

Wheatland, Wyoming
October 10, 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, October 10, 2005.

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

Mayor Dingman stated that there were two items that needed to be added to agenda. Under "Petitions, Memorials and Complaints" a presentation to the Council from Police Chief, Steve Gilmore and under "New Business" a sign permit for the Lions Club. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting of September 12, 2005 and the special meeting of September 27, 2005 were presented. A motion was made by Councilman Wilson and seconded by Councilman Hensel to approve the minutes for September 12, 2005 and September 27, 2005 as presented. Motion carried 4-0.

The vouchers for the month of September, 2005 were presented for payment. Councilman Wilhelm stated that the voucher for the Wyoming Municipal Power Agency (vender #6871) included the Town's yearly dues and a \$2,500.00 contribution to the new building recently completed in Cheyenne. Councilman Wilhelm stated that he had attended the opening and it is a wonderful facility. A motion was made by Councilman Hensel and seconded by Councilwoman Allen to approve the vouchers as presented. Motion carried 4-0. The vouchers are as follows: Airgas-supplies-250.55; Allen's Part-veh maint-324.08; Altec Inc-supplies -1819.60; Amazing Monograming-supplies-1878.86; Atlas Office Products-supplies-285.94; Auto Electric-supplies-43.32; Hitching Post-lodging-120.00; Cottontree Inn-lodging-296.04; Brenda Allen-Council sal.-375.00; Bud's Plumbing-supplies-262.50; Burns Ins-ins-108.68; California Contractors-supplies-130.80; Cheyenne Radiology-tests-77.57; Communications Source-supplies-767.00; Communicom Services-internet-297.80; Consolidated Mfg-supplies-67.55; Contractors Materials-supplies-56.00; Courier By George-freight-220.00; Crescent Electric-supplies-2223.97; Crystal Ice-supplies-8.00; Dana Kepner-supplies-1475.95; Dave's Auto-supplies-415.00; Dean Hensel-Council Sal.-375.00; Div. Of Workers Comp-workers comp-3478.43; Douglas Weaver-attorney fees-1790.00;

Down to Earth Satellites-lights-13.62; Drive Train-supplies-1209.35;Drube's Mfg-supplies-304.74; Phil Dumars-contract labor-200.00; Dust Busters-supplies-3159.05; Eastern Wyo. Ambulance Service-service-9624.99; Electrical Systems Cons.-engineering-4713.70; Energy Labs-supplies-1090.00; Equifax-profile-7.00; Eugene Hayes-expenses-357.10; Fat Boys-supplies-54.50; Forensic Science Conf.-registration-50.00; Gases Plus-supplies-179.36; Gertrude Goetz-artwork-1000.00; Mae Guild-damages-1048.40; Huffer's Food Pride-supplies-163.78; IC Group-supplies-651.74; Jack's Electric-supplies-1095.00; Jeff Wilhelm-Council Sal-300.00; Joannette Wardell-pumping-300.00; Joel Dingman-Mayor Sal-750.00; Kilmer's Dist-supplies-543.00; Kirby Wilson-Council Sal-300.00; Kinder Morgan-heat-396.73; Kois Bros-supplies-511.00; KVA Supply-supplies-2422.25; KYCN-adv-25.00; Lab Safety-supplies-328.23; Law Enforcement Equip.-supplies-324.90; Lawson Products-supplies-187.46; Layne Western-well work-487.50; Mathew Bender-books-81.15; Logos Our Way-supplies-410.93; Long's Tree Spraying-spraying-2975.00; Mader, Tschacher/Peterson-audit fees-9000.00; McCartys' Carpet Cleaning-carpet cleaning-276.00; McDonald Family Enterprises-janitorial fees-250.00; Mike's Printing-supplies-745.51; Mike Taylor-supplies-193.94; Motorola-radios-30,448.97; National Fire Protection-books-138.95; Northwest Pipe Fitting-supplies-78.81; Orbitcom-phones-1739.77; PAWS-contribution-2500.00; Pamida-supplies-147.70; Parkway Plaza-lodging-523.00; P.C. Concrete-supplies-323.31; P.C. Parks & Recreation-expenses-24712.66; P.C. Public Health-shots-210.00; P.C. Record Times-adv-360.76; P.C. Treasurer-taxes-21377.26; Piper's-supplies-40.50; Pocket Press-books-82.90; Positive Promotions-supplies-1732.18; Priester Supply-supplies-342.72; Purchase Power-postage machine-524.13; Qwest-phones-155.92; Shorey Electronics-supplies-363.42; Ray O'Herron-supplies-41.18; Rex Johnson-legal fees-400.00; Michele Richlin-freon removal-1125.00; Rock It Wash-power wash-150.00; Rocky Mtn. Training-school-90.00; Safeway Stores-supplies-56.31; Sierra Springs-supplies-31.97; Simon Contractors-hot mix-102.30;Sate of Wyoming-sales tax-7789.61; Statewide Electric-supplies-2797.71; Steve Gilmore-expenses-215.94; Sunshot Engineering-engineering-144.00; Super 8 Motel-lodging-346.50; Symbol Arts-supplies-1950.00; Teel Gun Works-supplies-1210.00; Corporate Office-supplies-101.57; Timberline Fasteners-supplies-163.97; North Platte Physical Therapy-fitness program-55.00; Town Treasurer-petty cash-969.78; Tri State Truck & Equip-supplies-282.87; Tru-Tech Products-supplies-426.76; Two Way Radio-supplies-470.00; Ultramax-supplies-1748.00; Verizon Wireless-phones- 411.47; WADCO-dues-3750.00; Wells Fargo Brokerage-sanitation equip-63,162.14; WESCO-supplies-1964.64; Western Plains Machinery-supplies-36.57; Western United Electric-supplies-287.82; Wheatco Sales & Service-oil-66.76; Wheatland Automotive-supplies-644.40; Wheatland Coop-gas & Dsl-6128.22; Wheatland Golf Club-sprinkler system-10,000.00; Wheatland Fire Dept.-expenses-230.52; Bloedorn Lumber-supplies-1719.89; Wheatland REA-power-1572.88; Wheatland True Value-supplies-332.61; Wylaco Supply-supplies-594.45; Wyo. Assoc. Of Mun-dues& contribution-6652.25; Xerox Corp-copiers-192.00; Wyo. Mun. Power Agency-power-122,955.21; Payroll-total sal-152,393.24; Total Vouchers-\$542,445.07;

