

Wheatland, Wyoming  
July 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, July 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, Hensel and Wilson, Councilwoman Allen. Also present were Town Attorney, Doug Weaver, Clerk/Treasurer, Cindy Kahler and Town Engineer, Russ Schamel.

Mayor Dingman stated that the agenda needed to be amended to include a report from Town Engineer, Russ Schamel on the landfill and the wastewater project and a contract from All Star Gas. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to accept the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on June 13, 2005 and the special meeting held on June 22, 2005 were presented. A motion was made by Councilman Hensel and seconded by Councilman Wilson to approve the minutes of June 13, 2005 and June 22, 2005 as presented. Motion carried 4-0.

The vouchers for the month of June were presented. Clerk/Treasurer, Cindy Kahler reported that there were two voucher lists, one for the 2004-2005 budget and one for the 2005-2006 budget period. A motion was made by Councilman Hensel and seconded by Councilwoman Allen to approve the vouchers on both lists. Motion carried 4-0. The vouchers are as follows: Ace Industrial-supplies-433.88; Airgas-supplies-69.73; Alexander Const.-gravel-3150.00; Allen's Parts-veh maint-312.72; Altec Inc.-repairs-6204.61; Amazing Monogramming-supplies-1258.50; Andrew Star-supplies-5.49; Atlas Office Products-supplies-749.82; Auto Electric-supplies-338.31; Brenda Allen-Council sal-300.00; Brown Co-supplies-7913.70; Casper Star Tribune-subsc-202.80; Cellular One-phones-55.92; Chemsearch-supplies-202.25; CNA Surety-bond-250.00; Communicom Servies-internet-277.92; Consolidated Mfg.-supplies-162.94; Contractors Materials-supplies-168.00; Country Green House-supplies-134.55; Courier By George-freight-125.00; Crescent Electric-supplies-3820.25; Crystal Ice-supplies-20.00; Dana Kepner-supplies-9265.38; Dave's Auto Body-supplies-570.39; DBC Irrigation-supplies-75.27; Dean Hensel-Council Salary-300.00; Dell Inc-supplies-2740.38; Div. Of Workers Comp-workers comp-7002.79; Diversified Inspections-supplies-2035.00; Douglas Weaver-attorney fees-1750.00; Down to Earth-supplies-64.00; Drube's Mfg.-supplies-413.15;

