

Wheatland, Wyoming
June 9, 2008

RECORD OF PROCEEDINGS FOR THE
GOVERNING BODY OF THE
TOWN OF WHEATLAND

A 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, June 9, 2008 pursuant to the law.

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

Mayor Hensel stated that a Resolution to re-appropriate funds for the 2007-2008 fiscal year needed to be added to agenda as #7 under "New Business". A motion was made by Councilman Evans and seconded by Councilwoman Allen to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on May 12, 2008 were presented. A motion was made by Councilman Geile and seconded by Councilman Madsen to approve the minutes of the regular meeting held on May 12, 2008 as presented. Motion carried 4-0.

The vouchers for the month of May, 2008 were presented for payment. A motion was made by Councilman Madsen and seconded by Councilman Geile to approve the vouchers for payment as presented. Motion carried 4-0. The vouchers are as follows: Ace Industrial Supply-supplies-479.70; Airgas-supplies-251.17; American Waterworks-dues-150.00; American Auto Sales-trailer-3400.00; Andrew Starr-Snap-supplies-53.25; Atlas Office Products-supplies-88.83; B & K Supply-equipment-7162.20; Bob Ruwart Motors-veh maint-87.74; Bolich Home Improvement-repairs-90.00; Botach Tactical-supplies-29.90; Brenda Allen-Council Salary-75.00; Randy Chesser-supplies-33.58; Chief Supply-supplies-179.97; Communicom Services-internet-195.85; Teresa Connors-supplies-64.00; Consolidated Mfg-supplies-372.04; Contractors Materials-supplies-45.00; Country Home Products-equip.-2687.25; Crescent Electric-supplies-1245.76; Crile Carvey-web site hosting-300.00; Croell Redi-Mix-supplies-25.00; Crystal Ice-supplies-22.00; CXT Inc-restroom-71,557.81; Dana Kepner-supplies-3305.23; DBC Irrigation-supplies-481.40; Dean Hensel-Mayor Salary-300.00; Wm. Degleman-expenses-817.72; Workers Safety & Comp-workers comp-6663.71; Dooley Oil-supplies-355.85; Doug Weaver-attorney fees-1782.00; Double D Cleaning-janitorial-325.00; Drive Train-veh maint-19.99; Drube's Mfg-supplies-521.27; Jason Evans-Council Salary-100.00; Eastern Wyoming Ambulance Service-services-9624.99; Energy Labs-supplies-220.00; Eugene Hayes-travel expenses-175.00; FSH Communication-phone-70.00; Farm Plan-supplies-

486.99; Fat Boy's Tire-veh maint-738.45; First State Bank-sanitation truck-64,845.49; Forensics Source-supplies-427.99; Frank Implement-veh maint-63.38; Ft. Collins Nursery-trees-2080.00; Gall's Inc-supplies-1058.61; Holiday Inn-lodging-266.60; Huffer's Food Pride-supplies-101.08; Installation & Service-supplies-905.00; Jack's Electric-supplies-513.36; Source Gas-heat-3663.68; Lab Safety-supplies-103.14; Laramie Peak Motors-veh maint-250.04; Lawson Products-supplies-680.74; Lock Trucking-supplies-20.00; Lyle Signs-supplies-903.19; Alan Madsen-Council Salary-75.00; Marks Plumbing-supplies-69.89; McCarty's Carpet Cleaning-cleaning-400.00; Mike's Printing-supplies-26.57; Mike's Priority Shipping-postage-26.57; Montana Electric-training-131.80; National Tactical Officer-dues-40.00; HSBC Bus.Solutions-supplies-68.29; Northwest Pipe Fitting-supplies-49.24; Orbitcom-phones-1698.74; Pamida-supplies-390.17; PCMH Foundation-contribution-150.00; Peterbilt of Wyoming-veh maint-32.99; Piper's-supplies-20.79; Pitney Bowes-postage-244.97; P.C. Ministry Coop-contribution-100.00; Jerry Post Phsy-exam-300.00; Qwest-phones-89.71; Qwest-repairs-838.22; Radar Engineers-equip-129.22; Safety Kleen-supplies-150.26; Salt City Sales-supplies-546.00; Scott Scheller-emergency mgmt-200.00; Sparkletts-supplies-37.17; Simply Creative-supplies-33.40; State of Wyoming-sales tax-8630.64; Steve Geile-Council Salary-100.00; Steichers-supplies-149.97; Sunshot Engineering-engineering-870.00; Super Vacuum-supplies-100.00; T & R Electric-supplies-5834.00; The Light House-supplies-39.14; Total Fire Group-supplies-9324.54; Total Fitness-program-257.00; Town Treasurer-petty cash-1248.51; Tri County Fire & Safety-supplies-1606.00; Tryhydro-landfill monitoring-604.77; Turf Master-supplies-293.00; Vaughn Concrete-supplies-1064.00; Verizon Wireless-phones-109.33; Wagner Electronics-supplies-110.95; WESCO Receivable-supplies-428.95; Westcoast Sales-supplies-164.79; Western Plains Bus. Solutions-supplies-23.99; Western Sprinkler-supplies-619.73; Western United Electric-supplies-441.82; Wheatland Automotive-veh maint-2322.54; Wheatland Coop-supplies-6976.82; Wheatland Vol. Fire Dept.-expenses-782.33; Bloedorn Lumber-supplies-878.81; Wheatland REA-power-1224.15; Wireless Advanced-supplies-8518.02; Wyo. Dept. Of Ag-license-50.00; Wyoming Law Enforcement Acdmy-school-360.00; Wyoming Machinery-veh maint-372.42; WYOPASS-conference expenses-250.00; Xerox Corp-supplies-244.36; Wester/Wetstein-engineering-25,878.42; Bard Ranch-pipe-2088.00; Sunshot Engineering-engineering-7035.00; WLC-planning-13,007.32; Smeal Fire Equipment-Fire Truck-214,675.00; Payroll-total-167,275.08; WMPA-power-118,827.24. Total Vouchers-\$801,556.45.

