

Wheatland, Wyoming
March 14, 2011

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, March 14, 2011.

Mayor Dixon called the meeting to order and upon roll call it was found that the following were present: Councilmen Madsen, Evans, Shoemaker and Graves. Also present were Clerk/Treasurer, Cindy Kahler and Town Attorney, Doug Weaver. Mayor Dixon led the Pledge of Alligence.

Mayor Dixon presented the agenda and stated there were no amendments at this time. A motion was made by Councilman Madsen and seconded by Councilman Evans to approve the agenda as presented. Motion carried 4-0.

The minute of the regular meeting held on February 14, 2011 were presented and a motion was made by Councilman Shoemaker and seconded by Councilman Graves to approve the minutes of the Feb 14th meeting. Motion carried 4-0.

The voucher for the month of February were presented for payment. A motion was made by Councilman Evans and seconded by Councilman Madsen to approve the voucher for the month of February, 2011 as presented. Motion carried 4-0. The vouchers are as follows: Airgas-supplies-67.96; Allen's Part's-veh maint-172.03; Atlas Office Supplies-supplies-510.54; Dennis Becker-planner salary-500.00; Bob Ruwart Motors-veh maint-18,604.06; Caselle-computer support-1373.00; Chemsearch-supplies-173.65; Cheyenne Sports-supplies-45.00; Chief Supply-supplies-566.30; Communication Technologies-supplies-720.00; Communicom Services-internet-196.05; Consolidated Mfg.-supplies-153.62; Crescent Electric-supplies-1401.41; Dana Kepner-supplies-3218.34; DBC Irrigation-supplies-256.61; Dell Marketing-supplies-496.57; Dept. Of Revenue-public utility tax-2713.97; Desert Mtn.-supplies-4105.12; Dept. Of Employment-workers comp-4603.71; Jean Dixon-mayor salary-500.00; Doug Weaver-legal fees-1750.00; Doug Willadsen-training-27.98; Double D Cleaning-janitorial-325.00; Drube's Supply-supplies-249.99; Jason Evans-council salary-100.00; ESC-engineering-2285.57; Energy Labs-testing-310.00; Farm Plan-supplies-236.61; Fat Boy's-veh maint-28.00; Fig-U-Rose-supplies-32.00; Floyd's-supplies-412.53; Fourth Grade Foresters-Tree City USA trees-134.25;Gases Plus-supplies-308.73; Brandon Graves-council salary-100.00; Holiday Inn of Cody-lodging-158.00; Huffer's Food Pride-supplies-159.23; IAEI-registration-210.00; Source Gas-heat-7103.12;

Kois Brothers-supplies-1055.48; KYCN-adv-50.00; Laramie Peak Motors-veh maint-2121.84; Laramie Peak Vet Clinic-supplies-120.00; Lawson Products-supplies-407.41; Alan Madsen-council salary-100.00; MES-Rocky Mtn.-supplies-6822.61; Mikes Printing-supplies-2773.29; Mikes Pack & Ship-postage-217.82; Montana Electric Cooperative-safety training-189.52; HSBC Bus. Solutions-supplies-170.30; Timothy Olind-planning asst.-2640.00; Orbitcom-phones-1710.80; Pamida-supplies-282.26; Parkway Plaza-lodging-520.00; Partsmaster-supplies-846.73; P.C. Record Times-adv-1739.21; Platte Valley Bank-contribution-500.00; Platte Valley Bank-lease-10,395.00; Qwest-phones-47.57; Bob Shoemaker-council salary-100.00; Reliable Rentals-space heater-74.00; Safeway Stores-supplies-110.85; Scott Scheller-emergency mgmt-200.00; Sensus Metering-computer support-1452.00; Sparkletts & Sierra Springs-supplies-36.25; Skarshaug Testing-testing-701.24; Steve Snook-travel expenses-250.00; State of Wyoming-sales tax-13,187.60; Sunshot Engineering-engineering-1315.00; T & R Electric-supplies-640.00; North Platte Phys. Therapy-supplies-103.00; Town Treasurer-petty cash-413.54; Tri County Fire & Safety-supplies-2236.00; TriHydro-landfill monitoring-2584.84; USA Bluebook-supplies-312.92; Verizon Wireless-phones-792.26; Wagner Electronics-supplies-748.27; WARWS-conf. expenses-400.00; Water Guy Inc-supplies-413.38; Waterous Company-supplies-992.58; Western United Electric Supply-supplies-112.86; Wheatland Automotive-veh maint-1374.41; Wheatland Coop-gas & dsl-9559.70; Bloedorn Lumber-supplies-950.85; Wheatland Medical Clinic-physicals-100.00; Wheatland REA-power-1493.80; Wyoming.com-web site-20.00; Wyo. Conf. Of Bldg. Officials-seminar -75.00; Wyo. Conf. Municipal Court-seminar-100.00; Wyoming Dept. Of Ag.-scale license-25.00; Wyo.. State Firemen's Assoc.-dues-100.00; Wyoming Machinery-supplies-1149.85; Xerox Corp-copiers-436.97; Maxwell Asphalt-airport-7471.85; GDA Engineering-airport-1719.10; Wyoming Dept. Of Transportation-pathway-625.08; Sunshot Engineering-landfill & w/s project-2420.00; Hach Co.-wastewater-4544.04; Wyoming Municipal Power Agency-power-189,559.45; Payroll-total salaries-155,768.86; Total vouchers-\$491,689.34; Cap. Facilities Project-Firehall- By Architectural Means-const. magmt-2476.00; Sunshot Engineering-engineering drains-220.00; Norb Olind Const.-Construction-101,083.13; Total-\$103,779.13.