Phil Dumars-contract labor-195.00; Eastern Wyo. Ambulance-service-9166.66; Elite Auto Glass-supplies-194.15; Energy Equipment-supplies-183.82; Energy Labs-testing-870.00; Farm Plan-supplies-97.03; Fat Boys-supplies-1194.90; Fred Pryor Seminars-school-179.00; Gall's Inc-supplies-373.06; Gases Plus-supplies-25.20; H & H Concrete-supplies-7312.00; Highway Products-supplies-1653.91; Hixon Mfg.-supplies-53.75; Holiday Lodge-lodging-2586.40; Huffers Food Pride-supplies-245.65; IALEFI-books-72.45; Jack's Electric-supplies-1851.29; Jeff Wilhelm-Council Salary-300.00; Jenkins Auto Body-veh maint-2500.00; Joel Dingman-Mayor Salary-750.00; Kirby Wilson-Council Salary-300.00; Kinder Morgan-heat-837.36; Kois Brothers-veh maint-1682.36; Kriz Davis-supplies-436.18; KVA Supply-supplies-1197.34; Lab Safety-supplies-206.01; Lander Vol. Fire Dept.-fire school-1240.00; Laramie Peak Motors-veh maint-224.70; Laramie Peak Vet. Clinic-supplies-10.00; Lathrop Equipment-supplies-3442.55; Law Enforcement Equip.-supplies-1282.75; Lawson Products-supplies-220.24; Layne Western-supplies-1633.12; Long's Tree Spraying-spraying-6551.00; Midwest Hose-supplies-245.56; Mike Printing-supplies-1051.24; Northwest Pipe-supplies-33.30; Noyce's Shop-supplies-85.40; Odean Parts-veh maint-87.50; Office Max-supplies-141.97; Orbitcom-phones-1687.89; Page One-pagers-40.00; Pamida-supplies-687.99; P.C. Concrete-supplies-715.50; P.C. Parks & Rec.-swimming pool expenses-26,102.07; P.C. Record Times-adv-2295.50; Double D's Cleaning-janitorial-400.00; Pipers-supplies-452.81; Pitmon Glass-supplies-79.50; Polk City Directories-book-327.00; Preister Supply-supplies-164.50; Quality Equip-supplies-119.31; Quill Corp-supplies-198.99; Qwest-phones-155.69; Radar Engineers-supplies-100.30; Shorey Electronics-supplies-102.71; Safeway Stores-supplies-39.36; Sierra Springs-supplies-34.22; Simon Contractors-supplies-1654.29; Sirchie Fingerprints-supplies-230.85; Skarshaug Testing-testing-15.00; State of Wyoming-sales tax-6498.45; Sunshot Engineering-engineering-499.50; Sybille Creek Processing-supplies-420.24; T & R Electric-supplies-2270.00; Town Treasurer-petty cash-903.94; Tri State Truck-supplies-62.90; Universal Police Supply-supplies-75.70; Van Diest-supplies-602.80; Verizon Wireless-phones-329.24; CPS Distributing-supplies-24.48; WESCO -supplies-1655.60; West Winds Cycle-supplies-81.84; Western United Electric-supplies-156.90; Western Sprinklers-sprinklers-7678.95; Wheatco Sales & Service-gas & dsl-7,666.56; Wheatland Automotive-veh maint-916.81; Wheatland Coop-dsl fuel-1792.34; Wheatland Fire Dept.-expenses-1850.31; Wheatland Fire Equipment-supplies-5073.99; Bloedorn\Lumber-supplies-8895.46; Wheatland REA-power-1362.49; Wheatland True Value-supplies-56.26; Wilcuts Backhoe Service-supplies-20.85; Wyoming Law Enforcement-school-540.00; Wyoming Machinery-supplies-45.76; Wyoming Municipal Power-power-116,157.03; Total Vouchers: \$302,327.48; 2005-2006 Budget-Local Gov't Liability Pool-ins-23,665.00; Vol Firemen's Pension Fund-pension-2487.50; Inn On the Creek-lodging-297.00; American Planning Assoc.-registration-195.00; Makor K9-Canine-8000.00; TNT Auction-vehicle-12,800.00; Holiday Inn-lodging-60.00; Mikes Printing-supplies-876.14; Fun On the Go-toys-2000.00; Total Vouchers; \$50,380.64.

Mayor Dingman stated there would be no financial report as the staff is closing the books for the year. He stated that there were reports from the Police Dept., Public Works, Chamber of Commerce, City/County Planner, Ambulance and Fire Dept.. Mayor Dingman stated that Town Engineer, Russ Schamel would be reporting verbally on the wastewater land application project and the landfill. Engineer,

Schamel stated that the Dept. Of Environmental Quality had issued the permit for the wastewater land application project, however with any DEQ permit there is a period allowed for appeals. An appeal had been submitted to the Environmental Quality Council from Mr. Joe Geringer and they had preliminarily agreed to hear the appeal. Mr. Schamel stated that the Town had planned to attend the State Lands and Investment Board's meeting scheduled for August 11, 2005 to obtain a State Revolving Loan to fund part of the project, however, that has now been delayed due to the appeal from Mr. Geringer. Mr. Schamel stated that the project could be denied or at the very least delayed several months due to the time it takes appeals to go to the Environmental Quality Council. Engineer, Schamel reported that the Mayor had written a letter to Mr. Corra, Director of the Dept. Of Environmental Quality requesting that the dates on the settlement agreement be revised.

Mr. Schamel also reported that he and Landfill Operator, Kelly Lambert had made a trip to Cheyenne to look at their garbage transfer station. He stated that Cheyenne does not bale at the present time. The transfer station is a large two story structure, with the semi trailers transferring the trash on the lower level and the trash trucks along with the citizens use the upper level. The trash is dumped through a hole in the floor into the semi's and transported to the landfill with very little packing. Mr. Schamel stated that the equipment was much simpler and more cost effective than a baling system.

