

Wheatland, Wyoming  
July 13, 2009

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, July 13, 2009 pursuant to the law.

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

Mayor Hensel stated that a Resolution to amend the 2008-2009 budget needed to be added to agenda under "New Business" and Rick Keck would be giving a report on the moto-cross event that was held on July 4<sup>th</sup>. A motion was made by Councilman Evans and seconded by Councilman Madsen to approve the agenda as amended. Motion carried 3-0.

The minutes of the regular meeting held on June 8, 2009 and the special meeting held on June 18, 2009 were presented. A motion was made by Councilman Shoemaker and seconded by Councilman Evans to approve the minutes of the regular meeting held on June 8, 2009 and the special meeting held on June 18, 2009 as presented. Motion carried 3-0.

The voucher for the month of June, 2009 were presented for payment. A motion was made by Councilman Evans and seconded by Councilman Madsen to approve the voucher for June, 2009 as presented. Motion carried 3-0. The vouchers are as follows: Ag-News-adv. 145.00; Airgas-supplies-101.62; Alexander Const.-supplies-3189.26; Allen's Parts-veh maint-182.76; American Water Works-dues-168.00; American Clay Works-supplies-73.57; Applied Concepts Inc-supplies-6030.00; Andrew Starr-Snap-On-supplies-33.75; Gall's-supplies-746.07; Atlas Towing-towing-80.00; Auto Electric-veh maint-131.00; Bob Ruwart Motors-veh maint-3884.44; Brownells-supplies-2013.12; CNCA-dues-35.00; Carolina Software-supplies-200.00; Certified Labs-supplies-489.60; Chief Supply-supplies-1630.87; Childrens Play Structure-supplies-707.00; Cinema West-screen-3083.53; Communication Technology-supplies-86.50; Communicom Services-internet-195.85; Community Store Committee-donation-2,000.00; Concrete Foundations-paving-19,084.95; Consolidated Mfg-supplies-179.82; Contractors Materials-supplies-453.37; Country Greenhouse-supplies-92.20; Covered Wagon Motel-lodging-3279.20; Crescent Electric-supplies-1089.15; Dana Kepner-supplies-4288.82; DBC Irrigation-supplies-1350.10; Dean Hensel-Mayor Salary-300.00; Dell Inc-supplies-2141.01; Digital Alley-supplies-