Mayor Dixon introduced Middle School Principal Steve Loyd. Mr. Loyd presented Police Officer Brad Otte with the Golden Apple Award for his work with the DARE Program with the 6th Graders. Mr. Loyd stated Officer Otte had done a wonderful job and he also presented him several "Bulldog" items.

Mayor Dixon stated that she would like to appoint Scott Scheller as the Town of Wheatland Emergency Management/ Homeland Security Coordinator. A motion was made by councilman Evans and seconded by Councilman Graves to approve the appointment of Scott Scheller as the Emergency Management/Homeland Security Coordinator for the Town of Wheatland. Motion carried. 4-0.

Councilman Evans stated that he would like to congratulate Wheatland High School on their great job at State; High School Girls Basketball Team for a first place win; High School Cheerleader's for a first place win; the Academic Decathlon Team for a first place win; Boy's Basketball Team for a second place win and the Dance Team for a 5th place win.

Clerk/Treasurer, Cindy Kahler presented the financial report indicating that as of February 28, 2011, the Town had completed 67% of the budget period and collected 68% of the anticipated revenue and disbursed 62% of the estimated expenditures. 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 Dixon stated the Council had received reports from the Public Works Depts., Police Dept., Municipal Court, Fire Dept., Planning Office, Building Inspector, Projects and the Wyoming Mun. Power Agency and since there were no questions or concerns voiced, they would be placed on file.

Proposed Ordinance no. 759 was presented on third and final reading. Town Attorney, Doug Weaver stated that there had been some changes to the Ordinance since the last reading. The changes were recommended by the Building Inspector and the Planning Office to address height, satellite dishes and private radio antennas. Union Wireless Representative, Jim Malone was present and gave the Council pictures of towers that were hidden inside of structures, so that they did not appear to be towers. He asked that the word "antenna" be struck under section (a) as he felt the Ordinance put unnecessary limitations on those type of structures. Town Attorney, Doug Weaver stated that it could be changed to replace the word "antenna" with the "tower" and add "including but not limited to wind generation towers and antennas". After further discussion a motion was made by Councilman Evans and seconded by Councilman Madsen to approve proposed Ordinance No. 759 on third and final reading with the amendments made in sections (a), (e) and (f). Motion carried 4-0. The Ordinance in its entirety follows:

ORDINANCE NO. 759

AN ORDINANCE AMENDING ARTICLE IV; SECTION 16-21 THROUGH SECTION 16-23 OF THE WHEATLAND TOWN CODE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING, that Article IV, Section 16-21 through 16-23 of the Wheatland Town Code is hereby amended as follows:

ARTICLE IV: Antenna, Telecommunications Towers and Wind Generation Towers

Section 16-21 Installation, etc....of outside antennas and towers----Special Use Permit required.

No person shall install or make any additions to any outside antennas, telecommunication or power generation towers used for receiving any communication signal and generating power placed upon any building or other location without first obtaining a special use permit from the town's planning and zoning board. Before any installation or construction is started a permit application shall be filed and be accompanied by a fee of one hundred

dollars (\$100.00).

