

Wheatland, Wyoming
May 9, 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, May 9, 2005.

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

Mayor Dingman stated the agenda needed to be amended to include a Proclamation for Emergency Medical Services Week, a Resolution for the Fire Dept., water restrictions and clean up week. A motion was made by Councilman Hensel and seconded by Councilman Wilson to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on April 11, 2005 were presented. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the minutes of April 11, 2005 as presented. Motion carried 4-0.

The vouchers for the month of April, 2005 were presented for payment. A motion was made by Councilman Hensel and seconded by Councilman Wilson to approve the vouchers for payment as presented. Motion carried 4-0. The vouchers are as follows: Airgas-supplies-105.99; Allen's Parts-veh maint-10.12; Altec-supplies-199.08; Andesite Rock-supplies-2854.95; Andrew Starr (Snap on) -supplies-135.75; Atlas Office Products-supplies-300.59; Auto Electric-supplies-172.90; Earl Ayers-freight-3096.37; Bard Ranch-fencing-195.00; Becker Fire Equipment-supplies-174.64; Best Western-lodging-312.00; Booster Club-donation-500.00; Brown Co.-supplies-152.33; Corp. Benefits-health claims-10,000.00; Carolina Software-supplies-200.00; Caselle-computer support-1243.00; Cellular One-phones-99.41; Cheyenne Winnelectric Co.-supplies-51.25; Cody Fire School-school-240.00; Communication Technology-supplies-320.00; Communications Source-supplies-59.33; Communicom Services-internet-297.80; Consolidated Mfg-supplies-143.43; Contractors Materials-supplies-686.66; Courier By George-freight-50.00; Crescent Electric-supplies-2426.73; Dana Kepner-supplies-1980.84; DBC Irrigation-supplies-728.44; Div. Of Workers Comp.-workers comp-6454.30; Douglas Weaver-attorney fees-1750.00; Drive Train-supplies-43.73; Drube's Mfg.-supplies-98.94; Phil Dumars-contract labor-195.00; Eastern Wyo. Ambulance-subsidy-9166.66;

Electrical Systems Cons.-engineering-1962.65; End of The Road-supplies-95.40; Energy Labs-testing-220.00; Eugene Hayes-contract labor-227.50; Farm Plan-supplies-406.95; Fat Boys-supplies-43.00; Fire Com-supplies-120.00; Fisher Roofing-roof repairs-16,165.00; G Neil Direct-supplies-56.99; Gases Plus-supplies-25.20; H & H Concrete-concrete-1370.00; Holiday Inn-lodging-70.00; Huffers Food Pride-supplies-24.26; Industrial Dist.-supplies-92.00; International Code Council-codebooks-477.50; Jack's Electric-repairs-2500.11; Kinder Morgan-heat-2641.80; Kois Bros-supplies-6417.00; KVA Supply-supplies-329.89; Laramie Peak Computers-supplies-405.00; Laramie Peak Motors-veh maint-109.82; Lawson Products-supplies-777.26; Liberty Flag-flags-610.20; Lyle Signs-supplies-1272.04; Midwest Hose-supplies-20.30; Mikes Printing-supplies-887.22; Northwest Pipe-supplies-36.96; Odean Parts-veh maint-353.36; Orbitcom-phones-1730.61; Page One-pagers-40.00; Pamida-supplies-246.31; P.C. Concrete-supplies-33.00; P.C. Record Times-adv-1748.32; Peterbilt-veh maint-47.56; Double D's Cleaning-janitorial-400.00; Pipers-supplies-113.63; Qwest-phones-156.47; Shorey Electronics-supplies-501.87; Rex Johnson-health ins-400.00; Rocky Mtn. Weed Control-spraying-4645.00; Safety Kleen-supplies-190.25; Seton Name Plate-supplies-163.78; Solomon Corp.-supplies-760.42; State of Wyoming-sales tax-7329.37; Sunshot Engineering-engineering-1314.00; The Light House-supplies-111.24; Town Treasurer-petty cash-379.35; Tru Green Chemlawn-weed spraying-12,343.00; Verizon Wireless-phones-472.96; Vermeer Sales-supplies-620.05; Western Plains-supplies-189.02; Western United Electric-supplies-6304.02; Wheatco Sales & Services-gas & dsl-5055.15; Wheatland Automotive-veh maint-626.80; Wheatland Coop-supplies-21.30; Wheatland Fire Dept.-expenses-1511.11; Bloedorn Lumber-supplies-338.23; Wheatland REA-power-1736.02; Wheatland True Value-supplies-73.39; Allen & Hannah Wilde-settlement-7567.22; Wyo. Trophy-plaque-38.10; Wyoming Assoc. Of Mun-registration-655.00; Wyoming Law Enforcement Acdmy-registration-325.00; Wyoming LECC-seminar reg.-50.00; Xerox Corp-supplies-263.08; Betty Yost-supplies-40.00; Bloedorn Lumber-supplies-15.98; Drube Supply-supplies-17.88; P.C.Concrete-supplies-286.00; H & H Concrete-Little League field concrete-3209.00; Sunshot Engineering-engineering-2193.00; Wyo. Mun. Power Agency-power-107,947.53; Payroll-total-136,999.53; Total Vouchers-\$391,372.20;

