

Wheatland, Wyoming
August 13, 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., Monday, August 13, 2007.

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, Town Attorney, Doug Weaver and City/County Planner, Marlin Johnson.

Mayor Hensel stated there were no additions or deletions to the agenda and a motion was made by Councilwoman Allen and seconded by Councilman Geile to approve the agenda as presented. Motion carried 4-0.

The minutes of the regular meeting held on July 9, 2007 and the special meeting held on July 11, 2007 were presented. A motion was made by Councilman Geile and seconded by Councilman Evans to approve the minutes of the regular meeting held on July 9, 2007 and the special meeting held on July 11, 2007 as presented. Motion carried. 4-0.

The vouchers for the month of July, 2007 were presented for payment. A motion was made by Councilman Madsen and Councilman to approve the vouchers as presented for payment. Motion carried 4-0. The vouchers are as follows: A & A Earth Works-clean sump-275.00; Airgas-supplies-100.96; Allen's Parts-veh maint-658.85; Andesite Rock-supplies-7715.37; Andrew Star -Snap On-supplies-319.44; Auto Electric-veh maint-74.76; Barco-supplies-48.00; Blackburn Mfg-supplies-91.70; Botach Tactical-supplies-766.16; California Contractors-supplies-150.00; Carolina Software-computer support-200.00; Caselle-computer support-1328.00; Casper Star-subscription-202.80; Chemsearch-supplies-525.60; Chief Corp-supplies-266.94; Cobitco Emulsified-oil-66,854.76; Colman Equipment-supplies-136.33; Communicom Services-internet-195.85; Consolidated Mfg-supplies-1636.80; Crescent Electric-supplies-1714.18; Crystal Ice-supplies-109.20; Dana Kepner-supplies-2937.80; DBC Irrigations-supplies-554.91; Dell Marketing-supplies-1548.10; Dept. Of Employment-worker's comp-7084.40; Dooley Oil-veh maint-779.90; Doug Weaver -legal fees-1758.00; Doug Willadsen-supplies-154.35; Drive Train-veh maint-71.20; Drube's Mfg-supplies-410.59; Drummon American-supplies-79.03; Eastern Wyo. Ambulance-service-9624.99; Electrical Systems Consultants-engineering-2987.51; Energy Labs-testing-1580.00; Equifax-reports-4.91; Farm Plan-supplies-1022.51; Fat Boy's-veh maint-815.95; Fig U Rose-supplies-30.00; Floyd's-supplies-112.82; G Neil Direct-posters-169.98; Gall's Inc-supplies-807.82; Gases Plus-supplies-222.50; HD

Supply-supplies-106.25; H & H Concrete-concrete-17,611.00; Hawkins Chemical-supplies-618.98; Huffer's Food Pride-supplies-144.51; IBS Inc-supplies-50.01; IALEFI-dues-55.00; Internat'l Code Council-books-413.25; Jack's Electric-supplies-439.94; Jim's Refrigeration-supplies-61.50; Kinder-Morgan-heat-413.85; Kois Bros-supplies-3344.30; KYCN-adv-200.00; Laramie Peak Motors-veh maint-318.93; Laramie Peak Vet. Assoc.-supplies-40.00; Lathrop Equip-supplies-266.70; Lawson Products-supplies- 441.74; Mathew Bender-books-435.65; Lock Trucking-veh maint-36.00; McDonald Family Enterprises-janitorial-450.00; Mike's Printing-supplies-1738.27; Mike's Priority-freight-43.06; Montana Electric-school-127.96; Moore Medical,LLC-supplies-321.60; National Tactical-supplies-40.00; NESCO-supplies-582.31; Norb Olind Const-equip rent-4524.05; Orbitcom-phones-1691.47; Pamida-supplies-268.46; P.C.Chamber of Commerce-subsidy-10,000.00; P.C. Concrete-supplies-299.83; P.C. Record Times-adv-4854.67; Piper's-supplies-268.71; Pitney Bowes-postage-343.65; P.C. Fire District 1-F.ins.-7008.00; Pocket Press-books-87.90; Jerry Post Psy.-exam-280.00; Quill Corp-supplies-136.58; Qwest-phones-147.08; Shorey Electronics-supplies-118.96; Reis Env.-supplies-655.51; Safeway Stores-supplies-39.56; Salt City Sales-supplies-456.00; Scott Scheller-contract labor-200.00; Sewing Shop-supplies-25.50; Siemens Power Transmission-veh maint-198.75; Sierra Springs-supplies-68.27; Square D-supplies-630.00; State of Wyoming-sales tax-8550.27; Subway-supplies-310.27; Sunshot Engineering-engineering-2094.50; Team Labs-supplies-1891.00; The Supply Cache-supplies-387.25; North Platte Physical Therapy-248.00; TryHydro-landfill monitoring-70.73; Tru-Tech-supplies-771.42; Verizon Wireless-phones-379.74; WESCO-supplies-624.66; WESCO Receivables-supplies-2962.00; Western Sprinkler-supplies-270.00; Western United Electric-supplies-318.25; Wheatland Automotive-veh maint-1882.55; Wheatland Vol. Fire Dept.-expenses-543.50; Wheatland Fire Equip-supplies-12.71; Bloedorn Lumber-supplies-1650.63; Wheatland Medical Clinic-physical-90.00; Wheatland REA-power-1036.03; Wyo. DEQ-permit-100.00; Wyo. Retirement-retirement-2925.00; Wyo. Assoc. Of Sheriffs/Chiefs-dues-150.00; Wyoming Dept.. Of Employment-unemployment-184.65; Wyoming Machinery-veh maint-807.96; Wyoming Rents LLC-equip rental-2108.00; Zep Mfg-supplies-139.50; Xerox Corp-supplies-820.99; Wyoming Mun. Power-power-124,944.35; Payroll-total salaries-178,063.60; Total Vouchers- \$511,069.25.