- (a) The only areas which will be considered for a special use permit are those areas zoned heavy industrial, light industrial and conservancy district. It is specifically prohibited to permit or install any tower, including but not limited to wind generation towers and antennas.
- (b) Set back requirements will be as follows:
In all districts: 150 feet (45.7 m.) from property lines or structures located in approved areas or 110% to tower height, plus antenna height or plus length to tip of the blade, whichever is greater.
- (c) All tower foundations must be designed by a Wyoming Licensed Professional Engineer for towers or antennas over 50 feet in height.
- (d) No variances and/or waivers will be allowed for property line setbacks.
- (e) Maximum tower height shall be 100 feet, unless otherwise approved by the Planning and Zoning Board.
- (f) Exemptions: Satellite TV dishes for private residential viewing mounted on the dwelling, and private short wave radio antennas under 70 feet above ground, are hereby specifically exempted from this ordinance.

Section 16-22 Same ---- Application for permit; fee.

Any person desiring to install or make any addition to any outside antenna, telecommunication or power generating tower shall make application to the town building inspector. Each application shall contain such information as the town may require.

Section 16-23 Same ---- Inspections, removal or repair.

All towers shall be installed and anchored so as not to create any safety hazard to any person or property. The electrical inspector shall have the authority to periodically inspect all antennas for safety. Any antenna found to be unsafe shall be immediately removed or repaired.

Passed and approved this 10th day of January, 2011 on first reading.

Passed and approved this 14th day of February, 2011 on second reading.

Passed and approved this 14th day of March, 2011 on third and final reading.

/s/ Mayor, Jean Dixon

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 760 was presented on second reading. Proposed Ordinance No. 760 would increase electric rates. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve proposed Ordinance No. 760 on second reading. Motion carried 4-0. Proposed Ordinance No. 760 title being as follows:

AN ORDINANCE AMENDING ORDINANCE #749
ESTABLISHING RATES FOR ELECTRICAL SERVICE
FOR THE TOWN OF WHEATLAND.

Mayor Dixon introduced a Special Permit to Subdivide Property/Preliminary Plan and a Special Permit to Re-zone the property to Light Industrial from the Sherard Family. She asked Planner, Dennis Becker to give the staff report and he stated that the property is part of the NW1/4NW1/4 of Section 12, Township 24 North, Range 68 West, Town of Wheatland; the property is located south of the southerly right-of-way boundary of Swanson Road (1-25 Business Loop) and is owned by the Sherard Family. He stated that the Planning and Zoning Board had approved the preliminary plan as presented and they had also approved the re-zone request. Planner Becker indicated that the Planning and Zoning Board had approved the Preliminary Plan with fifteen conditions as specified by the Planning Office. Councilman Shoemaker asked about condition #3 (That in lieu of the 4' wide sidewalk on the south side of North Park Road, a 10' wide sidewalk be added along the north right-of-way of North Park Road). Town Engineer, Russ Schamel stated that the location would fit in with the over all trails plan for the Town of Wheatland, and it could be considered "optional work" in the bids. Town Attorney, Doug Weaver stated the re-zone will be handled with an Ordinance. A motion was made by Councilman Graves and seconded by Councilman Evans to approve the preliminary plan for the Sherard property as presented with the fifteen (15) conditions as specified by the Planning Office. Motion carried 4-0. Steve Sherard was present and thanked the Council for their support of the project.

Paul Miner and Charles "Blacky" Budd were present and informed the Council that the State Legislature had passed an bill creating a "Wyoming Veterans Welcome Home Day" . The bill states: In recognition of the members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War, and to all those members of the United States armed forces who were not properly thanked or welcomed home following their military service, March 30 of each year is designated as "Wyoming Veterans Welcome Home Day". The day shall be appropriately observed in the public schools of the state and by organizations within the state. Additionally, it is recommended that Wyoming communities host "Wyoming Veterans Welcome Home Day" celebrations to ensure those members of the United States armed forces can be properly thanked and welcomed home. Mr. Miner indicated that the V.F.W. and the American Legion will be hosting an event at the National Guard Armory on March 30th beginning at 7:00 P.M. and he invited everyone to attend.

With no further business to come before the Governing Body, Mayor Dixon adjourned the meeting at 8:40 P.M.. The next regular meeting of the Town Council will be held on April 11, 2011.

Mayor

Attest:

Town Clerk/Treasurer