Mayor Hensel read a Proclamation in support of Relay For Life.

PROCLAMATION

In recognition and support of the American Cancer Society Relay For Life

WHEREAS, Relay For Life is the signature activity of the American Cancer Society and honors cancer survivors (anyone who has ever been diagnosed with cancer) and remembers those lost to the disease; and

WHEREAS, There are an estimated 1.5 million Americans with a history of cancer alive today; and

WHEREAS, This year alone, more than 1.4 million new cases of cancer will be diagnosed in the United States; and 2,570 new cases of cancer will be diagnosed in Wyoming.

WHEREAS, Money raised during the American Cancer Society Relay For Life of Platte County helps support research, education, advocacy and patient services; and

WHEREAS, Relay For Life helps fund more than \$100 million in cancer research each year; and

NOW THEREFORE, BE IT RESOLVED that I, Dean Hensel, Mayor of Wheatland, do hereby proclaim the Days- June 22nd to June 28th as “Relay For Life Week” in Wheatland and encourage citizens to participate in Relay For Life of Platte County at the Wheatland Middle School on June 27-28, 2008.

So proclaimed this 9th day of June, 2008.

/s/ Dean Hensel, Mayor

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

Mayor Hensel stated that the Council had received reports from the Police Dept., Public Works Depts, P.C. Chamber of Commerce, Ambulance Service, Wyoming Municipal Power Agency, Municipal Court, Fire Dept., Building Inspector, Planner and Projects and since there were no questions or concerns voiced they would be placed on file.

Mayor Hensel introduced Chuck Ruwart and John Bunker representing the American Legion were present and requested the Town contribute \$4,000.00 to the baseball program as they have done in the past. They reported that there is presently twenty three kids participating and they have an annual budget of \$35,000.00 without tournament costs. The Council indicated they are presently working on the budget and would let them know if there would be funds available for a contribution.

Cheryl Deuel, representing CLIMB (Community Leadership in My Backyard) was present and requested the Town of Wheatland sponsor a planning grant through the Wyoming Business Council for a feasibility study on a community center. She also requested that the Town of Wheatland provide one-half of the match or approximately \$4,000.00. The Council stated they would consider the request as they work through the budget process.

Mayor Hensel presented a written request from the Wheatland Jaycees to sell fireworks at their stand located south of the I-25 Pit Stop Station from June 23, 2008 through July 4, 2008. They also requested a permit to conduct a fireworks display on July 4, 2008 at the fairgrounds. A motion was made by Councilwoman Allen and seconded by Councilman

Madsen to approve the Wheatland Jaycees request to sell fireworks from June 23, 2008 through July 4, 2008 and to hold a fireworks display on July 4th. Motion carried 4-0.

