

Wheatland, Wyoming  
February 12, 2007

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. February 12, 2007, pursuant to the law.

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

Boy Scouts, Sam Singleton, Kyle Klier, Anthony Contryman and Tyler Lower were in attendance as part of their Citizenship in the Community Merit Badge. As a requirement of the Community Merit Badge the Scouts are required to attend a public meeting of elected officials and also review the entities budget.

Mayor Hensel stated that he would like to add "Tree City USA " under Petitions, Memorials and Complaints, and under "New Business" add #9 - Little League Request and change #8 from "Emergency to Proposed Ordinance". A motion was made by Councilwoman Allen and seconded by Councilman Geile to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on January 8, 2007 and the special meeting held on January 22, 2007 were presented. A motion was made by Councilman Geile and seconded by Councilman Madsen to approve the minutes of January 8, 2007 and January 22, 2007 as presented. Motion carried 4-0.

The vouchers for the month of January were presented for payment. A motion was made by Councilman Evans and seconded by Councilwoman Allen to pay the vouchers as presented. Motion carried 4-0. The vouchers are as follows:

Airgas-supplies-134.08; Allen's Part's & Supply-veh maint-14.61; Amazing Monogramming-supplies-986.93; American Legion-contribution-4000.00; Ameri-Tech-supplies-32.86; Applied Concepts-supplies-59.00; Andrew Starr-Snap On-supplies-57.90; Atlas Office Products-supplies-240.47; Auto Electric- veh maint-103.67; California Contractors-supplies-123.39; Campbell County Fire-presentation-160.00; Carolina Software-computer support-200.00; Caselle-computer support-1265.00; Central States Tactical-supplies-1653.63; Communications Source-tech support-353.54; Communicom Services-internet-195.85; Consolidated Mfg.-supplies-1785.59; Corporate Benefits-insurance-128.93; Crescent

Electric-supplies-837.90; Dana Kepner-supplies-5512.91; Davidsons-supplies-1422.85; Dept. Of Revenue-utility tax-2341.16; Desert Mountain-supplies-3695.53; Dept. Of Employment-workers comp-5251.87; Douglas Weaver-attorney fees-1750.00; Drube's Mfg-supplies-368.14; Drummond American Corp-supplies-139.39; Eastern Wyoming Ambulance Service-ambulance-9624.99; Electrical Systems Consultants-engineering-4032.97; Energy Labs-testing-360.00; Equifax-credit report-4.46; FSH Communications -phone-65.00; Farm Plan-supplies-360.19; Fat Boy's-veh maint-50.50; Gall's Inc-supplies-3386.38; Gases Plus-supplies-232.02; H & H Concrete-supplies-3384.00; Hawkins Chemical-supplies-629.28; Holiday Inn-lodging-385.00; Huffer's Food Pride-supplies-139.70; IACP-training-100.00; Jack's Electric-supplies-4721.53; Kinder Morgan-heat-10,836.46; Kois Brothers-veh maint-8406.37; K2 Engineering-engineering-60.00; KYCN-adv-130.00; Laramie Peak Motors-veh maint-35.39; Lawson Products-supplies-1303.82; L.E.E.D-supplies-1154.45; Lock Trucking-supplies-78.77; Longs Peak Council-Boyscouts-contribution-100.00; Mader/Tschacher/Peterson-audit-600.00; McDonald Family Enterprises-janitorial-250.00; Medical Services-supplies-800.40; Mikes Printing-supplies- 1151.07; Montana Electric-supplies-127.96; National Tactical-training-468.00; HSBC-supplies-157.64; One Call of Wyoming-dues-130.00; Orbitcom-phones-1853.12; Pamida-supplies-78.01; P.C. Parks & Rec.-ad-100.00; P.C. Record Times-adv-2348.24; Pioneer Products-supplies-252.90; Piper's -supplies-20.80; Pitney Bowes-postage-102.92; Prairei Business Solutions-computer support-900.00; Quill Corporations-supplies-103.28; Quest-supplies-156.49; Qwest-phone-144.00; Shorey Electronics-supplies-397.92; Ray Allen Mg.-supplies-37.40; Relay For Life-contribution-200.00; Riverton Fire Dept-school-810.00; Rocky Mtn. Chapter IAEEI-training-100.00; Salt City Sales-supplies-121.75; Scott Scheller-emergency mgmt.-200.00; Sierra Springs-supplies-19.00; Solid Waste Systems-supplies-5310.00; Split Rock Vision-test-288.00; State of Wyoming-sales tax-7607.00; Sunshot Engineering-engineering-888.00; Teel Gun Works-supplies-225.00; Terminex-rodent control-312.00; Timberline Fasteners-supplies-409.53; Tomahawk Motor Lodge-lodging-818.00; Tri State Truck & Equipment-veh maint-559.40; TriHydro-landfill monitoring-966.62; Verizon Wireless-phones-416.89; Waterous Company-supplies-292.54; Western United-supplies-558.00; Wheatland Automotive-veh maint-1113.11; Wheatland Coop-fuel-1232.44; Wheatland Fire Dept.-expenses-2717.89; Bloedorn Lumber-supplies-848.03; Wheatland Medical Clinic-treatment-320.00; Wheatland REA-power- 1223.59; Willcuts Backhoe-supplies-88.73; Wyo. Child & Family-contribution-4500.00; Wyo. Conf. Municipal Court-dues-100.00; Wyo. State Fireman's Assoc.-dues-100.00; Wyo. Assoc. Of Mun.-books-200.00; Wyoming Fire Chief Assoc.-dues -110.00; Wyo. Law Enforcement Acdmy-training-150.00; Wyoming Retirement System-retirement-2352.50; Xerox Corp-supplies-266.87; Wyo. Mun. Power Agency-power-126,438.99; Payroll-total-155,374.80; Total Vouchers-\$409,825.31.

