,989.95; Wheatland Automotive-veh maint-1099.86; Wheatland Coop-supplies-2007.70; Wheatland Golf Club- contribution-7500.00; Wheatland Fire Dept.-expenses-305.54; Wheatland Fire Equipment-supplies-133.06; Bloedorn Lumber-supplies-1298.04; Wheatland Medical Clinic-evaluation-250.00; Wheatland REA-power-878.59; Wheatland True Value-supplies-301.24; Wylaco Supply-supplies-143.04; W.A.M.-registration-320.00; Wyo. DEQ-discharge permit-100.00; Wyoming Law Enforcement-school-380.00; Wyoming Machinery-supplies-158.10; Xerox Corp-copiers-304.32; Bloedorn Lumber-supplies-224.11; Qwest-phones-618.20; Sunshot Engineering-engineering-1475.50; Terracon-engineering-4077.00; Wester/Wetstein-engineering-12,477.27; Wheatland REA-service-2078.37; TH Construction-repairs-15,000.00; Total Payroll-135,061.99; Wyoming Mun. Power Agency-power-116,227.09; Total Vouchers-461,336.87.

Mr. Art Hultman voiced a complaint concerning the water pressure in Black Mtn. at his rental property along Ponderosa Street. Mr. Hultman stated that the pressure had been as low as fifteen pounds in the last few days. There was a discussion on the watering schedule at the new Little League Field and the Middle School. Town Engineer, Russ Schamel stated that some of Mr. Hultman's water pressure problems were due to his close proximity to the water tower, as the pressure depends on the level of the water in the tower. He stated that when a well is not performing on a normal basis, the water level in the tower drops, thus the pressure drops and it effects the residences closes to the tower more directly. Engineer, Schamel stated that the new well along with the well work that has been done should help the water pressure in Black Mtn. Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve the financial report as presented and place it on file. Motion carried.

Mayor Dingman presented reports from the Police Dept., P.C. Chamber of Commerce, Wyoming Mun. Power Agency, City/County Planner, Ambulance Dept. and the Water/Wastewater Dept..

Councilman Wilhelm stated that he had attended the recent meeting of the Wyoming Mun. Power Agency in Jackson and he gave a brief summary of the discussions. He stated that the most important point of the meeting was the impact that the drought conditions have caused at the Laramie River Station. He stated that it is a real possibility that the Agency will be purchasing some power on the "spot market" making it more expensive. Town Attorney, Doug Weaver added that the costs of coal and rail transportation will also be going up substantially, also resulting cost increases to the Town.

Proposed Ordinance No. 705 was read on third and final reading. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to pass Ordinance No. 705 on third and final reading. Motion carried. The Ordinance in its entirety is as follows:

ORDINANCE NO. 705

AN ORDINANCE ANNEXING PROPERTY TO THE TOWN OF WHEATLAND, PLATTE COUNTY, WYOMING, EXTENDING CORPORATE LIMITS THEREOF, DEFINING THE BOUNDARIES OF THE PROPERTY ANNEXED AND ORDERING THE PLAT DESCRIBING THE ANNEXED PROPERTY TO BE FILED WITH THE COUNTY CLERK OF PLATTE COUNTY, WYOMING.

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

Section 1. The following described property to-wit:

See Attached Exhibit "A"

is hereby annexed to, shall be included in and shall become part of the incorporated Town of Wheatland, Platte County, Wyoming, subject to the terms and provisions of the Resolution adopted by the Town Council on July 12, 2004.

Section 2. The Town Clerk shall cause to be filed in the office of the County Clerk of Platte County, Wyoming upon the effective date of the annexation a plat showing the boundaries of the annexed property.

Section 3. The above-described property shall be zoned "Highway Business" as defined in the Development Code for the Town of Wheatland, Wyoming.

Passed and approved this 12th day of July, 2004 on first reading.

Passed and approved this 9th day of August, 2004 on second reading.