Mayor Hensel administered the "Oath of Office" to newly hired Police Officer Brad Otte.

Mayor Hensel stated that the Council had received reports from the Police Dept., Public Works Depts., Chamber of Commerce, Municipal Court, Building Inspector and the Wyoming Municipal Power Agency. Doug Weaver stated that he had recently attended the annual meeting of the Wyoming Mun. Power Agency and the electric rates to the Town would be increasing from 37 mills per megawatt to approximately 42 mills by January 1, 2008. He indicated that the engineer from the Agency would be sending some calculation to the Town, which could be forwarded to Electric Systems Consultants for a rate study. Mayor Hensel indicated that the Council had received a report on the projects that are in process at this time and they would be receiving that report monthly. Clerk/Treasurer, Cindy Kahler gave the financial report.

Proposed Ordinance No. 734 was presented on third reading and final passage. A motion was made by Councilman Evans and seconded by Councilwoman Allen to approve proposed

Ordinance No. 734 on third reading and final passage. Motion carried 4-0. Ordinance No. 734 follows in its entirety:

AN ORDINANCE AMENDING THE EFFECTIVE DATE OF ORDINANCE NO. 733, WHICH ESTABLISHED EACH USER'S WASTEWATER SERVICE CHARGE.

WHEREAS, the governing body passed on February 22, 2007, on third and final reading, Ordinance No. 733, entitled "An Ordinance Amending Appendix B of Ordinance No. 696 for the Establishment of Each User's Wastewater Service Charge" and

WHEREAS, the effective date of Ordinance No. 733 was September 1, 2008, and

WHEREAS, the effective date of Ordinance No. 733 shall become effective September 1, 2007.

All other provisions of Ordinance No. 733 not specifically amended shall remain in full force and effect.

Passed and approved this 11th day of June, 2007 on first reading.

Passed and approved this 9th day of July, 2007 on second reading.

Passed and approved this 13th day of August, 2007 on third reading and final passage.

/s/ Mayor, Dean Hensel

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 735 was introduced on third and final reading. A motion was made by Councilwoman Allen and seconded by Councilman Evans to approve proposed Ordinance No. 735 on third and final reading. Motion carried 4-0. Ordinance No. 735 will rezone the property owned by Phillip Vigil on East Cole Street from Conservancy to Residential. Ordinance No. 735 follows in its entirety:

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 CONSERVANCY (C) TO RESIDENTIAL DISTRICT (R).

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:

Part of the SW1/4SE1/4 of Section 13, Township 24, North Range 68 West (as described in Book 192, Page 47 plus the property described in Book 388, Page 367 as Parcel 1), Town of Wheatland, Platte County, Wyoming.

Which parcel is presently zoned Conservancy District (C) is hereby changed to Residential District (R).

Section 2. That the Land Use District map of the Town of Wheatland is amended in accordance with this Ordinance.

Passed and approved this 11th day of June, 2007 on first reading.

Passed and approved this 9th day of July, 2007 on second reading.

Passed and approved this 13th day of August, 2007 on third reading and final passage.