Mayor, Joel Dingman introduced Craig Allen representing PSC (Philip Services) and stated that PSC is a contractor for Basin Electric that works on the Laramie River Station every year. He indicated that last year, he had asked Mr. Allen if they would be interested in sand blasting the swimming pool for the Town. Mayor Dingman stated that Philip Services did sand blast the swimming pool as they were leaving and we had not been able to thank them properly. Mayor Dingman stated that he had asked PSC to send us a bill, even though it was a "no charge", so that we could determine what they were donating to the Town. He indicated that the billing was in the amount of \$15,412.00, which they contributed to the Town. He presented an appreciation plaque to Mr. Allen and thanked him for his services. Mayor Dingman also presented a poster with pictures of Philips Services employees sand blasting the pool. Parks and Recreation Director, Molly Wilhelm also expressed her thanks to Mr. Allen for their work at the pool.

Mayor Dingman presented a letter from the American Legion thanking the Town for their support.

Mayor Dingman proclaimed the week of May 15-21,2005 as Emergency Medical Services Week in Wheatland, Wyoming. He also thanked the emergency care personnel for their work through out the year.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to accept the financial report as presented and place it on file. Motion carried 4-0.

Mayor Dingman stated that there were reports from the Police Dept., Public Works Depts., P.C.Chamber of Commerce, Ambulance Dept., Fire Dept. and City/County Planner, Marlin Johnson. Since there were no questions or concerns voiced by the Council, Mayor Dingman stated the reports would be placed on file.

Proposed Ordinance No. 710 was presented on third reading and final passage. A motion was made by Councilman Hensel and seconded by Councilman Wilhelm to pass proposed Ordinance No. 710 on third reading and final passage. Motion carried 4-0. Ordinance No. 710 follows in its entirety;

ORDINANCE NO. 710

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
DISTRICT (R) TO GENERAL BUSINESS DISTRICT (GB).

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

Section 1. That a parcel of property within the Town Limits of Wheatland, Wyoming described as follows:

Lots 2-4 of Block 7 of the Hilltop Addition to the Original Town of
Wheatland in Section 13. Township 24, North, Range 68, West,
Town of Wheatland, Platte County, Wyoming.

Which parcel is presently zoned Residential District (R) is hereby changed to General Business District (GB).

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

Passed and approved this 14th day of March, 2005 on first reading.

Passed and approved this 11th day of April, 2005 on second reading.

Passed and approved this 9th day of May, 2005 on third reading and final passage

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 711 was presented on second reading. A motion was made by Councilwoman Allen and seconded by Councilman Wilson to approve proposed Ordinance No. 711 on second 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 THAT PORTION OF THAT AREA
DESCRIBED HEREIN THAT IS ZONED RESIDENTIAL
HIGH DENSITY DISTRICT (RH) TO GENERAL BUSINESS
DISTRICT (GB).

Mayor Dingman presented a Resolution authorizing privately owned vehicles used by members of the Wheatland Vol. Fire Dept. as emergency vehicles pursuant to W.S. 31-5-102 (ii)(B) with conditions and requirements. A motion was made by Councilman Wilson and seconded by Councilman Hensel to approve the Resolution with the requirement that the owners of the vehicles carry the minimum liability insurance required by law. Motion carried 4-0. The Resolution is as follows:

RESOLUTION

A RESOLUTION AUTHORIZING PRIVATELY OWNED
VEHICLES USED BY MEMBERS OF THE WHEATLAND
VOLUNTEER FIRE DEPT. AS EMERGENCY VEHICLES
PURSUANT TO W.S. 31-5-102(ii) (B) WITH CONDITIONS
AND REQUIREMENTS.