12560.00; Workers Comp. & Safety- workers comp-7244.94; Dooley Oil-supplies-323.60; Doug Weaver-attorney fees-1750.00; Double D. Cleaning-janitorial services-325.00; Drive Train-veh maint-93.24; Drube's Supply-supplies-475.08; Jason Evans-Council salary-200.00; Emergency Responder-supplies-283.45; Energy Labs-testing-330.00; Gene Hayes-travel expenses-268.95; Farm Plan-supplies-729.16; Fat Boys-veh maint-783.50; Frank Implement-veh maint-63.38; Gases Plus-supplies -163.10; Grainger-supplies-2618.04; H & H Contract-concrete-3169.00; Harnish Vet Services-supplies-10.00; Hawkins Inc-supplies-255.50; Holiday Inn-lodging-595.00; Huffers Food Pride-supplies-290.42; Hydrotex-supplies-255.37; IALFI-dues-55.00; Intermountain Sweeper-supplies-57.56; Jack's Electric-supplies-108.72; Phil Kahler-tank-500.00; Source Gas-heat-686.51; Kois Equip.-supplies-125.33; Kriz Davis-supplies-508.91; Lathrop Equipment-supplies-519.41; Lawson Products-supplies-678.17; Lock Trucking-supplies-54.46; Long's Tree Spraying-contract labor-9539.00; Alan Madsen-Council Salary-100.00; Lusk Drill Team-registration-1000.00; Lexis Nexis-books-816.30; McCarty's Carpet Cleaning-contract labor-417.50; MES-Rocky Mtn-supplies-4123.65; Midwest Hose-supplies-43.15; Mikes Printing-supplies-857.51; Mike's Priority-freight-20.17; Montana Electric-dues-136.25; National Fire Sprinkler Assoc.-dues-85.00; National Tactical Officers Assoc.-dues-40.00; HSBC Solutions-supplies-963.20; Noyce's Firendly Shop-supplies-56.80; Orbitcom-phones-1719.14; P.C. Public Library-subsidy-2000.00; Pamida-supplies-290.80; P.C. Parks & Rec.-Expenses-33,709.98; P.C. Public Health-shots-150.00; P.C. Redi-Mix-supplies-263.75; P.C. Record Times-adv-1237.33; P.C. Weed & Pest-contract labor-328.73; Piper's-supplies-67.15; Pitney Bowes-postage-108.00; Platte Valley Bank-contract-9624.99; Qwest-supplies-492.85; Qwest-phones-93.39; Bob Shoemaker-Council Salary-200.00; Reis Env.-supplies-306.78; Respond First Aid-supplies-77.35; Rosco Steel & Culvert-supplies-3190.50; Safeway-supplies-65.92; Salt City Sales-supplies-191.50; Sargent Drilling-supplies-2597.00; Scott Scheller-contract labor-200.00; Sewing Shop-supplies-17.00; Sirchie Finger Print Lab-supplies-842.43; Slafter Oil-supplies-567.47; Sue Sluss-Council salary-200.00; Span Publishing-supplies-152.10; Stanley Access Tech-contract labor-1120.50; State of Wyoming-sales tax-8253.28; Statewide Electric-supplies-574.19; Sue's Garden-supplies-2500.00; Sunshot Engineering-engineering-570.00; T.C. Edwards-supplies-419.38; T'shack-supplies-160.00; Terminix-contract labor-592.80; The Light House-supplies-128.26; Titan Machinery-veh maint-5948.93; Total Fitness-fitness program-154.00; Town Treasurer- petty cash-1006.58; TryHydro-landfill monitoring-3624.16; VerizonWireless-phones-464.71; PEDCO-dues-2500.00; WESCO-supplies-6147.00; Western United Electric-supplies-760.20; Wheatland Automotive-veh maint-1742.72; Wheatland Coop. Assoc.-gas/dsl-10,082.60; Wheatland Vol Fire -expenses-588.72; Bloedorn Lumber-supplies-2450.16;Wheatland REA- power-1055.97; Wyoming Machinery-veh maint-608.10; Wyoming State Board of Pharmacy- registration-40.00; Xerox-copiers-436.33; W.M.P.A.-power-273,969.21; Payroll-June salaries- 169,575.90; Sunshot Engineering-engineering-710.00; Paul Reed Const.-16th Street culvert- 15055.25; Travis Pattern & Foundry-supplies-196.78; Kriz Davis-south sub-1852.76; Qwest -Utility-south sub-202.01; ESC Engineering-south sub-1579.19; Cooper Power Systems-south sub-36,686.58; Western United Electric-south sub-4900.92; WYDOT-pathway-1040.87; Kelly Deines-wastewater-94.12; Jack's Electric-wastewater-144.78; Wester-Wetstein-(BM#3)- 1617.50; Ed Hawley Const-BM#3-59,968.50; Consolidated Mfg-(16th Street culvert-14093.09; Layne Christensen-#5 Well-52,240.00; Layne Christensen-#3 Well-63,689.00; Project Safe-subsidy-7000.00; Total Vouchers- \$927,110.58;

The vouchers for the month of July, 2009 were presented for payment. A motion was made by Councilman Madsen and seconded by Councilman Shoemaker to pay the vouchers as presented. Motion carried 3-0. The vouchers are as follows: A & A Earthworks-contract labor-275.00; First State Bank-Legion Ballfield lights-57,609.31; First State Bank-wastewater fund-3300.00; Local Gov't Liability Pool-insurance-24304.00; MES-Rocky Mtn.-Fire Dept. Supplies-13,985.23; TYMPCO-street sweeper-28,200.00; U.S. Postmaster-supplies-475.50; Total Vouchers-128,149.04;

Mayor Hensel presented plaques of appreciation to Dan Brecht and Tina Crites for all the work they have done and continue to do on the 16<sup>th</sup> Street Beautification Project. Dan Brecht thanked the Town Council for all the support they have received from the Town and its maintenance crews.

Mayor Hensel stated there would be no financial report as it is the end of the fiscal year and the books are being closed for the year. He also stated that the Council had received reports from the Public Works Depts., Police Dept., P.C. Chamber of Commerce, Municipal Court, Fire Dept., Planner, Ambulance Service, Building Inspector, Projects and the Wyoming Mun. Power Agency. Planner, Marlin Johnson presented a generic letter that had been sent to property owners along I-25 by WYDOT concerning junk yard rules. Rick Keck was present and stated that the moto cross event that was held on July 4<sup>th</sup> was again very successful with 119 entries. He stated that the County crews assisted with building the track and the Town Crews took it down and he thanked the Town for their support. Council Madsen reported that the State Little League Tournament will begin on Monday, July 20<sup>th</sup> and there will 13 teams and 312 players participating and he thanked the Town crews as well as the Little League volunteers for all the work that has been done to make the tournament a success.

Kirby Wilson was present and invited the Council to attend a meeting in Cheyenne on July 15<sup>th</sup> at the Barrett Building entitled "The Way We Want It". He stated that he has been participating on a grass roots committee that is working on a plan for the future. He indicated that the Committee will be requesting that Platte County be selected for the pilot project for "The Way We Want It" and he would certainly like to see representation from the Council. Councilman Shoemaker stated that he would attend and represent the Town of Wheatland. Linda Fabian was present and stated that Platte County has already been selected for a Main Street program and this would be a great addition.