Passed and approved this 13th day of September, 2004 on third reading and final passage,

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 706 was presented on third and final reading. A motion was made by Councilman Hensel and seconded by Councilman Geile to approve proposed Ordinance No. 706 on third and final reading. Motion carried. Ordinance No. 706 in its entirety follows:

ORDINANCE NO. 706

AN ORDINANCE AMENDING ORDINANCE NO. 419 AND THE LAND USE DISTRICT MAP OF THE TOWN OF WHEATLAND, WYOMING AND REZONING THOSE AREAS DESCRIBED HEREIN FROM MOBILE HOME SUBDIVISION DISTRICT (MHS) AND LIGHT INDUSTRIAL (LI) TO CONSERVANCY DISTRICT (C).

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

Section 1. That those parcels of property within the Town limits of the Town of Wheatland, Wyoming described as follows:

Lots 20-28 of Black Mountain Subdivision #2 Section 14 and part of the N1/2NW1/4 of Section 23, both in Township 24 North Range, 68 West, Town of Wheatland, Platte County, Wyoming.

Which parcels are presently zoned Mobile Home Subdivision (MHS) and Light Industrial (LI) is hereby changed to Conservancy (C).

Section 2. That the Land Use District map of the Town of Wheatland is amended in accordance with this Ordinance.

Passed and approved on first reading, July 12, 2004.

Passed and approved on second reading, August 9, 2004. \

Passed and approved on third reading and final passage, September 13, 2004

/s/ Joel Dingman, Mayor\

Attest:

/s/ Cindy Kahler, Town Clerk

Ross Archie was present concerning a sewer claim in the amount of \$3,428.00 that had been sent to the Town of Wheatland's insurance carrier and they had subsequently denied the claim. Mr. Archie stated that the sewer had backed up in his basement at least once a year for the past five years and he felt that there must be a problem with the main. After further discussion a motion was made by Councilman Wilson and seconded by Councilman Geile to pay the claim in the amount of \$3,428.00 to Mr. Archie. Mayor Dingman called for the vote, voting

yes-Councilman Geile, Voting no - Councilman Wilson, Wilhelm and Hensel. Mayor Dingman declared the motion denied by a 3 to 1 vote.

The Eastern Wyoming Ambulance Service contract was presented. Town Attorney, Doug Weaver stated that there had been one change to the contract on page 4 under "Term of Agreement" - "This agreement shall commence on the 1st day of July, 2004, and shall be for a term of one year thereafter. This agreement shall be automatically renewed and extended for successive periods of one (1) year, unless either of the parties give written notice \_\_\_\_ days before the end of the term they do not intend to renew the agreement.". After a brief discussion a motion was made by Councilman Wilhelm and seconded by Councilman Hensel to accept the contract with the change in term and insert 45 days into the written notice portion. Mayor Dingman called for discussion. Councilman Hensel stated that he would like to see 90 days inserted as that would give the Town more time to find another service. Councilman Wilhelm stated he would agree to the 90 days. Eastern Wyoming Ambulance Service owners Wade Wells and Jason Evans agreed with the 90 days. Mayor Dingman called for the vote. Voting yes- Councilman Wilhelm, Hensel, Geile and Wilson. Mayor Dingman declared the motion carried and the contract granted.

Chamber of Commerce representative, Blinky Byers was present and requested that the Town Street Dept. be allowed to assist with laying re-milled asphalt in the parking lot at the Visitors Center. Mrs. Byers stated that she had been in contact with Allen Baker from the Town's Street Dept. and Allen Lackey from the County's Road and Bridge concerning the project and they had agreed that the re-milled asphalt would work for the parking areas. She stated that they would need a water truck and driver and a road grader with an operator. Mrs. Byers indicated that the County would be supplying trucks to haul the material and a roller with an operator. She stated that they plan to do the project in the spring, when the weather warms up. A motion was made by Councilman Geile and seconded by Councilman Wilson to allow the Town's Street Dept. to assist with this project at no cost to the Chamber of Commerce. Motion carried.

