

Wheatland, Wyoming
November 8, 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, on Monday November 8, 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 Sluss. Also present were Clerk/Treasurer, Cindy Kahler and Town Attorney, Doug Weaver.

Mayor Hensel stated there would be two additions to the agenda under "New Business"- #7 - Quality Discount Liquor, #8 - Dan Brecht. A motion was made by Councilman Shoemaker and seconded by Councilman Evans to approve the agenda as amended. Motion carried 4-0.

The minutes of the regular meeting held on October 11, 2010 and the special meeting held on September 22, 2010 were presented. A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to approve the minutes as presented. Motion carried 4-0.

The vouchers for the month of October, 2010 were presented for payment. A motion was made by Councilman Shoemaker and seconded by Councilwoman Sluss to approve the vouchers as presented. Motion carried 4-0. The vouchers are as follows: Ace Industrial Supply-supplies-375.40; Airgas-supplies-313.70; Allen's Parts- veh maint-198.73; Amazing Monogramming-supplies-578.35; American Water Works-dues-165.00; Andrew Starr-Snap On Tools-supplies-728.75; Atco International-supplies-129.00; Atlas Office Supplies-supplies-592.20; Back Defense Systems-supplies-419.00; Dennis Becker-planner-500.00; Bob Ruwart Motors-veh maint.- 766.71; Cheyenne Frame & Axle-veh maint-110.00; CNA Surety-bond-100.00; Communicom Services-internet-91.22; Consolidated Mftg-supplies-1554.46;Contractors Materials-supplies-239.70; Crescent Electric-supplies-3201.92; Crystal Ice-supplies-20.00; Dana Kepner-supplies-682.38; DBC Irrigation-supplies-55.51; Dean Hensel-Mayor salary-300.00; Dept. Of Employment-workers comp.-4950.33; Doug Weaver-attorney salary- 1750.00; Double D Cleaning-janitorial-325.00; Drive Train-supplies-63.55; Drube's-supplies-1121.99; Jason Evans-council salary-200.00; E.S.C. -engineering-450.00; Energy Labs-testing-255.00; Farm Plan-supplies-1175.99; Fat Boy's-veh maint-2323.00; Fig U Rose-supplies-27.00; Gases Plus-supplies-263.42; Hach Company-91.91; Hawkins Inc-2984.50; Huffer's Food Pride-supplies-10.88; I-80 Towing-tow-575.00; Intelligent Products Inc.-supplies-490.38;