Bill Britz Jr. presented a proto-type for a flower planter that they are building. He stated that they are extremely weather and sun resistant and they are very durable. They stated that they can put almost any logo on them and they would be great for advertising a business. He gave a description of the material they are constructed of and presented numerous colors they can be done in. PEDCO Director, Dan Brecht stated that they would be great for the downtown flower program.

Planner, Marlin Johnson presented a proposed Ordinance to rezone the property at 1254 Johnston Street. He stated that the property owners Bill and Marlene Allison propose to located a small storage shed at the rear corner of their property. Approval of a building permit would require

that a variance to the front yard property line setback in a Highway Business District be obtained or that a rezone to Residential District be approved as there is no side or rear property line setback required for a one-story detached accessory building used as tool and storage shed, provided the roof area does not exceed one hundred and twenty square feet. As the lot is small and the Planning Office might support a variance, except that rezone to Residential appears to be a more appropriate long term solution. Planner, Johnson stated that the Planning and Zoning Board had approved the request and recommended a “do pass” to the Town Council. A motion was made by Councilman Shoemaker and seconded by Councilman Evans to adopt proposed Ordinance No. 747 on first reading, which would rezone the property at 1254 Johnston Street to Residential. Motion carried 3-0. The proposed Ordinance 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 HIGHWAY  
BUSINESS DISTRICT (HB) TO RESIDENTIAL DISTRICT ®.

Planner, Johnson presented a draft of new ByLaws for the Planning and Zoning Board and the Board of Adjustment and he indicated that both Boards had reviewed approved them as they are being presented. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to adopt the ByLaws as presented for the Board of Adjustment. Motion carried 3-0. A motion was made by Councilman Evans and seconded by Councilman Madsen to approve the ByLaws as presented for the Planning and Zoning Board. Motion carried 3-0.

A catering permit application for the Commodore Bar was presented for July 25, 2009 at the Senior Citizen Annex. for a class reunion was presented. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve the catering permit for the Commodore Bar for July 25, 2009 at the Senior Citizen Annex with the applicable fees. Motion carried 3-0.

PEDCO Director, Dan Brecht was present and stated that a Green Harvest Festival is being planned for August 20,21,22, 2009 . He stated there will be speakers at the WHS Auditorium beginning at 4:30 P.M. on Thursday, August 20<sup>th</sup> on Wind Energy Assoc., Farmers Markets, Buy Local and Wind Energy. Dan Sherrill will be performing at the Band Shell in Lewis Park that evening. On Friday, August 21<sup>st</sup>, the speaker at the WHS Auditorium will be on clean coal and the smart grid. There will be arts and crafts all day Downtown and High Plains Tradition will perform at the Band Shell at 7:00 P.M.. There will be numerous vendors and activities from 8:00 A.M. till 1:00 P.M. in the Downtown on Saturday as well as a new car show. He stated that as the plans progress, he will report back to the Council.

Town Clerk/Treasurer, Cindy Kahler presented a Resolution providing for a reappropriation of funds for the 2008-2009 Budget. A motion was made by Councilman Evans and seconded by Councilman Madsen to approve the Resolution for reappropriation of funds for the 2008-2009 Budget. Motion carried 3-0. The Resolution is as follows:

RESOLUTION PROVIDING FOR THE REAPPROPRIATION  
OF FUNDS FOR THE TOWN OF WHEATLAND, WYOMING  
FOR THE FISCAL YEAR COMMENCING JULY 1, 2008 AND  
ENDING JUNE 30, 2009.

Section 1. That there is hereby appropriated various funds within the budget to avoid overexpenditure of said funds; and the sum reappropriated within the budget is Twenty Thousand Dollars and No Cents (\$20,000.00).

GENERAL FUND: Department expenditures will exceed revenue by \$20,000.00. Transfer will need to be necessary to Administration in the amount of \$20,000.00. Excess funds in the amount of \$20,000.00 will be transferred from the Electric Fund.

SEVERANCE TAX FUND: Fund expenditures are within budgeted amounts or uncompleted. No transfer will be necessary.

ELECTRIC FUND: Fund expenditures are within budgeted amounts. Transfer will be necessary to Administration in the amount of \$20,000.00.

SANITATION FUND: Fund expenditures are within budgeted amounts. No transfer will be necessary.

WATER FUND: Fund expenditures are within budgeted amounts. No transfer will be necessary.

SEWER FUND: Fund expenditures are within budgeted amounts. No transfer will be necessary.

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

PASSED AND APPROVED this 13<sup>th</sup> day of July, 2009.

/s/ Dean Hensel, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting at 7:50 P.M.. The next regular meeting of the Town Council will be held on August 10, 2009.

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Mayor, Dean Hensel

Attest:

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Town Clerk/Treasurer, Cindy Kahler