Mayor Dingman introduced the CoHo Subdivision LLC final plat for the property north of Dearinger Park and asked City/County Planner, Marlin Johnson to give the staff report. Planner, Johnson reported that there have been some minor changes to the Plat, however, they are enough that the Plat needs to be re-drawn and that has not been done at this time. Town Engineer, Russ Schamel agreed that the plat needed to be re-configured and should be completed within the next few days. Planner, Johnson stated that Mr. Lebsack has requested a continuance on approval of the final plat. The Council agreed to the continuance.

Proposed Ordinance No. 712 was introduced on third and final reading. A motion was made by Councilman Hensel and seconded by Councilwoman Allen to approve Ordinance No. 712 on third and final reading. Motion carried 4-0. Ordinance No. 712 in its entirety follows:

#### ORDINANCE NO. 712

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 ELECTRICAL CODE, NFPA-58 GAS CODE (current addition), NFPA-54 FUEL

GAS CODE (current edition), and NFPA-101 LIFE SAFETY CODE (current edition).

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING, that Section 7-107 (a),(b) (1) through (10), are hereby amended as follows:

(a) The following international codes, and all supplements and amendments thereto, are hereby adopted by reference as provided by W.S. 15-1-119 (Lexis/Nexis 2003) except those portions of such codes as amended, modified, added or deleted below and the provisions thereof shall be controlling within the Town.

(b) The following international codes, 2003 editions, as adopted by the International Conference of Building Officials, Whittier, California, International Association of Plumbing and Mechanical Officials, Los Angeles, California and Western Fire Chiefs Association, Whittier California, are hereby adopted by reference as if the same were fully set forth herein:

- (1) 2003 International Mechanical Code
- (2) 2003 International Building Code, provided however that the building permit fees will be increased by 10% over those fees set forth in the 2000 Building Code.
- (3) 2003 International Plumbing Code
- (4) 2003 International Fire Code

A fire alarm system need not be installed in existing hotels/motels built without plan review and not more than two stories in height, when each individual dwelling unit or guest room has a direct exit to a public way, exit court, yard, exterior stairway or exterior exit balcony, each sleeping room is provided with an approved smoke detector and approved smoke detectors are installed in storage rooms, laundry room, furnace/boiler rooms, and similar hazardous locations.

- (5) 2003 International Residential Code.
- (6) 2005 National Electrical Code
- (7) NFPA-58 GAS CODE (current edition)
- (8) NFPA -54 FUEL GAS CODE (current edition)
- (9) NFPA-101 LIFE SAFETY CODE (current edition)

(c) The Town does hereby establish and create a fire district as required by the codes adopted herein. The fire district boundaries are shown on a map, a copy of which is available to the public at the Wheatland Town Hall. The Fire District map shall be marked as "Fire District Map, Ordinance No. 712".

Passed and approved this 9th day of May, 2005 on first reading.

Passed and approved this 13th day of June, 2005 on second reading.

Passed and approved this 11th day of July, 2004 on third reading and final passage.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 713 was introduced on third and final reading. Town Attorney, Doug Weaver stated that proposed Ordinance No. 713 deals with "pawnbrokers" and he had made changes since the last meeting, however, the local dealers and the Police Chief still had some concerns regarding some of the language in the proposed Ordinance. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to table proposed Ordinance No. 713 until the next regularly scheduled meeting (August 8, 2005). Motion carried 4-0.

Proposed Ordinance No. 714 was presented on third and final reading. Councilman Wilhelm stated that he still had problems with section 13 of the proposed Ordinance dealing with notification of residents prior to trimming trees as there is no language addressing that issue. A motion was made by Councilman Hensel and seconded by Councilman Wilson to table proposed Ordinance No. 714 until the next regularly scheduled meeting (August 8, 2005) and advised the Town Attorney to re-write that section of the proposed Ordinance. Motion carried 4-0.