WHEREAS, W.S. 31-5-102 (ii) (B) provides as follows:

Privately owned vehicles used by members of a fire department or emergency service organizations while performing or traveling to perform assigned fire fighting or emergency service duties are authorized emergency vehicles if:

- (I) Authorization in writing by the appropriate governing body of the city, town or county in which the emergency services organization is located:
- (II) Equipped with at least one (1) flashing red, white or amber light visible from the front of the vehicle; and
- (III) Equipped with a marker on the front of the vehicle indicating the Department or organization with which affiliated.

WHEREAS, the Wheatland Volunteer Fire Dept. and the governing body of the Town of

Wheatland feel certain privately owned vehicles should be designated as authorized emergency vehicles subject to certain conditions and requirements.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING; that:

1. The vehicles owned by the members of Wheatland Volunteer Fire Department attached as Exhibit A are hereby authorized emergency vehicles if they are properly equipped as required by Wyoming law,

2. The above authorization is subject to the following conditions and requirements:

- (a) Signed authorization from each fireman allowing the Town to check his/her driving record;
- (b) This resolution will not be effective after January 31, 2007.
- (c) The Wheatland Volunteer Fire Dept. Shall provide a list of the firemen, vehicle inspections and license plate number for those vehicles which will be authorized emergency vehicles.
- (d) The Wheatland Volunteer Fire Department shall provide minimum liability insurance as required by law, and name the Town of Wheatland as an additional insured.
- (e) Four -wheelers or motorcycles will not be authorized as emergency vehicles.
- (f) The Wheatland Volunteer Fire Dept. shall provide to the Town all of the above information, and bring before the Town Council a request for re- authorization prior to the expiration;
- (g) The Town Council retains the ability to withdraw the entire authorization at any time or withdraw an individual fireman's vehicles from this authorization.

THIS RESOLUTION, being approved by the governing body of the Town of Wheatland, Wyoming on the 9th day of May, 2005.

/s/ Mayor, Joel Dingman
/s/ Councilman Jeff Wilhelm
/s/ Councilman Dean Hensel
/s/ Councilman Kirby Wilson
/s/ Councilwoman Brenda Allen

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Mayor Dingman stated that he would like to appoint Tom Allen as the Official Building Inspector for the Town of Wheatland. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to approve the appointment of Tom Allen to the position of Building Inspector for the Town of Wheatland. Motion carried 4-0.

Jeremiah Singleton was present and stated that he was working on a community project for

his Eagle Scout Rank. He stated that he had chosen the purchase and installation of a handicapped swing set. Jeremiah indicated that there are more than 15 children that are bound to wheel chairs or struggle with walking in Platte County and 12 reside in the Town of Wheatland. He stated people with various disabilities such as back problems, quadriplegic, low muscle control and blindness can utilize the swing. Jeremiah stated he estimates the total cost of the project would be approximately \$4,000.00 and he ask the Council for financial support and also the permission to place the equipment in Lewis Park. A motion was made by Councilman Hensel and seconded by Councilman Wilhelm to purchase the equipment and allow Jeremiah to place it in Lewis Park. Motion carried 4-0. Mayor Dingman directed Jeremiah to contact Parks Dept. Head, Bob Day concerning location and installation of the equipment.

Floyd and Karen Annis were present, representing the World Fast Draw Association. Mr. Annis explained that they are members of the Association and they had been contacted by some local citizens to hold an event in Wheatland in conjunction with Wheatland's upcoming centennial. Mr. Annis stated that the sport is a timed event between two shooters and safety is their first concern. They have line judges, hand judges and they issue ear plugs free of charge for the spectators who wish to use them. He stated that the shooting area is roped off and only those who need to be in the area at the time are allowed in. He stated that they use wax and balloon targets and there is no live ammunition used. Mr. Annis stated that the schedule has been set for the remainder of 2005 however, he would try and get an event here during the summer of 2006. Police Chief, Steve Gilmore stated that it was his opinion the sport was safe and had no problem with them holding an event in Lewis Park. Mayor Dingman stated that the Council and he were in agreement that it would be a nice event for Wheatland and directed Mr. & Mrs. Annis to work with the Centennial Committee.

A catering permit application from Harvey Cozad for June 4, 2005 was presented. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve the catering permit application from Harvey Cozad for June 4, 2005 at the minimum fee required by law. Mayor Dingman called for the vote; Voting yes - Councilmen Hensel and Wilhelm, Councilwoman Allen, Voting no - Councilman Wilson. Mayor Dingman declared the motion carried 3-1 and the catering permit granted.