Mayor Hensel administered the Oath of Office to Jason Karr as a new Police officer for the Town of Wheatland.

Mayor Hensel made a special presentation to John Johnson in recognition for his dedicated services to the community. Mayor Hensel thanked John for all the work he has done through his ministry at the First Christian Church and numerous other volunteer services to the community. Mayor Hensel presented John Johnson with a recognition plaque and Platte County Pride Certificates in the amount of \$50.00.

Mayor Hensel presented a letter from The National Arbor Day Foundation designating Wheatland as a 2006 Tree City USA. He thanked the Tree City Committee and DeAnne Hensel for all the work they have done on the Tree City program for the past six years.

Clerk/Treasurer, Cindy Kahler gave the financial report for the month of January, 2007. A motion was made by Councilman Geile and seconded by Councilwoman Allen to accept the report as presented and place it on file. Motion carried 4-0. Mayor Hensel presented reports from the Police Department, Public Works Departments, P. C. Chamber of Commerce, Ambulance Service, Wyoming Municipal Power Agency, Municipal Court, Fire Dept and Building Inspector. He stated that since there were no questions or concerns voiced regarding the reports, they would be placed on file.

Proposed Ordinance No. 732 was introduced on third and final reading. A motion was made by Councilman Geile and seconded by Councilman Madsen to approve proposed Ordinance 732 on third and final reading. Motion carried 4-0. Ordinance No. 732 follows in its entirety:

AN ORDINANCE AMENDING SECTION 7-107(a), (b) (1) THROUGH (10), OF THE WHEATLAND TOWN CODE, AND ADOPTING THE 2006 EDITION OF THE INTERNATIONAL MECHANICAL CODE, INTERNATIONAL BUILDING CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL RESIDENTIAL CODE, 2005 NATIONAL ELECTRICAL CODE, NFPA-58 GAS CODE, NFPA-54 FUEL GAS CODE, and NFPA-101 LIFE SAFETY CODE.

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 2006) 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 Building Code (IBC) and appendices, 2006 edition, as adopted by the International Conference of Building Officials, International Association of Plumbing and Mechanical Officials, are hereby adopted by reference as if the same were fully set forth herein: Provision of the International Electric Code and the International Residential Code, the International Fire Code and the International Mechanical Code, are specifically not adopted herein.