Source Gas-heat-456.37; Kois Brothers-veh maint-8172.11; Laramie Peak Motors-veh maint-464.63; Laramie Peak Vet Clinic-supplies-18.25; Lathrop Equipment-supplies-17.41; Lawson Products-supplies-638.65; Libby Elementary-contribution-100.00; Lions Club-contribution-100.00; Lock Trucking-supplies-39.89; Alan Madsen-council salary-200.00; Makor K9-training-3700.00; MES Rocky Mtn-supplies-7047.98; Midnight Magic-supplies-150.00; Mikes Printing-408.10; Mikes Pack & ship-freight-18.35; Montana Electric-safety training-138.47; NFPA-supplies-251.01; Orbitcom-phones-1855.26; Pamida-supplies-76.41; Parkway Plaza-lodging-350.00; Partsmaster-supplies-935.25; P.C. Chamber of Commerce-subsidy-7500.00; P.C. Redi-Mix-supplies-129.00; P.C. Record Times-adv-2227.55; Peterbilt of Wyoming- veh maint-287.14; Piper's-supplies-80.25; Platte Valley Bank-payment-12705.03; Quest-supplies-787.45; Qwest-phones-47.43; Bob Shoemaker-council salary-200.00; Railroad Mft. Co.-crossing' expense-109.81; Ramada Plaza-lodging-150.00; Reis Environmental-supplies-1030.26; Reliable Rentals-supplies-70.00; Respond First Aid-supplies-204.53; Rocky Mtn.Window -supplies-210.00; Safeway Stores-supplies-150.05; Scott Scheller-emg.mgmt-200.00; Sigma Chi-sponsorship-150.00; Sparkletts-supplies-43.64; Sue Sluss-council salary-200.00; State of Wyoming -sales tax-10,395.90; Sunshot Engineering-engineering-1052.50; T & R Service-supplies-15.00; T'Shack-supplies-40.00; Teel Gun Works-supplies-196.00; Timberline Fasteners-supplies-668.05; North Platte Physical Therapy-fitness-59.00; Town Treasurer-petty cash-972.18; Tru-tech Products-supplies-302.14; Unemployment Tax-unemployment-1908.95; Verizon Wireless-phones-496.03; PEDCO-subsidy-3750.00; Wagner Electronics-supplies-119.78; WESCO-supplies-309.75; Western United-supplies-8281.32; Wheatland Automotive-veh maint-573.33; Wheatland Coop-gas, dsl-6857.31; Wheatland Vol. Fire Dept-expenses-118.05; Bloedorn Lumber-supplies-1230.67; Wheatland Med. Clinic-physical-50.00; Wheatland REA-power-2514.22; Wyoming.com-WEB hosting-20.00; Wyoming Ag News-adv.-145.00; Wyo. Conf. Of Building Officials-conference-50.00; Wyoming Machinery-veh maint-1033.43; Wyo. State Board of Pharmacy-registration-40.00; Xerox-copiers-430.11; W.M.P.A. -power-130,073.95; WYDOT-pathway-20.78; Payroll-total salaries-152,071.80; Sunshot Eng.-wastewater,w&s-4675.00; DBC Irrigation-pathway-111.69; Wheatland Coop-pathway-187.20; Consolidated Mfg.-wastewater-332.34; Total vouchers - \$408,901.74; Cap. Facilities vouchers-Norb Olind Const.-fire hall-144,250.20; By Architectural Means-2859.55; Terracon-inspection-2859.55; Sunshot Eng.-consulting-232.50.; Total-\$149,543.06.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Evans and seconded by Councilman Madsen 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 Public Works Depts., Police Dept., Municipal Court, Fire Dept., Planner, Building Inspector, Projects, Wyo. Municipal Power Agency and Rick Keck reported that the Moto-Cross Assoc. had a court date of December 22, 2010 set. He stated that they had made an offer to move the track if they were allowed to operate it one more year to get their funding together to move. He stated that the offered had been refused so it appears they will be going to Court. Mr. Keck stated that they are beginning to put together a plan for the new

track and he requested he be allowed to use some excess dirt the Town has and use some equipment for construction. The Council had no problem with him taking the dirt and a motion was made by Councilman Evans and seconded by Councilman Madsen to approve the use of Town equipment for construction of the new track subject to a "use agreement". Motion carried 4-0.

Proposed Ordinance No. 756 was presented on second reading. Proposed Ordinance No. 756 would zone the property owned by Madsen's on Oak Street to "Low Density Suburban Residential District". Councilman Madsen stated he would be abstaining from any discussions or voting on the matter. A motion was made by Councilwoman Sluss and seconded by Councilman Shoemaker to approve proposed Ordinance No. 756 on second reading. Motion carried 3-0. Proposed Ordinance No. 756 title being as follows:

AN ORDINANCE REZONING THE N1/2NE1/4NW1/4 OF
SECTION 18, T24N, R67W, TOWN OF WHEATLAND, PLATTE
COUNTY, FROM "CONSERVANCY DISTRICT" TO LOW
DENSITY SUBURBAN RESIDENTIAL DISTRICT'.