Mayor Hensel presented a written request from the Wheatland Jaycees to sell malt beverages on July 4th, July 28th, 29th, 30th, 31st, August 1st and 2nd at the Platte County Fairgrounds primarily in the concession stand. A motion was made by Councilman Madsen and seconded by Councilman Geile to allow the Jaycees to sell malt beverages on the dates requested from 12:00 p.m. (noon) to 12::00 a.m. (midnight). Motion carried 4-0.

Mayor Hensel stated that Steve Parmley had requested an extension on filing the final plat for his subdivision located at 457 Gilchrist Street and he asked Town/County Planner, Marlin Johnson to give the staff report. Planner, Johnson reported that the property was rezoned to Light Industrial District in 2006. On April 12, 2007 the Town Council continued approval of the Final Plat for the Subdivision until such time as the subdivision agreement is completed and to give Mr. Parmley and the Wheatland Irrigation District time to resolve the water rights/easement issues. Since the rezone to Light Industrial uses of the property and physical development of the property have occurred without review of the Planning Commission as required by the Town Development Code. When a subdivision extension request was submitted in April, 2008, the Planning Commission recommended Mr. Parmley submit plans for development and activities that have occurred on the property and for the building presently under construction and report on his future plans for development on this property before any extension beyond June, 2008 might be granted. The Council approved the recommendations of the Planning and Zoning Board. Mr. Parmley attended the meeting of the Planning and Zoning Board held on June 5, 2008 and reported that he could not complete the subdivision until such time as an agreement was reached with Mr. Gloyd for a water line easement and since that could require action from the Town he could not move forward at this time. He also stated that the old vet clinic building had been completely remodeled and he is in the process of constructing a new building to be leased out. He stated that the new construction is on an envelope that is on the subdivision plat with all the setbacks being met. He indicated that the old vet clinic sets on Lot 4 and the new building is on Lot 6 of the proposed subdivision. Planner, Johnson stated that there is a fire protection issue as the farthest existing building is 347 feet from the nearest fire hydrant. Water Supt. Pete Delgado stated that he had ordered a new fire hydrant for that location and it would be Mr. Parmley's responsibility to pay for it. Planner, Johnson stated the Planning Commission had recommended approval of the subdivision request for ten months with the understanding that all permits and/or development plans be reviewed and approved by the Planning Commission. A motion was made by Councilman Evans and seconded by Councilwoman Allen to accept the recommendation of the Planning and Zoning Board and allow Mr. Parmley a ten month extension on his subdivision with the understanding that all permits and/or development plans be reviewed and approved by the Planning Commission. Motion carried 4-0.

Planner, Johnson presented a preliminary plan for a subdivision located on Y-O Ranch Road submitted by Jim Greer. He indicated that in summary Mr. Greer wishes to create approximately 70 parcels for a mobile home subdivision. Y-O Ranch property surrounds the property, with Residential on all sides, except on the South side where it abuts Commercial District, adjacent

to the County Shop and Western Surveys. A mobile home subdivision exists along the north boundary, typical residential lots border the west and northwest sides and large residential uses exist along the southeast boundary. The properties would be served by community water and sewer systems. Planner, Johnson stated that the Planning and Zoning Board had approved the request and recommended a “do pass” to the Council with the twenty-six conditions as specified by the Planning Office and adding one “That the applicant study the feasibility of asphalt paving for the streets. Councilman Madsen asked Mr. Greer if there were going to be covenants and he stated that he would be writing the covenants and would have the existing property owners review them. Town Attorney, Doug Weaver stated that he had visited with the Planning Office and he had some concerns about blowing trash and there doesn’t seem to be any provisions for handling the trash at this time. Belva Bowen was present and stated that she lives adjacent to the sewer lagoon and there is an odor problem now and she was concerned about more odor with additional homes discharging into it. She also voiced concerns about the facility holding additional load and she asked where any over flow would go. Mr. Greer stated that is was unlikely there would be overflow as the facility is large enough to handle what he is planning. He also indicated that there will be an approved drainage plan submitted to handle any kind of run-off. Town Engineer, Russ Schamel recommended that there be a condition placed on the subdivision, that should it ever be annexed into the Town the streets would have to brought to municipal standards. A motion was made by Councilwoman Allen and seconded by Councilman Madsen to accept the recommendation from the Planning and Zoning Board and approve the Mesa View Estates Subdivision preliminary plan as submitted by Mr. Greer with the twenty seven conditions as specified by the Board. Mayor Hensel called for roll call vote: Voting yes - Councilwoman Allen, Councilman Madsen, Voting No - Councilmen Evans and Geile. Mayor Hensel voted yes. Motion carried 3-2

