

Wheatland, Wyoming
August 9, 2010

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, August 9, 2010, pursuant to the law.

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

Mayor Hensel presented the agenda with no changes and a motion was made by Councilman Madsen and seconded by Councilman Evans to approve the agenda as presented. Motion carried 4-0.

The minutes of the regular meeting held on July 12, 2010 were presented and a motion was made by Councilwoman Sluss and seconded by Councilman Madsen to approve the minutes as presented. Motion carried 4-0.

The vouchers for the month of July were presented. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve the vouchers as presented. Motion carried 4-0. The vouchers are as follows: Airgas-supplies-53.48; Alexander Const.-supplies-239.40; Allen's Part's-veh maint-23.70; Alligator Communications-supplies-7174.05; Andrew Starr-Snap On-supplies-116.57; Aramark-supplies-502.57; Atlas Office Supplies-supplies-135.98; Auto Electric-supplies-39.11; Dennis Becker-contract labor-500.00; CPS Dist.-supplies-660.00; Chief Supply-supplies-231.50; Civil Air Patrol-adv-245.00; Communicom Services-internet-162.08; Contractors Materials-supplies-122.40; Crescent Electric-supplies-366.40; Crile Carvey Consulting-contract labor-1462.50; Crystal Ice-supplies-30.00; Dana Kepner-supplies-1797.75; DBC Irrigation-supplies-18.66; Dean Hensel-Mayor salary-300.00; Workers Comp. & Safety-workers comp-4756.66; Doug Weaver-attorney fees-1750.00; Double D Cleaning-janitorial-325.00; Drive Train-veh maint-64.31; Drube's Supply-supplies-622.38; Electrical Systems Cons.-engineering-1792.35; Energy Labs-testing-190.00; Farm Plan-supplies-874.09; Fastenal-supplies-7.94; Fat Boy Tire & Repair-supplies-144.40; Fort Collins Wholesale Nursery-supplies-25.00; Gases Plus-supplies-72.30; Hach Co.-supplies-1591.95; Hall's Safety Equip-supplies-28.10; Hawkins Inc-supplies-1034.00; Hewlett Packard-supplies-195.00; Hi-Line-supplies-

47.82; Huffer's Food Pride-supplies-114.07; IC Group-supplies-683.72; Jack's Electric-supplies-369.00; Jim's Refrigeration-supplies-65.00; Source Gas-heat-546.89; Kois Brothers-supplies-2241.66; Kriz Davis-supplies-344.43; KYCN-adv-300.00; Lab Safety-supplies-58.85; Laramie Peak Motors-veh maint-2269.28; Lathrop Equip.-supplies-2745.84; Lawson Products-supplies-748.40; Layne Christensen-well work-2416.00; Mathew Bender & Co.-supplies-240.09; Long's Tree Spraying-contract labor-5166.00; Alan Madsen-Council salary-100.00; MES-Rocky Mtns.-supplies-551.20; Mikes Printing-supplies-680.77; Mike's Pack & Ship-supplies-99.67; Montana Electric Coop-safety program-138.47; Municipal Treatment-supplies-133.00; Non-Ferrous Metals-supplies-1327.80; HSBC Bus. Solutions-supplies-49.99; Northwest Pipe Fittings Inc.-supplies-6.36; Orbitcom-phones-1810.98; Outdoor Wilderness Fabrics-supplies-77.41; Pamida-supplies-114.43; Partsmaster-supplies-471.06; PAWS-contribution-2000.00; P.C. Parks & Rec. -expenses-325.00; P.C. Record Times-adv-3648.94; P.C. Resource Dist.-Hazardous Waste Collection-2500.00; P.C. Weed & Pest-spraying-90.50; Piper's-supplies-131.95; Pitney Bowes-supplies-358.00; Platte Valley Bank-lease-9624.99; Qwest-phones-47.47; Respond First Aid-supplies-155.70; Rotonics Mfg-supplies-8100.00; Rycom-supplies-348.55; Safe Kids Program-contribution-100.00; Safeway-supplies-67.73; Salt City Sales-supplies-822.00; Scott Scheller-emergency mgmt.-200.00; Sewing Shop-supplies- 65.00; Sparkletts-supplies-59.20; Sue Sluss-Council salary-100.00; Dept. Of Revenue-sales tax-11,764.05; Sunshot Engineering-engineering-325.00; T & R Service-supplies-45.00; Teemark-supplies-1230.38; North Platte Physical Therapy-fitness program-71.00; Town Treasurer-petty cash-774.56; Trihydro Corp-testing-1732.77; Two Guy Communication-supplies-1987.97; Van Diest Supply-supplies-4257.00; Verizon Wireless-phones-501.31; PEDCO-subsidy-3750.00; WARWS-testing-20.00; Western United Electric-supplies-866.37; Wheatland Automotive-veh maint-1045.44; Wheatland Coop-gas & dsl-6851.17; Bloedorn Lumber-supplies-626.87; Wheatland REA-power-2774.14; Wireless Advanced Comm-supplies-9885.00; Wyoming.Com-internet-20.00; Wyoming Machinery-supplies-989.45; Wyoming State Forestry-supplies-166.00; Xerox Corp-copiers-156.23; Western United Electric-Rowley Street-337.39; Sunshot Engineering-wastewater-6160.00; DBC Irrigation-supplies-771.48; Crescent Electric-supplies-773.22; GDA Engineering-engineering-6127.25; By Architectural Means-engineering-5695.00; Jack's Electric-fire hall-295.73; Cole Lumber Co-fire hall-5097.96; Enviro-Engineering-asbestos removal(fire hall)-\$40,300.00; C. Sharon & Assoc.-asbestos removal(fire hall)-4500.00; Norb Olind Const.-construction (fire hall)-40,473.15; Wyo. Mun. Power Agency-power-185,280.15; Salaries-total payroll-161,883.91; Total vouchers-\$587,852.80

