

Wheatland, Wyoming
April 11, 2005

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, April 11, 2005.

The meeting was called to order by Mayor Dingman and upon roll call it was found that the following were present: Councilmen Wilhelm, Wilson and Hensel and Councilwoman Allen. 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 an Arbor Day Proclamation, sewer claim (Wilde), re-zone application (Lebsack) and delete the V.F.W. A motion was made by Councilman Wilson and seconded by Councilman Hensel to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on March 14, 2005 were presented. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve the minutes as presented. Motion carried 4-0.

The vouchers for the month of March, 2005 were presented for payment. A motion was made by Councilman Hensel and seconded by Councilman Wilson to approve the vouchers as presented. Motion carried 4-0. The vouchers are as follows: Airgas-supplies-37.48; Allen's Parts-veh maint-318.46; Almetex Ind-supplies-227.03; American Legion-contribution-2000.00; Snap-On Tools-supplies-42.80; Atlas Office Products-supplies-381.92; Bird X-supplies-36.00; Bob Ruwart Motors-veh maint-570.01; Brenda Allen-Council salary/expenses-508.98; Brown Co.-supplies-27.01; Buffalo Bill Village-lodging-1246.56; Cellular One-phones-98.46; Chemsearch-supplies-299.40; Cheyenne Winelectric-supplies-182.14; Communication Tech-supplies-720.85; Communications Source-supplies-71.05; Communicom Services-internet-297.80; Consolidated Mfg.-supplies-3266.68; Contractors Materials-supplies-2875.00; Courier By George-freight-125.00; Crescent Electric-supplies-1880.26; Crystal Ice-supplies-20.00; DBC Irrigation-supplies-51.50; Dean Hensel-Council salary/expenses-541.43; Div. Of Workers Comp-workers comp-6452.77; Doug Weaver-attorney fees-1750.00; Drube's Mfg-supplies-77.33; Phil Dumars-contract labor-195.00; Howard Supply-supplies-15.00; Eastern Wyoming Ambulance Service -services -9166.66; Electrical Systems Cons.-engineering-3806.13; Energy Labs-water testing-835.00; Equifax-credit report-7.12; Farm Plan-supplies-126.84; Fat Boys-supplies-613.20; Flemming Assoc.-supplies-325.00; G Neil Direct-supplies-90.07; Gall's Inc-

supplies-142.93; Gases Plus-supplies-26.04; Hamlin Electric-electric line construction-32,985.00; Hope Council-meth conference-500.00; Huffers Food Pride-supplies-343.15; Jack's Electric-supplies-532.01; Jeff Wilhelm-Council salary-225.00; Jenkins Auto Body-veh maint-385.60; Joel Dingman-Mayor salary-750.00; Kirby Wilson-Council salary-225.00; Kinder Morgan-heat-7425.12; Kois Brothers-supplies-471.42; KYCN-adv-75.00; Lab Safety-supplies-52.06; Laramie Peak Computers-supplies-980.00; Laramie Peak Motors-supplies-392.48; Lathrop Equipment-mower-41,067.00; Lawson Products-supplies-39.70; Liberty Flag-supplies-63.95; Lock Trucking-supplies-355.07; Lyle Signs-supplies-2416.82; Marks Plumbing-supplies-404.89; Mike Printing-supplies-951.87; Motorola-supplies-4523.56; Noyce's Shop-supplies-315.00; Odean Parts-veh maint-422.46; Office Max-supplies-94.96; Orbitcom-phones-1761.40; Page One-pagers-80.00; Pamida-supplies-90.79; Parkway Plaza-lodging-488.80; P.C. Concrete-supplies-518.00; P.C. Record Times-adv-4128.76; P.C. Resource Dist-trees-63.00; Peterbilt of Wyoming-veh maint-131.91; Double D's-janitorial-400.00; Pipers-supplies-229.58; Pitmon Glass-supplies-104.00; Quality Equip-supplies-2054.05; Qwest-phones-155.61; Shorey Electronics-supplies-523.57; Rex Johnson-health ins-400.00; Sensus Metering-supplies-235.00; Siemens Power Transmission-supplies-229.00; Sierra Springs-supplies-66.95; State Chemical-supplies-113.00; Dept of Revenue-sales tax-6576.31; Sunshot Engineering-engineering-694.50; Corporate Office-supplies-64.54; Torrington Sod-sod-185.30; Town Treasurer-petty cash-762.62; Tru-Tech Products-supplies-8.95; Verizon Wireless-phones-377.54; WADCO-subsidy-3750.00; Waterous Comp-supplies-155.65; WESCO-supplies-1546.00; Wheatco Sales & Service-supplies-1551.18; Wheatland Auto-veh maint-497.05; Wheatland Coop-gas,dsl-1864.94; Wheatland Fire Dept.-expenses-412.91; Bloedorn Lumber-supplies-805.83; Wheatland REA-power-1935.14; Wheatland True Value-supplies-36.65; Winnelson-supplies-34.41; Wyo. Ag News-adv-135.00; Wyoming Law Enforcement Acdmy-training-160.00; Wyoming Machinery-supplies-713.11; Xerox Corp-copiers-589.82; Zep Mfg.-supplies-57.72; Wester/Wetstein-well work-3260.89; Western Plains Hist. Assoc.-study-1122.69; Sunshot Engineering-engineering-4580.33; Wyo. Mun. Power Agency-power-103,983.33; Payroll-total-136,965.40; Total Vouchers- \$420,053.26.