- (1) 2006 International Mechanical Code
- (2) 2006 International Building Code
- (3) 2006 International Plumbing Code
- (4) 2006 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 locations.

- (5) 2006 International Residential Code
- (6) 2005 National Electrical Code
- (7) 2004 NFPA-58-LP-GAS CODE
- (8) 2006 NFPA-54 FUEL GAS CODE
- (9) 2006 NFPA-101 LIFE SAFETY CODE

(c) The provision of (b) 1-9 shall become effective on July 1, 2007.

(d) The building permit fees, remodeling permit fees, plumbing repair and/or replacement permit fees and the mechanical remodeling and/or replacement permit fees are those which were in effect as of July 11, 2005 and which are set forth in Exhibit A and incorporated herein and made a part hereby by this reference.

(e) A copy of each of the above adopted codes shall be on file at the Office of the Building Inspector for the public review and inspection.

(Exhibit A advertised separately from the minutes)

Passed and approved this 11th day of December, 2006 on first reading.

Passed and approved this 8th day of January, 2007 on second reading.

Passed and approved this 12th day of February, 2007 on third reading and final passage.

/s/ Dean Hensel, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

A Resolution in support of a Simple Subdivision application submitted by Everett Nagel was introduced. Town Attorney, Doug Weaver stated that at the January 8, 2007 Council meeting the Town adopted a Resolution with four conditions regarding the Simple Subdivision application. He indicated that the Planning Office had submitted the application to the Platte County Planning and Zoning Board and the Platte County Commissioners for approval and they had made changes to the conditions. Attorney Weaver, stated that the conditions on the Resolution adopted by the Town and the County must be identical for the Subdivision to be approved. He stated that the Resolution now being submitted to the Town Council contains the same conditions as adopted by the County. After a brief discussion concerning the changes, a motion was made by Councilwoman Allen and seconded by Councilman Madsen to approve the Resolution with the conditions as specified by the County. Motion carried 4-0.

#### RESOLUTION

WHEREAS, the Platte County Zoning Rules and Regulations require municipal approval of sketch plans for simple subdivision applications within one mile of a municipal boundary, and WHEREAS, the County may classify a sketch plan as a simple subdivision providing the Town Council approves the plan and consents to the processing of the application as a simple subdivision, and

WHEREAS, the Town of Wheatland approved a Resolution on February 8, 2007, and WHEREAS, Platte County Commissioners also had to approve the simple subdivision, and WHEREAS, the Platte County Commissioners approval of the simple subdivision differed

from the Town of Wheatland's February 8, 2007 Resolution, and WHEREAS, the Town Council has reviewed the Platte County Commissioners' requirements and the sketch plan for a simple subdivision proposal by Everett Nagel and approve the plan with the following revised conditions.

1. That the Town of Wheatland pass a resolution approving the sketch plan and consenting to the processing of this application as a Simple Subdivision;
2. That the smaller parcel shall remain agricultural and the plat shall be filed.
3. That a thirty foot (30') wide strip of right of way along the entire subdivision frontage for Ayers Road be established, and
4. That the smaller lot be a minimum of five (5) acres.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING that THE Town of Wheatland agrees with the subdivision application proposed by Everett Nagel on the property located in part of the NE1/4NW1/4 NW1/4NW1/4,S1/2NW1/4 of Section 15, Township 24, North, Range 68 West of the 6th P.M., Platte County, Wyoming, may be processed by Platte County as a simple subdivision per the Platte County Zoning Rules and Regulations.

This Resolution being approved by the governing body of the Town of Wheatland, Wyoming on this 12th day of February, 2007.

