

Wheatland, Wyoming
May 8, 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, May 8, 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 Hensel, Wilhelm and Wilson, Councilwoman Allen. Also present were Clerk/Treasurer, Cindy Kahler and Town Attorney, Doug Weaver.

Mayor Dingman stated that there were two additions to the agenda, under "New Business" #4 a catering permit application and #5, a sanitation pickup complaint. A motion was made by Councilman Hensel and seconded by Councilman Wilhelm to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on April 10, 2006 and the special meeting held on April 17, 2006 were presented. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve the minutes of April 10, 2006 and April 17, 2006 as presented. Motion carried 4-0.

The vouchers for the month of April, 2006 were presented for payment. Councilman Wilson made a motion to adjourn to executive session as he had some concerns about a voucher that was paid previously. Councilwoman Allen seconded the motion. Motion carried 4-0 and Mayor Dingman adjourned the meeting at 7:03 P.M. to executive session. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to reconvene the regular meeting at 7:18 P.M., Councilwoman Allen seconded the motion. Motion carried 4-0. Mayor Dingman reconvened the meeting and stated that the Council had discussed the legal fees that were paid regarding the wastewater land application permits. A motion was made by Councilman Wilhelm and seconded by Councilman Hensel to approve the vouchers as presented. Motion carried 4-0. The vouchers are as follows: Allen's Part's-veh maint-26.29; Amazing Monogramming-supplies-833.00; Andesite Rock-supplies-231.60; Andrew Star-supplies-16.67; Atlas Office Products-supplies-228.51; Atlas Towing-towing-105.00; Auto Electric-veh maint-20.00; Blackwolf Transport-freight-241.81; Bob Ruwart Motors-veh maint-868.75; Carolina Software-support-200.00; Caselle-support-1265.00; Cheyenne Freightliner-manual-380.00; Communications Source-supplies-17.46; Communicom Services-internet-195.85; Consolidated Mfg-supplies-44.24; Contractors Materials-supplies-25.20; Courier By George-freight-50.00; Crescent Electric-supplies-1952.16; Chris Locy-damages-910.67; Crystal

Ice-supplies-20.00; Dana Kepner-supplies-5341.07; DBC Irrigation-supplies-111.66; Div Of Workers Compensation-workers comp- 3204.26; Douglas Weaver-legal fees-2406.75; Drivers License Guide-books-56.50; Drube's Mfg-supplies-118.90; Dumars, Phil-contract labor-200.00; Energy Labs-supplies-440.00; Farm Plan-supplies-216.54; Fat Boys-veh maint-409.10; Floyd's -supplies-41.09; Front Range Training-school-850.00; Gall's Inc-supplies-218.37; HD/Circle G. Services-spraying-4690.00; Hach Company-supplies-91.00; Holiday Inn-lodging-264.00; Howard Supply-supplies-17.50; Huffers Food Pride-supplies-109.91; Jack's Electric-supplies-27.14; Jenkins Auto Body-repairs-5747.26; Kinder Morgan-heat-6573.55; Kriz Davis-supplies-1517.76; K2 Engineering-engineering-60.00; KYCN-adv-480.00; Laramie Peak Motors-veh maint-71.10; Laramie Peak Vet. Assoc.-supplies-102.35; Lawson Products-supplies-415.57; McDonald Family Enterprises-janitorial-250.00; McFarland Cascade-supplies-12,455.00; Merchant JT & S-school-600.00; Mike's Printing-supplies-249.96; Montana Electric Coop-supplies-310.08; Norb Olind -contract labor-470.00; Northwest Pipe-supplies-587.30; Noyce's Shop-supplies-41.80; Orbitcom-phones-1845.38; Pamida-supplies-279.03; Parkway Plaza-lodging-480.55; Pipers-supplies-78.80; P.C. Concrete-supplies-540.00; Qwest-phones-144.04; Shorey Electronics-supplies-663.72; Rex Johnson-ins-400.00; Rocky Mtn. Weed Control-spraying-4588.75; Safeway-supplies-34.76; Sensus Metering-supplies-103.00; Sherard, Sherard & Johnson- legal fees-932.42; Sierra Springs-supplies-37.81; State of Wyoming-sales tax-7269.78; Sunshot Engineering-engineering-620.00; Super 8 Motel-lodging-115.50; Symbol Arts-supplies-734.00; Robert Thornton-doors-3052.00; North Platte Physical Therapy-fitness program-95.00; Tri State Truck-veh maint-300.96; Try-Hydro-landfill monitoring-924.39; Universal Athletic Service-supplies-34.96; Verizon Wireless-phones-324.78; Wesco Corp-supplies-724.00; Western United Electric-supplies -14,778.00; Wheatco Sales & Service-gas & dsl-5,147.83; Wheatland Automotive-veh maint-673.75; Wheatland Coop-supplies-31.26; Wheatland Fire Dept.-expenses-689.56; Bloedorn Lumber-supplies-519.06; Wheatland REA-power-1005.32; Wheatland True Value-supplies-79.42; Wingate Inn-lodging-378.90; Wyoming Law Enforcement Acdy-school-1046.00; Wyoming Machinery-veh maint-1117.52; Wyoming Wings-adv-245.00; Xerox Corp-supplies-265.80; Wyoming Mun. Power Agency-power-110,727.90; Payroll-140,488.71; Sunshot Engineering-engineering-1145.50; Total Vouchers-\$359,040.89.