/s/ Dean Hensel, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 736 was introduced on second reading. A motion was made by Councilman Madsen and seconded by Councilman Geile to approve proposed Ordinance No. 736 on second reading. Motion carried 4-0. Proposed Ordinance No. 736 would rezone property owned by Larry Wright at the Airport from Conservancy to Heavy Industrial/Airport. Proposed Ordinance No. 736 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 CONSERVANCY
(C) TO HEAVY INDUSTRIAL/AIRPORT DISTRICT (H).

Proposed Ordinance No. 737 was introduced on second reading. A motion was made by Councilman Geile and seconded by Councilman Madsen to approve proposed Ordinance No. 737 on second reading. Motion carried. Proposed Ordinance No. 737 title being as follows:

AN ORDINANCE ESTABLISHING THE SALARY
FOR THE MUNICIPAL JUSTICE FOR THE TOWN
OF WHEATLAND, PLATTE COUNTY, WYOMING.

John Bunker was present representing the Lobo's (American Legion Post #10 Baseball Team) and he thanked the Council and everyone that worked on the lighting project recently completed at the ballfield. He stated that they had hosted both the "A" and "B" team tournaments over the last two weeks and the field was great. He indicated that the "B Team" had placed second in the State and the "A Team" had won first and they were headed for Anchorage Alaska for the Regional playoffs. Mr. Bunker indicated that since the tournament expenses had been higher than they had anticipated, they would have a shortfall in funding to send the team to Alaska and he asked if the Town could make a contribution. After a brief discussion, a motion was made by Councilman Geile and seconded by Councilman Evans to contribute \$3000.00 to the Legion Team for expenses to Alaska. Motion carried 4-0.

Services for Seniors Director, Ken Pasley and Board Members, Rick Geringer and Marlin Marshall were present and requested they be allowed to build a garage to house their vans and buses on the west end of Deringer Park. Mr. Pasley stated that he had a grant from

the State of Wyoming to construct the building. There was a discussion concerning the exact location of the building and the ingress/egress to the property. Town Engineer, Russ Schamel stated that the Town had originally purchased the Dearing Park property for drainage purposes and they should build as far to the north on the property as possible and use the already existing entrance off 16th Street. Planner, Johnson indicated that the proposal would need to go through the Town's Planning and Zoning Board as the Town would be subdividing the property. Town Attorney, Doug Weaver stated that the property would have to be deeded to the County as another governmental entity and there would need to be a public hearing. Mayor Hensel directed Planner, Johnson to prepare the application for the subdivision and rezone for the Planning and Zoning Board meeting to be held in September.

City/County Planner, Marlin Johnson presented an application from Gary and Martha Hassler to rezone their property at 652 East Cole Street from Conservancy (C) to Residential (R). Planner, Johnson reported that the Hassler's propose to rezone the property to Residential District (R) to lessen the required setbacks and to better reflect the actual use of the property. He stated that this proposal is compatible with the dominant land uses in the vicinity and does not appear to detract from the assets of those uses. In fact, the parcel is more appropriately zoned as Residential District. The older mobile home is scheduled to be removed from the property by December 6, 2007. The Special Permit for the newer mobile home is hereby assumed to be automatically transferred to approval of a mobile home in the Residential District upon removal of the older home. The applicant has also been advised on where not to construct in order to maintain the best possibilities for future development of the property to the rear of this parcel. Planner, Johnson stated that the Planning Office recommended approval of the request for the rezone and the Planning and Zoning Board had approved it with "do pass" recommendation to the Town Council. A motion was made Councilman Evans and seconded by Councilwoman Allen to adopt proposed Ordinance No. 738 on first reading which would rezone the property owned by Gary and Martha Hassler at 652 East Cole from Conservancy (C) to Residential District (R). Motion carried 4-0. The title of proposed Ordinance No. 738 is as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 419
AND THE LAND USE DISTRICT MAP OF THE TOWN
OF WHEATLAND, AND REZONING THE PORTION
OF THAT AREA DESCRIBED HEREIN THAT IS ZONED
CONSERVANCY (C) TO RESIDENTIAL DISTRICT (R).