/s/ Mayor Dean Hensel  
/s/ Councilwoman Brenda Allen  
/s/ Councilman Steve Geile  
/s/ Councilman Alan Madsen  
/s/ Councilman Jason Evans

Attest:  
Clerk/Treasurer, Cindy Kahler

Seventh Grade Teacher, Dan Brecht was present and introduced four students from the Middle School, Rachel Culver, Aubrie Schindler, Karlie Schultz and Afron Sinnard. Mr. Brecht stated that the girls had been working on the Columbus Awards Project, which is a competition with middle school groups from different states. They had to come up with an idea that the community needs help with and try to fix the problem. After some research, the girls chose recycling as their project and they surveyed eighty people from the community and the entire seventh grade. The girls reported that overall the community is more interested in recycling than the school, although the school does have a recycling program in place. In closing the girls stated that the public seems to think that improving the Wheatland Recycling Center and making it more convenient to use by having bins in town is a good idea. Mr. Brecht stated that the girls had been doing research on different types of recycling bins and locations to place them. Mayor Hensel and the Council thanked the girls for their work and stated that they he probably would be calling on them in the future to assist with the recycling effort.

Councilman Geile stated that he would like to address a request from the Platte Co. Little League, however, he would be stepping away from his Council position to do so. He introduced Pork Hohnholt as President of the Platte County Little League and asked Pork

to address some of the concerns they have regarding the fields. Pork thanked the Council for all the work that has been done in building the Little League Complex and stated that there were a few items that they would like addressed before the season begins, such as installation of shelving for storage, back stop repairs, mowing, metal garbage cans and weeds. Mayor Hensel stated that he needed to interrupt the discussion on the Little League fields and move into the public hearing on the liquor license renewals as it had been advertised for 7:30 P.M..

Mayor Hensel opened the public hearing on the liquor license renewals at 7:30 P.M. and asked for any comments from the audience regarding the liquor license renewals.

A motion was made by Councilwoman Allen and seconded by Councilman Geile to approve the liquor license renewal for the Wheatland Moose Lodge #1636. Motion carried 5-0.

A motion was made by Councilman Geile and seconded by Councilman Madsen to approve the liquor license renewal for the Wheatland Country Club. Motion carried 5-0.

A motion was made by Councilman Madsen and seconded by Councilman Geile to approve the liquor license renewal for Dusty Boots/Vimbo's. Motion carried 5-0.

A motion was made by Councilman Evans and seconded by Councilwoman Allen to approve the liquor license renewal for Jimmy G. Wilson dba Wheatlanes. Motion carried 5-0.

A motion was made by Councilwoman Allen and seconded by Councilman Geile to approve the liquor license renewal for Safeway Stores 46 Inc, dba Safeway Store #2462. Motion carried 5-0.

A motion was made by Councilman Geile and seconded by Councilman Madsen to approve the liquor license renewal for Robo Inc. dba Commodore Bar. Motion carried 5-0.

A motion was made by Councilman Madsen and seconded by Councilwoman Allen to approve the liquor license renewal for LeAnn's Incorporated. Motion carried 5-0.

A motion was made by Councilman Evans and seconded by Councilman Madsen to approve the liquor license renewal for Big A in Wheatland LLC dba Big A. Motion carried 5-0.

A motion was made by Councilwoman Allen and seconded by Councilman Geile to approve the liquor license renewal for Landmark Bar Assoc.LLC dba Landmark Bar. Motion carried 5-0.

A motion was made by Councilman Geile and seconded by Councilman Evans to approve the liquor license renewal for Casey Laffitte dba Casey's Timberhaus. Motion carried 5-0.

A motion was made by Councilman Madsen and seconded by Councilwoman Allen to approve the liquor license renewal for Jin H Min dba El Gringo's. Motion carried 5-0.

Mayor Hensel closed the public hearing on the liquor license renewals at 7:37 P.M.

Mayor Hensel asked Councilman Geile to resume the discussion on the Little League fields. Councilman Geile stated that the Platte County Little League is considered a very successful program throughout the State and the players are great ambassadors for Wheatland. He stated that the program needs financial assistance, particularly since there are stringent rules regarding fund raisers. Councilman Geile stated that he would be preparing a financial request to return to the Council with in the near future.