Proposed Ordinance No. 712 was introduced and read on first reading. A motion was made by Councilman Wilson and seconded by Councilman Allen to adopt proposed Ordinance No. 712 including the Fire District Zone map as presented. Mayor Dingman called for discussion. Mike Grant was present and stated that he had some concerns about construction in progress, duing the change over of Building Inspectors. Mr. Grant stated that he had purchased his building permit from Marlin Johnson and had been working with him on his project, however, Mr. Allen had taken over and they certainly had differing opinions of construction. He stated that it has put him in somewhat of a difficult position being caught "mid stream" between Building Inspectors which are so different. Mayor Dingman stated that he eeded to work through the situation with Mr. Allen as he is now the Building Inspector. Mayor Dingman called for the vote on proposed Ordinance No. 712. Motion carried 4-0.

Proposed Ordinance title being as follows:

AN ORDINANCE AMENDING SECTION 7-107(a),(b)(1)
Through (10) OF THE WHEATLAND TOWN CODE, AND
ADOPTING THE 2003 INTERNATIONAL MECHANICAL
CODE, INTERNATIONAL BUILDING CODE, INTERNATIONAL
PLUMBING CODE, INTERNATIONAL FIRE CODE,
INTERNATIONAL RESIDENTIAL CODE, 2005 NATIONAL
ELECTRIC CODE, NFPA-58 GAS CODE (CURRENT ADDITION)
NFPA-54 FUEL GAS CODE (CURRENT ADDITION) AND
NFPA-101 LIFE SAFETY CODE (CURRENT ADDITION)

Proposed Ordinance No. 713 was introduced on first reading. Town Attorney, Doug Weaver stated that this is a new Ordinance in reference to pawnbrokers. He stated the Town does not presently have any Ordinances pertaining to pawnbrokers. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve proposed Ordinance No. 713 on first reading. Motion carried 4-0. Councilman Wilhelm stated he would like to see some language in the Ordinance exempting antique dealers and hand stores before the next reading.

Proposed Ordinance No. 714 was introduced on first reading. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve proposed Ordinance No. 714 on first reading. Motion carried 4-0. Councilman Wilhelm stated that he would like to see some language added in "section 13" concerning notification to property owners when trees are being trimmed before the next reading. Proposed Ordinance No. 714 title being as follows:

AN ORDINANCE ADOPTING THE NATIONAL ELECTRICAL
CODE FOR 2005, PROHIBITING ELECTRICAL CONSTRUCTION
WITHOUT A PERMIT, PROVIDING THAT ONLY A LICENSED
ELECTRICIAN MAY ENGAGE IN THE BUSINESS OF
ELECTRICAL CONTRACTING, PROVIDING APPLICATION
FOR TEMPORARY ELECTRICAL SERVICES, PROVIDING FOR
INSPECTIONS, PROVIDING FOR SUPERVISION OVER
ERECTION OF POLES, PROVIDING FOR METER SOCKETS
AND DISCONNECTS, PROVIDING FOR REQUIREMENTS
WITHIN FIRE LIMITS, PROVIDING RESPONSIBILITY FOR
SERVICE PROVIDING FOR LIABILITY TO DAMAGED SERVICE
LINES. PROVIDING FOR CRIMINAL PENALTIES, AMENDING
ORDINANCES #614 AND #651, AMENDING SECTION 7-107 OF
THE CODE OF THE TOWN OF WHEATLAND, AND REPEALING
CONFLICTING ORDINANCES.

A discussion on water restrictions was held, Water/Wastewater Dept. Foreman, Gary Lipps stated that the Council could consider allowing odd numbered addresses to water on odd days and even number addresses to water on even number days and not allow anyone to water on Sunday. He stated that the most concerns voiced last time they did odds and evens was

sprinklers timers could not be set to operate on the schedule, however, allowing six days to water would be allowing watering every other day. There was a lengthy discussion concerning citizens that let their water run down the street. Town Attorney, Doug Weaver stated that the Ordinance concerning water restrictions that was passed in 2003 could be amended to include language in reference to wasting water and it could be enforced with a fine of up to \$750.00. The Council were in agreement that they would restrict lawn watering to three days a week and only at night. Mayor Dingman stated that they would look at the Ordinance regarding wasting water. The Council were in agreement that the water restrictions would become effective immediately.

A discussion was held on setting a week to do clean up. The Council were in agreement to set clean up for June 6-10,2005 and no free days at the landfill. The Sanitation and Street Depts will do extra pickup in town.

With no further business to come before the governing body, Mayor Dingman adjourned the meeting at 8:35 P.M.. The next regular meeting of the Town Council will be June 13, 2005.

Mayor, Joel Dingman

Attest:

Town Clerk/Treas. Cindy Kahler