

Wheatland, Wyoming
October 9, 2006

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

The regular meeting of the Town Council of the Town of Wheatland, Platte County, State of Wyoming was held on Monday, October 9, 2006 in the Council Room of the Town Hall at 7:00 P.M., pursuant to the law.

Mayor Pro-Tem Wilhelm called the meeting to order and upon roll call it was found that the following were present; Councilmen Hensel and Wilson, Councilwoman Allen. Also present were Town Attorney, Doug Weaver, Clerk/Treasurer, Cindy Kahler and City/County Planner, Marlin Johnson.

Mayor Pro-Tem Wilhelm stated that there were two public hearings scheduled for the purpose of accepting public comment on two planning grants ; (1) Development of a Land Use Plan for Wheatland (2) Feasibility of development of 52 acres located on the west side of the north interchange. Councilman Wilson stated that he would like to add a discussion on airport zoning under "New Business". A motion was made by Councilman Hensel and seconded by Councilwoman Allen to approve the agenda as amended. Motion carried 3-0.

The minutes of the meeting held on September 11, 2006 were presented. A motion was made by Councilwoman Allen and seconded by Councilman Hensel to approve the minutes of the meeting held on September 11, 2006 as presented. Motion carried 3-0.

The vouchers for the month of September were presented for payment. A motion was made by Councilman Hensel and seconded by Councilman Wilson to approve the vouchers as presented. Motion carried 3-0. The vouchers are as follows: Advantage Glass-supplies-32.82; Airgas-supplies-140.37; Alco Pro-supplies-52.00; Allen's Parts-veh maint-53.58; Alliance Safety-supplies-487.20; Floyd Annis-shootout sponsor-100.00; Andrew Star-supplies-267.39; Atlas Office Supply-supplies-511.96; Auto Electric-veh maint-64.26; Bob Ruwart Motors-veh maint-7374.00; Botach Tactical-supplies-68.96; CPS Dist-supplies-333.98; Communications Source-supplies-256.53; Communicom Services-internet-195.85; Consolidated Mfg-supplies-1723.15; Crescent Electric-supplies-3987.66; Dana Kepner-supplies-4646.76; DBC Irrigation-supplies-121.28; Desert Mtn.-supplies-1993.80; Dept. Of Employment-workers comp-5327.34; Douglas Weaver-attorney fees-1750.00; Doug Willadsen-school-137.43; Drivers License Guide-supplies-56.50; Drube's Mfg-supplies-694.15; Eastern Wyo. Ambulance-services-9624.99; Electrical Systems Consultants-engineering-8642.49; Electro-Test-supplies-202.11; Energy Labs-testing-285.00; Farm Plan-supplies-431.93; Fat Boys-veh maint-613.10; Gall's Inc-supplies-180.77; Global Collect-supplies-60.98; Huffers Food Pride-supplies-208.57; Industrial Dist-