Clerk/Treasurer, Cindy Kahler gave the financial report and a motion was made by Councilman Shoemaker and seconded by Councilman Evans to accept 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 Public Works Depts., Police Dept., P.C. Chamber of Commerce, Municipal Court, Planner, Fire Dept., Building Inspector, Projects and Wyoming Municipal Power Agency and if there were no questions or concerns voiced, they would be placed on file. Wyo. Mun. Power Agency, Doug Weaver stated that he had attended the annual meeting of the Agency and Dry Forks Power Plant is scheduled to go on line next year. He indicated that the market for surplus power has dropped

substantial, resulting in a loss of revenue for the Agency. Rick Keck stated that an injunction had been granted and the motocross tract would be no longer be operating after Sept. 1, 2010.

Proposed Ordinance No. 755 was presented on third and final reading. The proposed Ordinance would establish a new Low Density Suburban Residential District (LDSR) in the Town. Town Attorney, Doug Weaver stated that there were amendments made to this Ordinance as a result of a letter sent to the Planning Office from Kelvin and Kathy Lower concerning septic tanks being allowed in the Town limits. Attorney, Weaver stated that the Engineer had sent a memo to the Planning Office clarifying the issue, and he had requested an amendment to the Ordinance. "The provisions of the zoning ordinance are not intended to eliminate or circumvent the requirements for Subdivision applications with preliminary plat and final plat submittals and reviews as required by the Town's Subdivision Regulations". He stated that he had added "The governing body must approve any on-site sewage within LDSR". Mrs. Lower was present and stated the amendments were sufficient to address her concerns. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve proposed Ordinance No. 755 as amended on third and final reading. Motion carried 4-0. The Ordinance follows in its entirety.

ORDINANCE NO. 755

AN ORDINANCE ESTABLISHING A LOW DENSITY SUBURBAN RESIDENTIAL DISTRICT (LDSR) ZONING WITHIN THE TOWN OF WHEATLAND.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING:

Section 1. Purpose of LDSR:

The Low Density Suburban District (LDSR) is established to provide an alternate zoning for residential areas designed with lots larger enough to provide for:

- (a) The possibility for on-site storm water retention.
- (b) Off - street parking
- (c) The possibility of on-site sewage disposal.
- (d) Access driveways with drainage culverts, thereby eliminating the need for curb and gutter and wider streets with on-street parking.

Section 2. Permitted Uses Within LDSR:

- (a) Uses not requiring a special permit:

Permanent single-family dwellings. The specifically does not include duplexes, townhouses, condominiums, or other structures which share

common construction elements.

(b) Uses requiring a special permit:

Dwellings, occupied by more than one family (for attached separate ownership residences the Planning Commission can include in conditions of approval that there is no property line setback required for interior common lot lines, however, required setbacks are still applicable for front, rear and exterior lot lines.)

Churches

Schools

Childcare facilities

Parks

Recreation areas

Hospitals and health care facilities

Offices

(c) Accessory uses:

Accessory uses are those clearly incidental to the use of the principal building within the district. (Ord. No. 419, ch 4, 2, Ord. No. 441-1)

Section 3. Development Standards Within LDSR

(a) No individual wells allowed

(b) Minimum lot size shall be as follow:

- (1) With on-site sewage disposal - One acre and the development plan will demonstrate That the limit of on-site sewage treatment facilities including septic tanks and absorption fields shall be no closer than 50 feet from the property lines.

Lots larger than one (1) acre may be required depending on the determination of adequacy of the soil in the engineering design report required for this option.

If individual lot on-site sewage disposal is proposed, the developer will provide public sewer main extensions across the proposed subdivision as required to provide the option of adjoining, property to use the Town's public sewer.

The governing body must approve any-on-site sewage disposal within LDSR.

- (2) With public sewer provided -One-half acre with a minimum street frontage of 100 feet on to a dedicated public road.