Wheatland Recycling Task Force representative, Dan Brecht and DeAnne Hensel were present and gave the Council a summary of the last six and one-half years that the Recycling center has been in operation. Mr. Brecht stated that the project is working as they have recycled 440 tons of material since 1998. Mr. Brecht gave the Council a brief history of recycling in Wheatland and he indicated that the present system seems to be working the best, however, volunteers have dropped off and the Town's Street Dept. and Landfill personnel are doing most of the work in handling the recycling center. Mr. Brecht stated that the Task Force would like to request the Town to take over the recycling center completely and all funds generated from the center would go to the Town since they are doing most of the work. He stated that the Task Force did have some suggestions; The Committee be retained as an advisory group to the Mayor and Council. Encourage more businesses to get involved with cardboard and glass recycling. Designate dumpsters for recyclables at locations around Town. DeAnne Hensel stated the Committee has lots of ideas to implement recycling. Mr. Ross Archie stated that he had locations at the Lumber yard to put dumpsters to collect recyclables. He also stated that Torrington has been doing some recycling such as composting and chipping wood and it seems to be working very successfully. After further discussion, a motion was made

by Councilman Wilson and seconded by Councilman Geile to accept the recycling center and request the Mayor form a committee to serve in an advisory capacity to the Town Council, some of the members being Dan Brecht, Ross Archie and DeAnne Hensel. Motion carried.

A catering permit application from the Chamber of Commerce for September 17, 2004 was presented. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve the catering permit at the minimum fee allowed by law. Mayor Dingman called for the vote, voting yes- Councilman Wilhelm, Hensel and Geile, voting no-Councilman Wilson. Mayor Dingman declared the motion carried and the catering permit granted.

A memorandum of understanding from Platte County concerning the dispatch was presented. Councilman Wilhelm recommended that the Council not sign the M.O.U. as it is presented as there are some conditions concerning the funding of dispatch that were not included on the M.O.U. and he would like to see those items included before it is signed. The Council were in agreement.

Town Attorney, Doug Weaver presented an “approval and consent” to allow the purchase of the Wheatland Fire Equipment building by Whitehead Construction. He stated with this agreement WADCO can accept the Purchase Offer and Acceptance dated September 9, 2004 between Wheatland Area Development and Whitehead Construction, Inc.. A motion was made by Councilman Geile and seconded by Councilman Wilson to authorize the Mayor to execute the “approval and consent” form as presented. Motion carried.

A claim in the amount of \$500.00 was presented from Mr. Art Hultman concerning a tree that had been trimmed while clearing electric lines. Mr. Hultman stated that the tree had been damaged to the degree that it will probably die. He stated that the company that was hired by the Town did not understand what they were cutting as they cleared atleast three feet below the ground wire, which was unnecessary. Mayor Dingman stated that the Town had hired an Arborist with electric line clearance training to avoid this type of situation. After further discussion, a motion was made by Councilman Wilson and seconded by Councilman Wilhelm to cobntact West Winds Tree Service concerning the liability for the damages to the tree and if they would not to forward the claim to the Town’s insurance carrier. Motion carried.

Clerk/Treasurer, Cindy Kahler stated that Town Mechanic Kevin Jenkins had purchased a new hoist for the mechanic’s shop that would work more efficiently in the space that is available for a hoist. She stated that Platte County, Road and Bridge foreman Allan Lackey stated the County would pay \$3,000.00 for the old hoist as is. A motion was made by Councilman Geile and seconded by Councilman Wilson to sell the hoist to Platte County “as is” for \$3,000.00. Motion carried.

A motion was made by Councilman Geile and seconded by Councilman Wilson to move to execute session at 9:00 P.M., Mayor Dingman stated that he did not wish to go to executive session on the matter.

Town Attorney, Doug Weaver stated that the Alden’s had requested a “stay” on the

distribution of wastewater on land adjacent to their property. Since that time the applicator has agreed not to distribute any water from September 30, 2004 to March 15, 2005 and all parties have agreed to the terms. Attorney, Weaver stated that the Dept. Of Environmental Quality will be scheduling public hearings on the project.

With no further business to come before the Governing Body, Mayor Dingman adjourned the meeting at 9:15 P.M.. The next regular meeting of the Town Council will be held on October 11,2004.

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Mayor, Joel Dingman

Attest:

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Town Clerk/Treasurer, Cindy Kahler