Mayor Hensel introduced four claims for damages to vehicles by blowing trash receptacles during the high winds on January 6, 2007. Town Attorney, Doug Weaver suggested that the claims be submitted to the Local Gov't Liability Pool (Town's insurance) as one claim. Councilman Geile asked if the Council had to deny the claims to forward them to the insurance company and Attorney Weaver stated they did not have to be denied to go to the carrier. A motion was made by Councilwoman Allen and seconded by Councilman Geile to request the claimants file the proper documents and send the claims to the Local Gov't Liability Pool. Motion carried 4-0.

Mr. Terry Harris was present and voiced some concerns regarding the tardiness of CoHo Development to complete the Progress Subdivision. Town Attorney, Doug Weaver stated that he had submitted a letter to CoHo's legal Counsel giving them a deadline to begin completion of the project. Mr. Harris asked if CoHo did not proceed would the Town develop the property and Attorney, Weaver stated that the Town would not develop the property.

Mayor Hensel stated that State Statute 9-4-817 requires the Town designate "Official Depositories" for the Town's funds and he stated that he would like to designate the following financial institutions as "Official Depositories" for the Town of Wheatland; Bank of the West, Wells Fargo Bank, First State Bank, Platte Valley Bank. A motion was made by Councilwoman Allen and seconded by Councilman Madsen to designate Bank of the West, Wells Fargo Bank, First State Bank and Platte Valley Bank as "Official Depositories" for the Town of Wheatland funds. Motion carried 4-0.

Planner, Anita Johnson presented a preliminary plat from Steve Parmley for property located at 457 Gilchrist Street. She stated that the pre-preliminary plat was originally presented to the Planning and Zoning Board in November and at that time it was continued. Planner Johnson indicated that Mr. Parmley had been working with Engineer, Russ Schamel concerning the drainage, easements and configuration of the lots and she asked Mr. Schamel to describe the plan. Engineer, Schamel presented a preliminary plat drawing indicating configuration of the lots, streets, drainage plan, existing and future utility easements. Engineer Schamel stated that presently there is enough water to handle most business uses however, there is not adequate fire flows and the Town will need to address that issue as this development moves forward. He stated that there will need to be a 10" tie in water line to loop feed and provide fire flows to that area of Town, before it develops very much. Town Attorney, Doug Weaver asked if one access was going to be adequate

for that many lots and Engineer, Schamel stated that legally it was probably enough, however as a practical matter there should be another access for emergency purposes. A motion was made by Councilwoman Allen and seconded by Councilman Madsen to approve the preliminary plat as presented by Steve Parmley for the property located at 457 Gilchrist St.. Motion carried 4-0..

Mayor Hensel stated that he would like to appoint Marlin Johnson as the Planner for the Town of Wheatland. A motion was made by Councilman Geile and seconded by Councilman Madsen to approve the appointment of Marlin Johnson as Planner for the Town of Wheatland. Mayor Hensel called for the vote. Voting yes- Councilwoman Allen, Councilmen Geile and Madsen, Voting no - Councilman Evans . Mayor Hensel declared the motion approved 3-1.

A proposed Ordinance amending user fees for wastewater service was introduced. Town Engineer, Russ Schamel stated that the Town is filing an application for loan funds from the State Revolving Loan Fund for the wastewater land application project and the proposed Ordinance addressing the user fees for wastewater is part of the application. A motion was made by Councilwoman Allen and seconded by Councilman Geile to approve proposed Ordinance No. 733 on first reading. Motion carried 4-0. Proposed Ordinance No. 733 title being as follows:

AN ORDINANCE AMENDING APPENDIX B OF ORDINANCE  
NO. 696 FOR THE ESTABLISHMENT OF EACH USER'S  
WASTEWATER SERVICE CHARGE.

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting at 8:26 P.M.. The next regular meeting of the Town Council will be held on March 12, 2007.

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Mayor, Dean Hensel

Attest:

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Town Clerk/Treasurer, Cindy Kahler