Pat Mitchell and Donita Graves were present and gave a power point presentation on the Wheatland Cemetery Gateway project they are working on. Pat Mitchell stated the project would not be possible if Sandy Lipps had not already alphabetized the names of the people buried. She also thanked Mark McDonald for the work he had done on the PDF files. She stated that Bill Windmeier will be doing the concrete work and Terry Brant will be doing the brick/stone work. She stated that as of Friday, they had collected \$2,253.00 for the project. She stated that the names (A-U) are on the Town's web site now. She explained how they are planning to "key" the names so that they can be located easily by placing numbered bricks on the rows of graves. Councilman Evans stated that he had received a lot of positive comments about the project.

Tina Crites was present and voiced some concerns about unused vehicles and recreational vehicles parked on the street. She stated that there seems to be some concern about the definition of "recreational vehicles" and she asked that they be cleared up in the Ordinances. She stated there are Ordinances in place at this time that did not allow recreational vehicles to be parked for long periods of time and she asked that it be enforced. She also requested that the Ordinances regarding "weeds and junk" be enforced. Town Attorney, Doug Weaver stated that he would define "recreational vehicles" so that the Police Dept. does not have a problem enforcing the Ordinances.

A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to adjourn the meeting at 7:30 P.M. to hold a public hearing as advertised. Motion carried 4-0.

Mayor Hensel adjourned the regular meeting and opened the public hearing on a CDBG Business Ready Grant application that is being considered. He asked Mona Sherard to explain the project that the grant funds would be used on. She stated that the Sherard's own a large parcel of land that has been annexed into the Town and they are proposing

dividing the property into seven lots, two of which would be owned by the Town. She stated they have an anchor business that would provide approximately twenty jobs with an annual payroll of \$700,000.00. Councilman Madsen asked if the business plan for the anchor tenant would be part of the application and Mrs. Sherard stated that it would. Town Attorney, Doug Weaver stated there would need to be a developers agreement between the Town and the Sherards for this project so that the Town would not have any liability on the project. He stated that the Resolution would reflect the most recent cost estimates versus the ones that were publicized. Jack Baker stated he supported the project and he gave various reasons why he did. Councilman Madsen asked if the jobs would be created or was the company bringing people and Mona Sherard stated that he would be bringing three people and the rest of the jobs would be created. A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to close the public hearing and reconvene into regular session. Motion carried 4-0.

A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to approve the Resolution to submit an application for a Business Ready Community Grant in the amount of \$1,498,846.00 subject to the application meeting all of the requirements of the Wyoming Business Council and the Town's review of the business plan of the anchor tenant. Motion carried 4-0. The Resolution is as follows:

A RESOLUTION AUTHORIZING THE SUBMISSION
OF AN APPLICATION TO THE BUSINESS READY
COMMUNITY GRANT AND LOAN PROGRAM FOR
A BUSINESS READY COMMUNITY GRANT PROJECT
ON BEHALF OF THE GOVERNING BODY OF THE
TOWN OF WHEATLAND.

WHEREAS, the Governing Body for the Town of Wheatland desires to participate in the BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM to assist in financing the project; and

WHEREAS, the Governing Body of the Town of Wheatland recognizes this project will create construction related jobs during the construction of the business park and future jobs created from the completed business park, allowing community growth and improvement and addition of infrastructure within the boundaries of the Town of Wheatland; and

WHEREAS, the BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM requires that certain criteria be met, as described in the Wyoming Business Council's Rules governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of the Town of Wheatland plans to match the requested BUSINESS READY COMMUNITY GRANT PROGRAM BUSINESS READY PROJECT from the following source:

A donation of land for the Business Park.

WHEREAS, the Town of Wheatland held one public hearing on November 8, 2010 to identify the economic development opportunity and determine all possible funding solutions for this project, solicit testimony from citizens who may feel that the use of the proposed funds might compete with existing business, and gave full consideration to all comments received; and

WHEREAS, the Town of Wheatland is working in partnership with Platte County Economic Development and Summit Engineering LLC has provided preliminary cost estimates and design for the Business Park.