Mayor Dingman presented a letter from the Cub Scouts of America - Pack 47 thanking the Town Council for their contribution to scouting.

Tree City U.S.A. Committee member, DeAnne Hensel presented a proclamation for Arbor Day. She stated that as part of the Tree City USA program the Town must recognize Arbor Day. Mayor Dingman proclaimed April 29, 2005 as Arbor Day in the Town of Wheatland.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the financial report as presented. Motion carried 4-0.

Reports from the Police Dept., Public Works Depts., P.C. Chamber of Commerce, Planner's Office, Ambulance Service, Wyoming Mun. Power Agency and the Fire Dept. were presented. Fire Chief Scott Scheller stated that the Fire Dept. had submitted a grant for a ladder truck to FEMA again this year. He stated that the criteria has been changed and he felt that the Dept. had a better chance than last year. He indicated that should they receive the grant the Town's

match would be \$24,477.00 and it should be included in the Town's 2005-06 budget. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to move forward with the grant with the understanding it would be funded in the 2005-06 budget. Motion carried 4-0. Fire Chief, Scheller requested the Town consider purchasing a professional "I.D." machine as a uniform identification system would be beneficial.

WADCO Executive Director, Linda Fabian was present and thanked the Mayor and Council for their assistance with the work that done on the catholic college.

Councilman Wilhelm requested clarification on proposed changes in the Wyoming Municipal Power Agency draft contract that was included in the report. W.M.P.A. representative Doug Weaver stated that workshop has been planned for May 3, 2005 to discuss the changes.

Proposed Ordinance No. 709 was presented on third and final reading. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve proposed Ordinance No. 709 on third reading and final passage. Motion carried 4-0. Ordinance No. 709 follows in its entirety:

ORDINANCE NO. 709

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 ANNEX 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 February 14, 2005.

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 14th day of February, 2005 on first reading.
Passed and approved this 14th day of March, 2005 on second reading.
Passed and approved this 11th day of April, 2005 on third reading
and final passage.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 710 was introduced on second reading. A motion was made by Councilman Hensel and seconded by Councilman Wilson to approve proposed Ordinance No. 710 on second reading. Motion carried 4-0. Proposed Ordinance No. 710 title is as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 419 AND THE
LAND USE DISTRICT MAP OF THE TOWN OF WHEATLAND,
PLATTE COUNTY, WYOMING AND REZONING THAT PORTION
OF THAT AREA DESCRIBED HEREIN THAT IS ZONED
RESIDENTIAL (R) TO GENERAL BUSINESS DISTRICT (GB).

Councilman Hensel reported that he and Councilwoman Allen that they had met with the Wilde's concerning their claim for damages done by two sewer backups. He stated that they had agreed that the Town could pay for clean up and carpet in the amount of \$7,562.22. A motion was made by Councilman Hensel and seconded by Councilwoman Allen to pay damages in the amount of \$7,562.22 to Wilde's with the understanding that the Town would be released from any further claims regarding the two incidents. Motion carried 4-0.

Wheatland Golf Club representative, Joe Holtzclaw was presented and stated that the Golf Club had agreed upon a plan to upgrade the sprinkler system at the golf course at a cost of \$210,000.00. He stated that they had exhausted all avenues of funding through grants and they would be requesting a low interest loan through WADCO in conjunction with a local bank. He stated that the Golf Course would like some financial assistance from the Town to aid in the project. Councilman Wilhelm stated that the Golf Club should submit a request for financial assistance with the sprinkler system so that it could be considered for the 2005-06 budget.

