

Wheatland, Wyoming  
April 10, 2006

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 10, 2006, pursuant to the law.

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

Mayor Dingman stated that a malt beverage permit application needed to be added to the agenda as #6 under "New Business". A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on March 13, 2006 were presented. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to approve the minutes of the meeting held on March 13, 2006 as presented. Motion carried 4-0.

The vouchers for the month of March, 2006 was presented for payment. A motion was made by Councilman Hensel and seconded by Councilman Wilhelm to approve the vouchers as presented. Motion carried 4-0. The vouchers are as follows: Airgas-supplies-111.61; Allen's Part-veh maint-90.43; Altec-veh maint-770.48; American Legion Lobos-contribution-2000.00; American Casting-supplies-261.95; Andrew Starr-Snap On Tools-supplies-84.23; Atlas Office Products-supplies-244.48; Bob Ruwart Motors-veh maint-60.38; Brenda Allen-Council sal-375.00; Camp Guernsey-range fees-30.00; Communications Source-supplies-17.19; Communicom Services-internet-195.85; Consolidated Mfg-supplies-362.69; Courier By George-freight-150.00; Crescent Electric-supplies-1453.65; Dana Kepner-supplies-7363.73; DBC Irrigation-supplies-835.45; Dean Hensel-counsel salary-375.00; Diamond Vogel-supplies-78.00; Div. Of Workers Comp-workers comp-3262.03; Douglas Weaver-attorney fees-1750.00; Drube's Mfg-supplies-415.16; Phil Dumars-contract labor-200.00; Eastern Wyo. Ambulance Service-ambulance-9624.99; Electrical Systems Consultants-engineering-2123.86; Elite Auto Glass-supplies-223.76; Energy Labs-water testing-835.00; FSH Communication-phones-65.00; Farm Plan-supplies-454.55; Fat Boys-supplies-116.35; Gall's Inc-supplies-442.45; Gases Plus-supplies-34.72; HD Circle G Services-spraying-7170.00; Hawkins Water Treatment-supplies-395.00; Holiday Inn-lodging-60.00; Howard Supply-supplies-119.50; HR Computer-supplies-65.00; Huffers Food Pride-supplies-100.37; I/O Solutions-supplies-268.00; Jack's Electric-supplies-320.90; Jeff Wilhelm-Council Salary-375.00; Joel Dingman-mayor salary-750.00; Kirby Wilson-Council salary-375.00; Kinder Morgan-heat-8927.68; Kois Brother-

supplies-1363.69; Kriz Davis-supplies-1432.10; KYCN-adv-155.00; Lab Safety-supplies-368.18; Laramie Peak Motors-veh maint-19.11; Lathrop Equipment-supplies-125.41; Lawson Products-supplies-260.48; McDonald Family Enterprises-janitorial-250.00; Mikes Printing-supplies-1155.62; Noyce's-signs-50.00; Chris O'Reilly-supplies-62.99; Orbitcom-phones-1834.39; Pamida-supplies-129.47; P.C. Concrete-supplies-2145.00; P.C. Memorial Hospital-treatment-291.00; P.C. Record Times-adv-2331.40; Pipers-supplies-67.98; Pronghorn Lodge-lodging-110.00; Quill Corporation-supplies-175.20; Qwest-phones-145.01; Shorey Electronics-supplies-768.76; Rtex Johnson-insurance-400.00; St. Paul Travelers-ins-1000.00; Safety Vision-supplies-126.42; Safeway-supplies-18.56; Sierra Springs-supplies-9.50; State of Wyoming-sales tax-6974.53; Sunshot Engineering-engineering-330.00; T & R Electric-supplies-728.00; Corporate Office-supplies-60.72; Rocky Mtn. Chapter IAEEI-training-175.00; The Supply Sargent-supplies-184.76; Town Treasurer-petty cash-1018.73; Tri County Fire & Safety-supplies-392.75; Try-Hydro-water monitoring-1009.39; Verizon Wireless-phones-346.94; Waterous Co-supplies-132.12; WESCO -supplies-1566.22; Westcoast Sales-supplies-327.62; Western United Electric-supplies-7693.81; Wheatland Automotive-veh maint-574.92; Wheatland Coop-gas & dsl-6126.62; Wheatland Fire Dept.-expenses-2727.42; Wheatland Fire Equipment-supplies-1277.39; Bloedorn Lumber-supplies-1035.54; Wheatland REA-power-1878.03; Wheatland True Value-supplies-46.69; Wyoming Law Enforcement-training-110.00; Zep Mfg.-supplies-241.04; Xerox-copiers-547.36; Wyoming Mun. Power Agency-power-113,512.66; Payroll-total-143,138.28; Rex Johnson-legal fees-5451.75. Total Vouchers-\$365,738.00.