WHEREAS, the Town of Wheatland engaged the private sector with in the market area and gave full consideration to all comments received; and

WHEREAS, the public benefit of this project is community growth and development, job created from the construction of the project, jobs created from the completed project, improvements and additions of infrastructure, and revenue generated from the sale or lease of lots within the business park.

WHEREAS, the Governing Body for the Town of Wheatland will use the revenue captured from this project for the following economic development purposes; Revenue generated from the sale or lease will be put back into future development of the Business Park.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF WHEATLAND, that a grant application in the amount of \$1,498,846.00 Be submitted to the Wyoming Business Council for consideration of assistance in funding the North Park project.

PASSED AND APPROVED THIS 8TH DAY OF NOVEMBER, 2010.

By: /s/ Mayor, Dean Hensel

Attest:

By: /s/ Clerk/Treasurer, Cindy Kahler.

Mrs. Tom Haeffelin was present and stated that they are working on getting a resolution from the Town's insurance company on the sewer back up they had in May in a property they own on 11th Street. She stated that she had met with the Town Engineer and had been in contact with the insurance company. She requested that the Town Engineer write a letter indicating the Town would be replacing a portion of the sewer main in front of the property. Mrs. Haeffelin stated that she had a letter from a licensed plumber stating that the back flow preventor was installed correctly. Town Engineer, Russ Schamel was present and stated that there are plans in place at this time to replace a portion of the sewer line as she described and he would write a letter stating that,

however, that did not mean there would be no further back ups in the line as the Town has no control of what people put down the lines.

Proposed Ordinance No. 757 was presented on first reading. The proposed Ordinance would adopt the 2011 National Electrical Code. A motion was made by Councilwoman Sluss and seconded by Councilman Madsen to approve proposed Ordinance No. 757 on first reading. Motion carried 4-0. Proposed Ordinance No. 757 title being as follows:

AN ORDINANCE AMENDING SECTION 7-107 (b)(6)
OF THE WHEATLAND TOWN CODE, ADOPTING THE
2011 EDITION; NATIONAL ELECTRICAL CODE.

A catering permit application from Quality Discount Liquor was presented for December 3, 2010 at the 4-H Building. A motion was made by Councilman Evans and seconded by Councilman Madsen to approve the catering permit for Quality Discount Liquor for December 3, 2010 at the 4-H Building at the minimum fee allowed by law. Motion carried 4-0.

Quality Discount Liquor owners Leanne Shepard and Pam McIntosh were present and stated they have plans to construct a laundromat on the same property as the liquor store is now located. Mrs. Shepard stated that they plan to have the laundromat operational by March 1st and they would like to hook up to the water and sewer main located in front of their property. She indicated that the previous owners had paid to have the line run across the street and taps installed and they would like permission to use those taps. Town Attorney, Doug Weaver stated that there are some properties outside of the Town limits that are served by Town utilities for various reasons, however, it has been the policy of the Town for sometime that property must be annexed into the Town before they can be served by Town utilities. He stated it would be necessary for them to go through the process of annexation before they could hook up to Town utilities. The Council agreed to support the annexation of the property, should they decide to do that.

Dan Brecht was present and stated that the National Christmas Tree will be in Wheatland on November 18th at 8:30 A.M.. There are plans to have a short parade including the Pony Express riders, along with a wagon and some carriages. The tree will stop in front of the Court House for a viewing. He stated that there are plans to bring lots of school kids down to see it.

Mr. Brecht reported that the Platte County Centennial Committee has asked each community to “tag” an event for the Centennial, and the County will be doing the Platte County Fair. The Committee is also requesting each community have a rock with a plaque on it dedicating 2011 as the Centennial Year for Platte County.

The Council will be holding a workshop on December 7, 2010 at 5:00 P.M. to consider the annual audit for 2009-2010.

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 of the Town of Wheatland will be held on December 13, 2010.

Mayor, Dean Hensel

Attest:

Clerk/Treasurer, Cindy Kahler