A catering permit application was submitted by Dusty Boots for April 29, 2005 at the 4-H Building. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the catering permit application submitted by Dusty Boots for April 29, 2005 at the minimum fee allowed by law. Voting yes - Councilman Wilhelm and Hensel, Councilwoman Allen. Voting no-Councilman Wilson. Mayor Dingman declared the motion carried 3-1.

A motion was made by Councilman Wilson and seconded by Councilwoman Allen to suspend the regular meeting at 7:30 P.M. and go into the advertised public hearing. Motion carried 4-0. Mayor Dingman opened the public hearing stated the purpose of the public hearing was to allow citizens to review and comment on the use of funds from the Wyoming Clean Water State Revolving Loan fund administered by the Wyoming Dept. Of Env. Quality. The

funds would be used for the construction of a pump station at the outlet of the Town of Wheatland Treatment Lagoon #3 in the NE1/4 of Section 1, T24N, R68W, that will pump treated wastewater to two storage reservoirs on the Shepard Farm, Section 6, T24NR67W, from the storage reservoirs the treated wastewater will be pumped to existing on-farm pump sumps to irrigate lands in the E1/2E1/4, SW1/4 and SE1/4 all in the Section 6, T24N, R67W. This project is necessary for the final disposal of the Town of Wheatland's treated wastewater effluent since compliance with the NPDES permit limitations on ammonia for continuing the existing discharge into Wheatland Creek is not feasible. Town Engineer, Russ Schamel detailed the project with drawings and maps, including the present lagoon system, proposed pipeline, storage facilities and sprinklers. Mr. Schamel stated the project is estimated to cost approximately 1.6 million dollars with \$800,000.00 from a Farm Loan Board grant and \$800,000.00 from the State Revolving Loan Funds. Mayor Dingman stated there had been no written comments either for or against and he asked for comments from the audience. There being none, Mayor Dingman closed the public hearing at 7:45 P.M..

A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to reconvene the regular meeting. Motion carried 4-0.

Lee Beatty was present and voiced concerns about the present electric Ordinances that the Town is operating under, particularly wiring being done by un-licensed individuals. Mr. Beatty stated that it was his understanding that several years ago the Ordinances had been changed to allow individuals to wire their own property without a license and the Fire zone that existed had been removed. He stated that the Fire Zone issue and unlicensed individuals doing remodeling should be re-visited soon. Mr. Beatty offered to serve on a citizens committee to look at the Ordinances and make recommendations to the Council to improve the safety standards for the citizens of the Town. Mayor Dingman thanked Mr. Beatty for his time and concerns.

City/County Planner, Marlin Johnson presented a re-zone application from Colby and Holly Lebsack for the property located on the east side of 16th Street and to the north of Dearing Park. Mr. Johnson stated that the land is vacant and is presently zoned Residential-High Density and the Lebsack's have requested that it be re-zoned to General Business. He indicated that the proposed land ties into the 16th Street business corridor and business uses are expanding in the general vicinity. As the proposed development includes a cul-de-sac Highway Business District uses would not appear to be conducive to the proposal. The parcel that abuts 16th Street might be considered for Highway Business District uses, however, the initial proposal shows this parcel to be smaller and possibly less conducive to Highway Business. Planner, Johnson indicated that the disadvantage is that the proposed use might be viewed as inappropriate to the Residential District properties in the Harris Subdivision. However, the General Business District uses might have a lower impact than either Highway Business District or Residential High-Density District. Mr. Johnson stated that the Planning and Zoning Board had heard the application at their meeting on April 7, 2005 and they had recommended approval. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve the re-zoning of the property owned by Colby and Holly Lebsack north of Dearing Park and east of 16th Street from Residential High-Density to General Business and pass proposed Ordinance No. 711 on first reading. Motion carried 4-0.

Proposed Ordinance No. 711 title being as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 419
AND THE LAND USE DISTRICT MAP OF THE TOWN
OF WHEATLAND, PLATTE COUNTY, WYOMING,
AND REZONING THE PORTION OF THAT AREA
DESCRIBED HEREIN THAT IS ZONED RESIDENTIAL
HIGH DENSITY DISTRICT (RH) TO GENERAL BUSINESS
(GB).

Councilman Hensel reported that he had recently attended a Wyoming Assoc. Of Municipalities meeting in Sheridan and they had stressed the need to be prudent with executive sessions and keep records separate from the regular meeting records.

With no further business to come before the Governing Body, Mayor Dingman adjourned the meeting at 8:00 P.M.. The next regular meeting of the Town Council will be held on May 9, 2005.

Mayor, Joel Dingman

Attest:

Town Clerk/Treas. Cindy Kahler