Mayor Dingman read the following proclamation;

PROCLAMATION

WHEREAS, Alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat of their long-term development and well-being, and;

WHEREAS, underage alcohol use is more likely to kill young people than all illegal drugs combined, and;

WHEREAS, traffic crashes are perhaps the most visible of these dangers, with alcohol being implicated in nearly one-third of youth traffic fatalities, and;

WHEREAS, underage alcohol use is also associated with violence, suicide, educational failure, drug use and other problem behaviors, and;

WHEREAS, all of these problems are magnified by early onset of teen drinking and it has been proven that the younger and drinker the worse the problem.

NOW THEREFORE, I, Joel Dingman, mayor of the Town of Wheatland, hereby concur with the first lady's initiative to reduce underage drinking and, I urge every individual, school, church, organization, business establishment, and household within my official jurisdiction to publicity develop, strengthen, and support awareness, understanding, and cooperation between law enforcement and the community to enforce a zero tolerance policy to reduce underage drinking and illegal drug use.

Passed, approved and adopted this 8th day of May, 2006.

/s/ Joel Dingman, Mayor

Attest;

/s/ Cindy Kahler, Town Clerk

Mayor Dingman read a letter from the United States Environmental Protection Agency congratulating the Town of Wheatland's Water Dept. for maintaining perfect Total Coliform Rule compliance for five consecutive years. A perfect record means that there were no "maximum contaminant level" exceedences and no "failure to monitor" violations for five years. EPA Region eight sends out these special certificates to deserving public water systems once every five years.

Mayor Dingman presented a letter of thanks from the Wheatland Middle School for the Town's support of the Honor's reception. The Town's donation was used to purchase Platte County Pride Certificates to be given to the students receiving a grade point average of 4.0 for at least one quarter of the past school year. Mayor Dingman stated that he had attended the Honor's reception and it was wonderful. Mayor Dingman read a thank you note from the Thrivent Board for the Town's support in expanding the small children's playground in Lewis Park.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to accept 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 Department, Public Works Depts., P.C. Chamber of Commerce, Centennial Committee, Planning Office, Ambulance Service, Municipal Court, Fire Department and the Wyoming Municipal Power Agency. Councilman Wilhelm stated that he had attended the Wyoming Municipal Power Agency meeting in Lusk on April 20, 2006 and the consulting firm of R.W. Beck and Associates would be reviewing plans on two proposals that are before the Board presently for the purchase of additional power. Councilman Wilhelm indicated that R.W. Beck would be making their recommendations to the Board of Directors at the May 18th meeting. Mayor Dingman stated that since there were no further questions or concerns regarding the reports, they would be placed on file.

Proposed Ordinance No. 721 was presented on third and final reading. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve proposed Ordinance No. 721 on third and final reading. Councilman Wilson stated that he would be abstaining from the vote, since the proposed Ordinance concerned the Assembly of God Church. Motion carried 3-0. Ordinance No. 721 follows in its entirety.

ORDINANCE NO. 721

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 DISTRICT (RH).

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:

Lot 43 of the Gunther Addition, Town of Wheatland, Section 14, Township 24, North, Range 68 West, Town of Wheatland, Platte County, Wyoming.

Which parcel is presently zoned Residential District (R) is hereby changed to Residential High Density District (RH).

Passed and approved this 13th day of March, 2006 on first reading.

Passed and approved this 10th day of April, 2006 on second reading.

Passed and approved this 8th day of May, 2006 on third reading and final passage.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler

Proposed Ordinance No. 722 was introduced and read on second reading. A motion was made by Councilwoman Allen and seconded by Councilman Wilson to pass proposed Ordinance No. 722 on second reading. 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
DISTRICT (GB).

Proposed Ordinance No. 723 was introduced and read on second reading. Town Attorney, Doug Weaver stated that this proposed Ordinance deals with changes to the Development Code regarding special use permits, public notices, filing fees and procedures and Board of Adjustment appeal deadlines and notices. Mr. Weaver indicated that there will be some minor changes in verbiage before the third and final reading to clarify some of the sections. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve proposed Ordinance No. 723 with the understanding there will be some minor changes before the third reading. Motion carried 4-0. Proposed Ordinance No. 723 title being as follows:

AN ORDINANCE AMENDING PORTIONS OF THE WHEATLAND
DEVELOPMENT CODE, SPECIFICALLY ARTICLE 11 SECTION 7-
10 DEALING WITH SPECIAL USE PERMITS, SECTION 7-14
DEALING WITH PUBLIC NOTICE, SECTION 7-15 (c) 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.