A Resolution approving the Community Development Plan as submitted by WLC was presented. A motion was made Councilwoman Allen and seconded by Councilman Evans to approve the Resolution as presented. Motion carried 4-0. The Resolution is as follows:

RESOLUTION

WHEREAS, the Town of Wheatland contracted with WLC to prepare and submit a community development plan, and

WHEREAS, WLC held and conducted numerous public meetings, public forums and public hearings before completing the Community Development Plan, and

WHEREAS, WLC has completed and submitted the Town of Wheatland Community Development Plan (May 2008), and

WHEREAS, the governing body of the Town of Wheatland understands the Community Development Plan is a tool which is to be used by the Town of Wheatland, its employees, its board and the Governing Body as Wheatland grows and develops, and

WHEREAS, the Governing Body understands it is not binding and can be changed, and

WHEREAS, the Governing Body understands adopting the Town of Wheatland Community Development Plan is not the end by the beginning of planning in Wheatland;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF WHEATLAND, WYOMING, the May 2008 Town of Wheatland Community Development Plan is hereby approved.

BE IT FURTHER RESOLVED that the May 2008 Town of Wheatland Community Development Plan is a guide for future development and is not mandatory.

THIS RESOLUTION being approved by the governing body of the Town of Wheatland, Wyoming on the 9th day of June, 2008.

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

Attest:

/s/ Clerk/Treasurer, Cindy Kahler

A catering permit application from Vimbo's/Dusty Boots was presented for a wedding on July 19-20, 2008. A motion was made by Councilman Evans and seconded by Councilman Geile to approve the catering permit application from Vimbo's/Dusty Boots for July 19-20, 2008 at the minimum fee allowed by law. Motion carried 4-0.

A contract from Wester/Wetstein & Associates was presented for the rehabilitation of Black Mtn. Well #2 in the amount of \$136, 039.25. A motion was made by Council Madsen and seconded by Councilman Geile to approve the contract as submitted by Wester/Wetstein for the rehabilitation of B.M. #2 Well in the amount of \$136,039.25. Motion carried 4-0.

A Resolution providing for the reappropriation of funds for the Town of Wheatland, Wyoming for the fiscal year July 1, 2007 through June 30, 2008 was presented. A motion was made by Councilman Madsen and seconded by Councilman Evans to approve the Resolution for reappropriation of funds for the 2007-2008 fiscal year as presented. Motion carried 4-0. The Resolution is as follows:

RESOLUTION

A RESOLUTION PROVIDING FOR THE REAPPROPRIATION OF FUNDS FOR THE TOWN OF WHEATLAND, WYOMING FOR THE FISCAL YEAR COMMENCING JULY 1, 2007 AND ENDING JUNE 30, 2008.

Section 1. That there is hereby appropriated various funds within the budget to avoid

over expenditure of said funds; and, the sum reappropriated within the budget is One Hundred Twenty-Five Thousand Dollars and No Cents (\$125,000.00)

- GENERAL FUND: Department expenditures will exceed revenue by \$75,000.00. Transfer will need be necessary to Administration in the amount of \$75,000.00. Excess funds in the amount of \$75,000.00 will be transferred from the Police Department.
- SEVERANCE TAX FUND: All expenditures are within budgeted amounts. No transfer will be necessary.
- ELECTRIC FUND: Department expenditures are within budgeted amounts. No transfer will be necessary.
- SANITATION FUND: Department expenditures will exceed revenue by \$50,000.00. Transfer will need to be necessary. Excess funds in the amount of \$25,000.00 will be transferred from the Police Department; and, \$25,000.00 will be transferred from the Water Fund.
- WATER FUND: Department expenditures are within budgeted amounts. No Transfer will be necessary.
- SEWER FUND: All expenditures are within budgeted amounts. No transfer will be necessary.

Section 2. This resolution shall be in full force and effect from and after this passage.

PASSED AND APPROVED this 9th day of June, 2008.

/s/ Mayor, Dean Hensel

Attest:

/s/ Clerk/Treasurer, Cindy Kahler.

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting at 8:15 P.M.. The next regular meeting of the Town Council will be held on Monday, July 14, 2008.

Attest:

Mayor, Dean Hensel

Clerk/Treasurer, Cindy Kahler