- (c) Maximum height is subject to fire protection capabilities.
- (d) Minimum width of lot at setback line shall be 100 feet.
- (e) Setback requirements shall be as follows:
 - (1) Front yard - 25 feet (7.6m.)
 - (2) Side yard - 12 feet (3.7m)
 - (3) Rear yard -25 feet (7.6m)

Section 4. Street Plan Within LDSR:

Development plans along any Wheatland Flats Country Roads within City Limits will provide for additional right-of-way to extend a minimum of 40 feet from the section line except for instances where this additional right-of-way would encroach into the 25-foot front yard setback of existing residential dwellings. In this case the subdivision plan will provide an additional 20-foot wide utility easement along the existing old County Road right-of-way except where this additional 20-foot wide easement would extend closer than 5 feet to the closest point on the existing dwelling.

- (a) Minimum right-of-way requirement shall be as follows: (1) All interior roads within the proposed subdivision shall be a minimum of 60 foot right-of-way width.
- (b) Pavement requirements shall be as follows:
 - (1) For lots abutting existing paved County Roads within the city limits no widening of the existing pavement is required.
 - (2) No curb and gutter or sidewalk is required.
 - (3) Drainage facilities including culverts under driveways will be provided as identified in the required drainage report to be prepared by a licensed civil engineer.

Driveways shall be a minimum twelve (12) feet wide top at property line and shall have a minimum fifteen (15) foot radius pavement wraps onto the street shoulders. Driveways shall be hard surface paved from the street to the street right-of-way boundary. Drainage culverts under driveways shall be of a minimum length to extend past slopes into the borrow ditch not steeper than 3:1.

- (4) Where lots abut interior dedicated public roads, the streets shall have

a minimum 22-foot wide hard surface pavement. This pavement may be concrete or asphalt. The pavement cross-sections shall be a minimum 6-inch thick Portland cement concrete or a minimum 3- inch thick hot-mix asphaltic concrete on a minimum 4-inch thick crushed rock base. These are minimum pavement cross-sections and may require additional thickness in areas of poor sub-grade bearing capacity with an equivalent CBR ratio of less than 15.

Alternate hard surface paving plans may be approved based on engineering and geotechnical reports substantiating the adequacy and serviceability of an alternate hard surface paving plan.

Section 5. Drainage Plan Within LDSR:

Any drainage plan shall be prepared by a licensed civil engineer and shall specify specific drainage culvert sizes where required and shall demonstrate that no additional storm water run-off from the 100-year design storm event will collect beyond the proposed subdivision limits. Whenever the subdivision plan includes on-site storm water retention on individual lots and/or whenever the subdivision plan includes on-site sewage disposal on individual lots, these conditions will be stated in bold letters on any deed transferring ownership of the lot in conjunction with the required documentation on the subdivision plat.

Section 6. Special Note:

Any proposed development along the north side of East Oak Street may be subject to the proposed realignment of an arterial street parallel with and north of the existing Oak Street.

The provisions of this zoning ordinance are not intended to eliminate or circumvent the requirements for Subdivision applications with preliminary plat and final plat submittals and reviews by the Town's Subdivision Regulations.

Passed and approved this 14th day of June, 2010, on first reading.

Passed and approved this 12th day of July, 2010, on second reading.

Passed and approved this 9th day of August, 2010 on third and final reading.

/s/ Mayor, Dean Hensel

Attest:

/s/ Clerk/Treasurer, Cindy Kahler

Clerk/Treasurer, Cindy Kahler presented an agreement between the Town of Wheatland

and Maxwell Asphalt Inc. to do a crack seal, seal coat and marking job on Runway 26 at Phifer Airfield along with a "Notice to Proceed". She stated that the job would close down the airport for three days and they would be doing it within the next couple of weeks. A motion was made by Councilman Shoemaker and seconded by Councilman Evans to approve the agreement with Maxwell Asphalt Inc. as presented, along with the "Notice to Proceed" and authorize the Mayor to sign all the documents. Motion carried 4-0.

Dan Brecht was present and stated that the 2nd Annual Green Harvest Festival would be held August 26th, 27th and 28th. He stated that he had workshops on energy efficiency set up for Thursday and Friday, along with concerts every evening at the band shell. He indicated that there were several events scheduled and lots of vendors would be in the Downtown on Sat., Aug. 28th. Mr. Brecht asked for a contribution of \$500.00 to off-set the expenses of advertising, and entertainment. A motion was made by Councilman Evans and seconded by Councilwoman Sluss to approve the contribution of \$500.00 to the 2nd Annual Green Harvest Festival. Motion carried 4-0.

Dan Brecht stated that he would be serving on the Platte County Centennial Committee and their kick-off celebration is scheduled for April 11, 2011. He stated that they would like to have the Town consider hosting an event during 2011 and he would have more details soon. He also stated that a grant in the amount of \$3000.00 from the Wyoming Main Street Program had been received to do an architectural analysis of the fountain in the Pocket Park.

George Bohl was present and voiced concerns regarding the master metering that was being done at Parklane Village. He stated that he had received no notification as to crews working down there or when it was actually going to happen. Attorney Doug Weaver stated he would be sending a letter to the owner giving him at least thirty day notice as to when the master metering would begin and he would send a copy to Mr. Bohl.

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting. The next regular meeting of the Town Council will be held on September 13, 2010.

Mayor, Dean Hensel

Attest:

Town Clerk/Treasurer, Cindy Kahler