Clerk/Treasurer, Cindy Kahler presented the financial report for the month of March, 2006. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve the financial report as presented and place it on file. Motion carried 4-0.

Mayor Dingman stated that the Council had received reports from the Police Dept, Public Works Depts., P.C. Chamber of Commerce, Centennial Committee, Planning Office, Wyoming Municipal Power Agency, Ambulance Service, Municipal Court and the Fire Dept.. Councilman Wilhelm reported that the Board of Adjustment had discussed some changes to the Town's Development Code concerning structures being placed in the Town's right-of-ways. He indicated that the Board is recommending that the agreement being used at the present time be made a standard part of the application for placing anything in the Town's right-of-way. Councilman Wilhelm also stated that the Board has expressed concerns about applicants starting or completing work prior to the application being heard and it is their recommendation that the standard fees for the application should be doubled in those cases. Chamber of Commerce Director, Julie Minear presented the Council with the 2006 Chamber Directory. Mayor Dingman stated that reports would be placed on file.

Proposed Ordinance No. 721 was presented on second reading. A motion was made by Councilwoman Allen and seconded by Councilman Wilhelm to approve proposed Ordinance No. 721 on second reading. Councilman Wilson stated that he would be abstaining from the vote, as the Ordinance concerns the re-zoning of the property recently purchased by the Assembly of God Church for the purposes of constructing a new Church. Mayor Dingman called the for the vote, voting yes- Councilwoman Allen, Councilmen Hensel and Wilhelm. Mayor Dingman declared the motion carried. Proposed Ordinance No. 721 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 RESIDENTIAL HIGH-DENSITY (RH).

A damages claim for Mr. Chris Locy was presented for damages sustained by his vehicle when it hit a street cut on Mariposa Parkway. Mayor Dingman stated that Mr. Locy's claim had been denied at the Council meeting held on March 13, 2006 because the claim did not contain a notarized affidavit from Mr. Locy. Town Attorney, Doug Weaver stated that Mr. Locy had completed and signed a notarized affidavit for the claim. After a brief discussion was held in regard to sign age or barricades, a motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve the damages claim in the amount of \$910.67 for Mr. Locy. Motion carried 4-0.

Chamber of Commerce Director, Julie Minear was present and stated that the Chamber will be sponsoring a performance of the Carson and Barnes Circus on June 5, 2006 at the P.C. Fairgrounds. Mrs. Minear requested the Council waive the \$200.00 permit fees for circuses since this is a fund raiser for the Chamber. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to waive the \$200.00 permit fee, with the understanding that the Chamber would still be responsible to complete the application. Motion carried 4-0.

City/County Planner, Marlin Johnson presented proposed Ordinance No. 722 on first reading. He stated that Lee and Ellen Alley are requesting that Lots 5-6 of the Lock Addition (1203 16th Street) be rezoned from Residential to General Business. He stated that there are established businesses to the north and there is a Chiropractic Office operating as a permitted business in a Residential District across the street to the east. There is another business, Custom Framing, two lots to the south. A letter supporting the rezone request was submitted by Jarvis Windom who lives in the house to the south, indicating that this property has always had an established business use in the residence. Town records show that a Special Use Permit for a home occupation was approved for a computer sales office on this property in 1994 and that home occupation had been approved in 1987 for a chiropractic office. As this property has been used for home occupations for eighteen (18) years and possibly longer a business use should have little additional impact on neighboring properties. If a rezone of the property is approved the type of business use would be regulated by the amount of available parking. Planner, Johnson stated that it was his and the Planning and Zoning Board's recommendation that the re-zone be approved with the condition that the two lots be merged into one parcel. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to approve proposed Ordinance No. 722 on first reading with the recommendation from the Planning and Zoning Board and the Planning Office to merge the two lots into one parcel. Motion carried 4-0. Proposed Ordinance No. 722 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 (GB).