Planner, Marlin Johnson introduced an application from Robert Grauberger for a simple subdivision of their property located at 490 Ferguson Road. He reported that since this land is within one mile of the Town of Wheatland the Town must approve of this subdivision. He stated that the applicant desires to subdivide into two parcels of five acres each and rezone them to Residential District. The property is currently zoned Agriculture District and there is an existing access approach from the State highway on the west side of each proposed parcel. Planner, Johnson indicated that his office recommended approval and the Town Planning and Zoning Board approved the subdivision with a "do pass" recommendation to the Council. A motion was made by Councilwoman Allen and

seconded by Councilman Evans to approve the Resolution approving the Grauberger Subdivision as presented by the Planner. Motion carried 4-0. The Resolution is as follows:

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 Council has reviewed the sketch plan for a simple subdivision proposal by Robert and Sharon Grauberger and approved of the plan with the following 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 property be rezoned to Residential District prior to, or simultaneous with, filing of a plat;
3. That a thirty-foot (30') wide strip of right-of-way be dedicated to the public along the entire subdivision frontage for Washington Road;
4. That an additional ten foot public utilities easement be created adjacent to the right-of-way along Washington Road;
5. That a non-access easement be created along the west 250 feet of the north side of this property;
6. That a subdivision name be submitted for review and approval prior to filing of a plat;
7. That a plat be filed within one year of approval; and
8. That the necessary disclosure statements appear on the plat and all other pertinent documents.

NOW THEREFORE, be it resolved by the Governing Body of the Town of Wheatland, that the Town of Wheatland agrees that the subdivision application proposed by Robert and Sharon Grauberger, on property described as the W1/2W1/2NW1/4NW1/4 of Section 26, T24N, R68W, Platte County, Wyoming may be processed by Platte County as a simple subdivision per the Platte County Zoning Rules and Regulations.

Dated this 13th day of August, 2007.

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

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

A Resolution authorizing the Town of Wheatland to enter into an agreement with the Wyoming Water Development Commission for the Town of Wheatland Black Mtn. Well #3 Water Supply Project was presented. A motion was made by Councilman Madsen and

seconded by Councilman Geile to approve the Resolution authorizing the agreement between the Town and the Wyoming Water Dev. Commission on the Black Mtn. Well #3 Water Supply Project. Motion carried 4-0. The Resolution is as follows:

RESOLUTION

A RESOLUTION TO ENTER INTO A PROJECT AGREEMENT
WITH THE WYOMING WATER DEVELOPMENT COMMISSION
FOR THE TOWN OF WHEATLAND BLACK MTN. WELL #3
WATER SUPPLY PROJECT.

WHEREAS, the fifty-ninth Legislature of the State of Wyoming in its 2007 General Session authorized the design and permitting of the Town of Wheatland's Black Mtn. Well #3 Water Supply Project, and authorized the provision of funds for financing of said project; and WHEREAS, the governing body of the Town of Wheatland finds it in the best interest of the Town to enter into that certain Project Agreement to implement said project; NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Wheatland, Platte County, Wyoming, in regular session and duly assembled, that the Town enter into the Project Agreement with the Wyoming Water Development Commission governing the partial funding of the Town of Wheatland Black Mtn. Well #3 Water Supply Project by the Commission, and that the Mayor be and hereby authorized to execute said Project Agreement on behalf of the Town of Wheatland.
Passed and approved this 13th day of August, 2007.

/s/ Mayor, Dean Hensel

Attest:

/s/ Clerk/Treasurer, Cindy Kahler

A Resolution authorizing the lease of equipment with the option to purchase from the First State Bank was introduced for the Legion Ballfield Light Project. The lease/purchase agreement would be for a four year term with annual payments of \$57,406.21, totaling \$229,624.87. A motion was made by Councilman Geile and seconded by Councilman Madsen to approve the Resolution as submitted for the Legion Ballfield Lighting Project and authorize the Mayor to sign the proper documentation. Motion carried 4-0.

A catering permit application from Vimbo's/Dusty Boots was presented. A motion was made by Councilwoman Allen and seconded by Councilman Evans to approve the catering permit for Vimbo's/Dusty Boots for a wedding to be held on August 18, 2007 at the 4-H Building at the \$25.00 fee. Motion carried 4-0.

A purchase agreement for a 2007 Ambulance was presented in the amount of \$140,527.00 which was a \$5,227.00 increase from the agreement that was presented and approved at the July meeting. Councilman Evans stated he would be abstaining from the discussion as he has a conflict of interest. Ambulance Director, Wade Wells was present and stated that the increase was due to the upgrade of a cot and the Ambulance Service would pay for the additional fee, however, it needed to be included in the purchase order. A motion was made by Councilman Madsen and seconded by Councilman Geile to authorize the Mayor

to sign the purchase order for the 2007 ambulance with the understanding that Eastern Wyoming Ambulance Service would be paying the additional \$5,227.00 and the lease/purchase agreement that was approved at the regular Council meeting in July would stand as approved. Motion carried.

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting at 8:00 P.M.. The next regular meeting of the Town Council will be held on September 10, 2007.

Mayor, Dean Hensel

Attest:

Clerk/Treas. Cindy Kahler