Police Chief, Steve Gilmore presented Mayor Dingman, Councilman Wilhelm, Councilman Hensel, Councilman Wilson and Councilwoman Allen with beautiful "centennial badges" for their service to the Town during its centennial year.

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

Mayor Dingman stated that reports from the Police Dept., Public Works Depts., P.C. Chamber of Commerce, City/County Planning Office, Ambulance Service, Fire Dept. Municipal Court and the Wyoming Municipal Power Agency were in the Council packets. He indicated that since there were no questions or concerns voiced, the reports would be placed on file.

Proposed Ordinance No. 716 was presented on second reading. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve proposed Ordinance No. 716 on second reading. Motion carried 4-0. Proposed Ordinance No. 716 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 DISTRICT (R)
TO GENERAL BUSINESS DISTRICT (GB).

Proposed Ordinance No 717 was presented on first reading. Town Attorney, Doug Weaver stated that the proposed Ordinance addresses changes to the Town of Wheatland Development Code sections 7-6,7-34, 7-35 and 7-86 dealing with subdivision requirements. He stated that the Ordinance is a follow-up to the discussion that was held at the August Council meeting. City/County Planner, Marlin Johnson stated that the Planning and Zoning Board had recommended approval for the changes as specified in the proposed Ordinance. A motion was made by Councilman Wilson and seconded by Councilman Wilhelm to approve proposed Ordinance No. 717 on first reading. Motion carried 4-0. Proposed Ordinance No. 717 title being as follows:

AN ORDINANCE AMENDING THE DEFINITION OF
SUBDIVISION; AMENDING PERMITTED USES IN A
RESIDENTIAL DISTRICT AND AMENDING PORTIONS
OF THE REQUIREMENTS UNDER SUBDIVISIONS.

Proposed Ordinance No. 718 was presented on first reading. Town Attorney, Doug Weaver stated that this proposed Ordinance also addresses changes in the Town of Wheatland Development Code 7-49, 7-51, and 7-66. City/County Planner, Marlin Johnson stated that the proposed Ordinance would change set backs in Mobile Home Subdivisions and uses in a Highway Business District. Section 7-66 would change the uses in the "Conservancy District". Planner, Johnson stated the Planning and Zoning Board had recommended approval on all of the changes with the exception of Section 7-66. The Planning and Zoning Board had requested the Section include a definition of "feedlot". Town Attorney,

Doug Weaver stated that the proposed Ordinance could be passed on first reading and any definitions could be added in the second or third readings. A motion was made by Councilman Wilson and seconded by Councilman Hensel to approve proposed Ordinance No. 718 on first reading. Motion carried 4-0. Proposed Ordinance No. 718 title being as follows:

AN ORDINANCE AMENDING PORTIONS OF SECTION 7-49(b) OF THE WHEATLAND DEVELOPMENT CODE DEALING WITH MOBILE HOME SUBDIVISION DISTRICT DEVELOPMENT STANDARDS; AMENDING PORTIONS OF SECTION 7-51 (b) and (c) OF THE WHEATLAND DEVELOPMENT CODE WITH PERMITTED USES IN THE HIGHWAY BUSINESS DISTRICT; AND AMENDING PORTIONS OF SECTION 7-66 (a) OF THE WHEATLAND DEVELOPMENT CODE DEALING WITH PERMITTED USES IN CONSERVANCY DISTRICT.