City/County Planner, Marlin Johnson presented proposed Ordinance No. 723 on first reading. Planner, Johnson stated that the proposed Ordinance concerns changes to the Town's Development Code dealing with public notices, builder inspector and planner positions, filing fees and appeals processes. Town Attorney, Doug Weaver stated that the changes that had been recommended by the Board of Adjustment concerning the standard agreement forms and the fees could be included in the Ordinance before the next reading. Building Inspector, Steve Snook was present and stated that Section 7-9 establishing positions for the building inspector and planner should be more defined. Councilman Wilhelm stated that he would like to see the proposed Ordinance move forward with the understanding that a section regarding additional fees for work begun or completed before the application is heard would be included, section 7-9 would be re-defined, and the standard agreement for placing structures in the Town's right-of-ways be included as recommended by the Board of Adjustment. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve proposed Ordinance No. 723 on first reading with the understanding that the Board of Adjustments recommendations would be included and Section 7-9 would be re-written before the second reading. Motion carried 4-0. Proposed Ordinance No. 723 title being as follows:

AN ORDINANCE AMENDING PORTIONS OF THE  
WHEATLAND DEVELOPMENT CODE, SPECIFICALLY  
SECTION 7-9 DEALING WITH BUILDING INSPECTOR  
SECTION 7-14(a) DEALING WITH PUBLIC NOTICE  
SECTION 7-15© DEALING WITH FILING PROCEDURE,  
SECTION 7-23(a) DEALING WITH BOARD OF ADJUSTMENT  
APPEALS, AND SECTION 7-26 DEALING WITH BOARD OF  
ADJUSTMENT APPEALS DEADLINES AND NOTICE.

Tree City USA Board Members, Mrs. Hensel and Mrs. Carmichael were present and reported that there will be an tree planting in front of Town Hall, on Saturday, April 22, 2006 at 10:00 A.M. to celebrate Arbor Day. Mayor Dingman asked Mrs. Hensel to read the Arbor Day Proclamation.

ARBOR DAY PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees.

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than one million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut

heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and  
WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and  
WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and  
WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.  
NOW THEREFORE, I, Joel Dingman., Mayor of the Town of Wheatland do hereby proclaim April 22, 2006 as ARBOR DAY, in the Town of Wheatland, and I urge all citizens to celebrate Arbor Day and to support the effort to protect our trees and woodlands, and  
FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 10th day of April, 2006

/s/ Joel Dingman, Mayor

A draft agreement to install a catch fence and litter control area on property owned by Mike Johnston adjacent to the landfill was discussed. The agreement would provide the Town with a permanent easement for the installation of a catch fence and litter control area and the Town would provide Mr. Johnston with some single phase power. Town Engineer, Russ Schamel explained that the catch fence needs to be set to the east of the landfill as the fill area is higher than the existing fence and litter blows over the top of it. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the agreement as presented in the draft and authorize the Mayor to execute the proper documents. Motion carried 4-0.

A malt beverage permit application was presented from Pete Delgado/Lucky 13 Club for a Relay For Life benefit to be held on May 20, 2006. A motion was made by Councilwoman Allen and seconded by Councilman Wilhelm to approve the malt beverage permit for Pete Delgado/Luck 13 Club for May 20, 2006 at the minimum fee allowed 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.

With no further business to come before the Governing Body, Mayor Dingman adjourned the meeting. The next regular meeting of the Town Council will be held on May 8, 2006.

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Joel Dingman, Mayor

Attest:

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Cindy Kahler, Clerk/Treasurer