Mayor Dingman introduced Barb Engle and Janna Griffin representing PAWS (Platte Animal Welfare Services). Mrs. Engle stated that PAWS has been operating for four years with ten active members. She stated that their mission is to promote the well being of pets in Wheatland and Platte County. She stated that they had lost a grant for spaying and neutering and WADCO is presently searching for another one. Ms. Griffin supplied statistical information and requested that the Town consider financing them at \$5,000.00. Mayor Dingman thanked Barb Engle and Janna Griffin for all the work they do for the pets in our community.

A Resolution from the Platte County Commissioners relating to the cost sharing for the Platte County Commissioners Communication Center between the Towns of Wheatland and Guernsey and Platte County was introduced. A motion was made by Councilman Wilson and seconded by Councilman Hensel to table the proposal until it could be discussed during the budget workshops. Motion carried 4-0.

A proposed Ordinance relating to the re-zone of property located at 850 Elliott and owned by Gene and Carol Davis from Highway Business District (HB) to Mobile Home Subdivision (MHS). Planning and Zoning Board Chairman, Herschel Pruitt gave the staff report and the Board's recommendations concerning the re-zone application. Mr. Pruitt reported that these properties were originally platted as Lots 1, 2 & 3 of Block 99. In 1955 the E1/2 of Lots 1-3 were deeded, essentially creating two undersized parcels from three undersized parcels. These parcels would not typically be allowed today, but they are considered legal non-conforming (grandfathered). In the past, there was a house located on the west parcel, the W1/2 of Lots 1-3. The parcels have separate water meters. Mr. Davis would like to locate a mobile home on the vacant parcel. A mobile home may only be allowed on this property with an approved Special Use Permit or an approved rezone to Mobile Home Subdivision. Carol Davis owns the E1/2 where a mobile home is presently located. Due to the nature of existing land uses in the vicinity Gene & Carol Davis had made application to rezone both parcels to Mobile Home Subdivision District. The rezone to Mobile Home Subdivision appears compatible relative to other options. Mr. Pruitt stated that the Planning Staff had several conditions of approval for the re-zone request;

1. That the east and west parcels be re-deeded to accurately define the shared property line, preferably the west parcel will have a width of thirty-two to thirty-four feet (32'-34')
2. That the portion of Elliott Street right-of-way that fronts these properties be cleared of vehicles and miscellaneous junk.

In addition, the following items would be proposed as conditions of approval for any variance request;

3. That utility easements be created across the west parcel to serve the east parcel and/or service lines be relocated, satisfactory to the Town and affected utility companies.

4. That any mobile home be located a minimum of forty-three feet from the front property lines and eight feet from the side property lines (this will keep the sewer service line in front of any proposed home);
5. That decks may extend within four feet of the side property lines if not covered in any manner.

Chairman Pruitt stated that the Planning and Zoning Board had recommended a “do pass” on the Davis’s application for a re-zone of their property. Mr. Pruitt stated that Mr. Davis indicated he would be cleaning up the property. A motion was made by Councilman Wilson and seconded by Councilman Wilhelm to approve proposed Ordinance No. 724 to rezone the property located at 852 Elliott owned by Gene and Carol Davis from Highway Business District (HB) to Mobile Home Subdivision (MHS) on first reading. Motion carried 4-0.

A catering permit application from Vimbo’s /Dusty Boots for May 27th was presented. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the catering permit for Vimbo’s/Dusty Boots for May 27, 2006 at the minimum fee allowed by law. Mayor Dingman called for the vote. Voting yes-Councilmen Wilhelm & Hensel, Councilwoman Allen. Voting no - Councilman Wilson. Motion carried 3-1.

Planning and Zoning Board Chairman, Herschel Pruitt stated that Board had been discussing areas in the community that need cleaned up and he requested the Town consider budgeting some funding to do clean up, if it were to become necessary. He stated it is the consensus of the Board that there needs to be some encouragement to do clean up. Councilman Wilhelm stated that it was his opinion the recommendation for clean up was all right but any action would have to come from the Governing Body.

Mr. Bob Dannels was present and requested the Town consider placing some gravel on the road in front of his home. Mayor Dingman stated that the Street Dept. would be informed of his concerns.

With no further business to come before the Governing Body, Mayor Dingman adjourned the meeting at 8:15 P.M.. The next regular meeting of the Town Council will be held on June 12, 2006.

Mayor, Joel Dingman

Attest:

Clerk/Treasurer, Cindy Kahler