A proposed Ordinance was introduced that would provide for the licensing of all types of contractors working within the Town limits. Town Attorney, Doug Weaver stated that he felt the contractors should be notified of the proposed Ordinance and request their input on the language of the Ordinance. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to distribute the Ordinance to the local contractors for input. After a discussion, a motion was made by Councilman Hensel and seconded by Councilwoman Allen to approve proposed Ordinance No. 715 on on first reading. Motion carried 4-0. Mayor Dingman stated that there is a motion on the table to distribute the proposed Ordinance to the local contractors for input and he asked for the vote. Motion carried 4-0. Proposed Ordinance No. 715 title being as follows:

AN ORDINANCE AMENDING SECTION 9-3,9-4 AND 9-6  
OF THE CODIFIED ORDINANCES OF THE TOWN OF  
WHEATLAND PROVIDING FROR LICENSING AND FEES  
FOR GAS FITTERS, PLUMBERS, ELECTRICIANS AND  
WATER TREATMENT CONTRACTORS.

Councilwoman Allen stated that the Wyoming Assoc. Of Municipalities has contracted with Technology Net to provide a compensation salary survey system, which has been made available to all Wyoming cities and towns. The system contains job descriptions, and salaries for municipal employees in Colorado, Utah and Wyoming. Councilwoman Allen stated that the cost to access the program would be \$300.00, which is based on population. A motion was made by Councilman Wilson and seconded by Councilman

Hensel to subscribe to Technology Net at a fee of \$300.00. Motion carried 4-0.

Mayor Dingman stated that he would like to appoint Jeff Wilhelm to the Board of Adjustment. He stated that all decisions made by the Board of Adjustment are final and cannot be appealed to the Town Council as they would have to be settled in a Court of Law. A motion was made by Councilwoman Allen and seconded by Councilman Hensel to approve the appointment of Jeff Wilhelm to the Board of Adjustment. Motion carried 3-0.

Mayor Dingman introduced an application from Gary Byers and Ed Foye to replace an existing billboard and install a new one on their property located on the west side of South Wheatland Highway across from South 15th Street of approximately 6.2 acres. City/County Planner, Marlin Johnson stated that the Planning and Zoning Board had a tie vote and sent it to the Council with no recommendation. Mr. Johnson stated that it is not the policy of the Town Council to issue Special Use Permits, it has historically been done by the Planning and Zoning Board. Planner, Johnson stated that it was his recommendation that the Council send the application back to the Planning and Zoning Board to re-consider and if their decision is appealed it would be sent to the Board of Adjustment. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson for discussion to send the application from Mr. Byers and Mr. Foye back to the Planning and Zoning Board for a decision. Councilman Wilhelm asked for clarification on the two issues to be considered in the application. He indicated that it would appear the replacement of the existing sign and the construction of the new sign are two different issues and needed to be addressed as such. Mr. Ed Foye stated that they had recently been informed by the Wyoming Dept. Of Transportation that there was not enough room to install another large billboard on the property and they would be dropping the new structure from the application. Councilman Wilson asked if the existing sign when it was replaced, would be comparable to the already existing billboards. Mr. Foye stated that it would be 20' high and 50' wide which is comparable to what is already along that stretch of highway. Mayor Dingman called for the vote on the motion to send the application back to the Planning and Zoning Board for re-consideration. Motion carried 4-0.

A contract from All Star Gas for a three year lease on a parcel of property at the Garrett Industrial Park was introduced. Town Attorney, Doug Weaver stated that the contract is a three year lease with an option to renew twice. He indicated that the contract stated that there would be a certificate of insurance issued, however, there was no amount indicated. He stated he would suggest \$1,000,000.00 with the Town being named as additional insured. Attorney, Weaver stated that the lease is in the amount of \$3,600.00 per year. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to approve the contract and execute the proper documents with the understanding that the insurance will be in the amount of one million dollars and the Town is to be named as additional insured. Motion carried 4-0.

With no further business to come before the Governing Body, Mayor Dingman adjourned the meeting at 7:55 P.M.. The next regular meeting will be held on August 8, 2005.

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Mayor, Joel Dingman

Attest:

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Clerk/Treas. Cindy Kahler