

Wheatland, Wyoming
September 22, 2010

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

A Special 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 5:00 P.M., Monday September 22, 2010 for the purpose of discussion on a special use application and clarification on a subdivision plan.

Mayor Hensel called the meeting to order and upon roll call it was found that the following were present; Councilmen, Shoemaker, Madsen and Evans. Councilwoman Sluss arrived at 5:08 P.M.. Also present were Town Attorney, Doug Weaver, Clerk/Treasurer, Cindy Kahler and Union Telephone Representatives, David Hines and Attorney, Deborah Roden.

A motion was made by Councilman Shoemaker and seconded by Councilman Evans to approve the agenda as presented. Motion carried 3-0.

Mayor Hensel presented a Special Use Permit application from Union Wireless Telephone to place an operating tower on the property at 2005 16th Street. The Special Use Permit would allow Union Telephone to place a mobile, self-contained structure of a temporary nature on the property. The COW (communication on wheels) is a trailer that houses an antenna. Under Federal law via the Federal Communications Commission, Union would be allowed to place the COW at that location for a maximum of two years. Town Attorney, Doug Weaver stated that previously Union Wireless had applied for a Special Use Permit to place a permanent tower at that location. The Planning and Zoning Board had heard the application at their regular meeting held in July and at that time tabled it until a workshop could be held to address various concerns. The workshop was held on August 24, 2010 at which time representatives from Union Telephone were there to answer questions. Attorney, Doug Weaver stated that the Planning and Zoning Board had deferred the application from Union Telephone to the Town Council for consideration. Mayor Hensel asked for a description of the COW and Mr. Hinds presented a drawing indicating a trailer with four outriggers and a telescoping tower extending to 84'. Councilman Madsen asked how this would tie into their existing coverage and Mr. Hinds stated there is an existing tower north of town and one south of town and this one would give them good coverage in Wheatland and along the interstate. Councilman Madsen asked them if they would be setting up an office in town if this were to be allowed and Ms. Roden indicated that they would probably not set up an office at this time, however, they would be sending marketers into the area. Councilman Madsen asked if this would limit "roaming" charges and Mr. Hinds indicated

there are always areas that have no services, forcing “roaming” charges and this would certainly help coverage issues. Mayor Hensel asked what the benefits to the citizens of Wheatland would be if this application were to be approved. Ms. Roden indicated that more cell service is always a benefit, competition is good, and the safety factor, as the tower would provide 911 and Amber Alert services. Building Inspector, Steve Snook asked what the process would be if the Town simply did not allow cell towers in the Town limits, and Ms. Roden indicated the FCC prohibits the complete elimination of cell towers. Town Attorney, Doug Weaver stated that towns can certainly require towers to be in a certain zoning with specific requirements. After further discussion, a motion was made by Councilman Evans to approve the Special Use Permit application submitted from Union Telephone to place a COW (communications on wheels) on the property located at 2005 16th Street for eighteen months (18 month) with the condition they withdraw the original application for a permanent tower and not re-apply for six months. Councilman Madsen seconded the motion. Motion carried 4-0.

Clerk/Treasurer, Cindy Kahler stated that the Planning Office needed some clarification regarding the condition regarding drainage on the Madsen Subdivision Preliminary Plan. Councilman Madsen stated he would be abstaining from any discussion or decisions regarding the issue. A motion was made by Councilman Shoemaker and seconded by Councilman Evans to amend the motion made at the meeting held on September 13, 2010 to waive condition #2 - “A Drainage Plan be prepared by a licensed civil engineer per the Town’s Subdivision Regulations and include a plan for retaining/detaining drainage resulting from the development of the area to prevent any increase in storm water runoff from the design 100- year rainfall event.” on the Subdivision Preliminary Plan submitted by Madsen for the property located at 215 East Oak Street. Motion carried 3-0.

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting at 5:50 P.M.. The next regular meeting of the Town Council will be held on October 11, 2010.

Mayor, Dean Hensel

Attest:

Town Clerk/Treasurer, Cindy Kahler