City/County Planner, Marlin Johnson stated that the Council had approved the abbreviated re-plat application from Bluegrass Developers LLC on the condition that the north parcel be merged with the unplatted balance from the original Johnston Subdivision and that an application to rezone to “Conservancy” be submitted. Planner, Johnson stated that the Bard Ranch had submitted a request to merge the northern parcel of land into the un-platted balance of the original Johnston Plat and leave it zoned Residential District (R). Planner, Johnson stated that he was in agreement with the request and would recommend the Town approve it. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the request from the Bard Ranch to merge the rear portion of Lot 2 of the Johnston Subdivision into the un-platted balance of the Johnston Subdivision and allow it to remain “Residential District” zoning. Motion carried 4-0.

City/County, Planner Marlin Johnson presented an application from Joe Brown to create three five acre parcels and one ten acre parcel for residential uses and leaving an undeveloped agriculture parcel on property he owns at 198 Y-O Ranch Road. Mr. Johnson stated that this application had been approved by the Planning and Zoning Board at their meeting held on May 5, 2005 with the understanding that Mr. Brown would return with a sixty foot right-of-way to the newly created parcels at their July 7, 2005 meeting. Mr. Brown had subsequently asked for a continuance to resolve the right-of-way issue, which was granted. Planner, Johnson stated that Mr. Brown had acquired access through the Vigil farm and he is now in the process of working with the Wheatland Irrigation District on a crossing over the irrigation ditch. Planner, Johnson stated that the Planning and Zoning Board had approved the application as submitted by Mr. Brown at their meeting held on October 6, 2005 with several conditions, which would be addressed at the County Planning and Zoning meeting. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to accept the recommendation of the Planning and Zoning Board and allow the application from Mr. Brown to move forward to the County Planning and Zoning Board with the conditions as specified by the Town’s Planning and Zoning Board. Motion carried 4-0.

Town Attorney, Doug Weaver stated that the Rural Fire District does not have legal access to their training field. He indicated that the Town Engineer and the Town Planner were in agreement that the park that is platted in the Rock Creek Estates should be vacated and designated as a street and utilities easement. A motion was made by Councilman Wilson and seconded by Councilman Hensel to vacate the platted park in the Rock Creek Estates and designate it a street and utilities easement. Motion carried 4-0.

A malt beverage permit application from the Toy Run/Angel Tree Committee was submitted for November 12, 2005. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the malt beverage permit application submitted by the Toy Run/Angel Tree Committee for November 12, 2005. Motion carried 3-1.

Mayor Dingman stated that he would like to re-appoint Bob Seidel to the Board of Adjustment. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve the re-appointment of Bob Seidel to the Board of Adjustment. Motion carried 4-0.

Mayor Dingman stated that he would like to re-appoint Vic Kinnel to the Board of Adjustment. A motion was made by Councilman Hensel and seconded by Councilman Wilhelm to approve the re-appointment of Vic Kinnel to the Board of Adjustment. Motion carried 4-0.

Mayor Dingman stated that he would like to re-appoint Phil Dumars to the Board of Adjustment. A motion was made by Councilwoman Allen and seconded by Councilman Wilson to approve the re-appointment of Phil Dumars to the Board of Adjustment. Motion carried 4-0.

City/County Planner, Marlin Johnson stated that he had received an application from the Lions Club to place a sign on the corner of Rowley and 16th. He indicated that the Planning and Zoning Board had approved the special use permit to place the sign on the property owned by Ruwart's adjacent to the Museum. George Bartholomew was present and stated that the sign will be powered from the Museum and they plan to have it installed by the first of January. Mr. Bartholomew stated that the Lion's Club will be responsible for all of the expenses and maintenance associated with the sign. He stated it will be a digital read out sign that is being donated by Missouri Basin Power Project to the community in celebration of their 25th Anniversary. He stated it will list community events and there will be no commercial advertising allowed. Mr. Batholomew stated that there will be plaques on the base of the sign designating the other donors i.e. Chamber of Commerce, WADCO, Ruwart's, Lion's Club. After a discussion on building permit fees, a motion was made by Councilman Hensel and seconded by Councilwoman Allen to waive the normal building permit fees and reduce the amount to the minimum fee of \$50.00 due to the fact that the sign will be a service to the public. Motion carried 4-0.

With no further business to come before the Governing Body, Mayor Dingman adjourned the meeting at 7:50 P.M.. The next regular meeting of the Town Council of the Town of Wheatland

will be held on November 14, 2005.

Attest:

Mayor, Joel Dingman

Town Clerk/Treas. Cindy Kahler