supplies-325.87; Jack's Electric-supplies-1032.45; Jason Neimi-supplies-38.08; Kois Bros.-supplies- 358.05; Kriz Davis-supplies-428.88; LSH Lights-supplies-211.00; Lab Safety-supplies-267.29; Lawson Products-supplies-677.55; Mathew Bender-supplies-357.85; Long's Tree Spraying-spraying-3145.00; McDonald Family Enterprises-janitorial-250.00; Mikes Printing-supplies-533.94; Mikes Priority-mailing-13.38; Northwest Pipe-supplies-154.11; Orbitcom-phones-1853.01; Pamida-supplies-79.86; Parkway Plaza-lodging-415.05; P.C. Concrete-supplies-100.00; P.C. Memorial Hosp.-health fair-30.00; P.C. Record Times-adv-1185.85; P.C. Treasurer-taxes-17074.28; Prairei Bus. Solutions-labor-900.00; Qwest-phones-149.55; Shorey Electronics-supplies-132.31; Rex Johnson-ins-400.00; Safeco Bus. Ins.-ins.-336.64; Salt City Sales-supplies-720.00; Sierra Springs-supplies-18.94; Sirchie Fingerprints-supplies-1184.44; Lisa Smith-supplies-327.48; Span Publishing-supplies-125.10; State of Wyoming-sales tax-6010.14; Stuart C Irby-supplies-316.25; Sunshot Engineering-engineering-767.50; Sunset Printing-supplies-197.40; Super 8 Motel-lodging-385.00; T & R Electric-supplies-11,630.00; T.W. Enterprises - supplies -1604.47; Corporate Office-supplies-75.16; North Platte Physical Fitness-program-234.00; TryHydro-testing-101.99; Verizon Wireless-phones-342.90; Vermeer Sales-supplies-235.62; Wesco-supplies-230.60; Western United Electric-supplies-2271.00; Wheatco Sales & Service-oil-474.38; Wheatland Automotive-veh maint-431.41; Wheatland Coop-gas & dsl-7903.30; Wheatland Fire Dept.-expenses-1032.07; Wheatland Fire Equipment-supplies-9126.08; Bloedorn Lumber-supplies-913.44; Wheatland Med. Clinic-testing-50.00; Wheatland REA-power-1747.35; Willcuts Backhoe Service-supplies-61.88; Wingate Inn of Rock Springs-lodging-183.60; Candy Wright-grant application-125.00; Wyo. Conf. Of Bldg. Officials-conference-75.00; Wyoming Machinery-supplies-12.31; Wyoming Steel & Recycling-supplies-3648.00; Sunshot Engineering-engineering-2735.00; Payroll-total salaries-157,480.05; Wyo. Mun. Power Agency-power-134,637.69. Total Vouchers-\$428,331.26

Clerk/Treasurer, Cindy Kahler presented the financial statement. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to accept the financial report as presented and place it on file. Motion carried 3-0.

Reports from the Police Department, Public Works, P.C. Chamber of Commerce, Planning Office, Wyoming Mun. Power Agency, Ambulance Service, Municipal Court, and the Fire Department were presented. Mayor Pro Tem Wilhelm stated that since there were no questions or concerns voiced regarding the reports, they would be placed on file.

Proposed Ordinance No 727 was presented on third and final reading. City/County Planner, Marlin Johnson stated that proposed Ordinance No. 727 was for the rezoning of the property located at 457 Gilchrist owned by Steve Parmley from Conservancy District to Light Industrial. The proposed Ordinance was approved on first reading on June 12, 2006 and second reading on July 10, 2006, however, the third reading had been postponed pending the recording of a thirty foot (30') wide easement to the Town along the north boundary of the property for half width right-of-way for a future east-west road. Planner, Johnson stated that the easement had been signed, however, it still needed to be recorded. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to adopt proposed Ordinance No. 727 on third and final reading pending the filing of the easement, with the understanding the original filing would be returned to the Town. Motion carried 3-0. Ordinance No. 727 in its entirety is 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 CONSERVANCY DISTRICT (C) TO LIGHT INDUSTRIAL
DISTRICT (LI).

BE IT ORDAINED BY THE TOWN COUNCIL OF WHEATLAND,
PLATTE COUNTY, WYOMING.

Section 1. That a parcel of property within the Town Limits of Wheatland, Wyoming
described as follows:

Part of the NE1/4SE1/4 (as described in Book 406, Page 934) of Section 13,
Township 24 North, Range 68 West, Town of Wheatland, Platte County,
Wyoming.

Which parcel is presently zoned Conservancy District (C) is hereby changed to
Light Industrial District

Section 2. That the Land Use District map of the Town of Wheatland is amended in
accordance with this Ordinance.

PASSED AND APPROVED this 12th day of June, 2006 on first reading.

PASSED AND APPROVED this 10th day of July, 2006 on second reading.

PASSED AND APPROVED this 9th day of October, 2006 on third reading and final passage.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 728 was introduced on third and final reading. A motion was made
by Councilwoman Allen and seconded by Councilman Hensel to approve proposed Ordinance
No. 728 on third reading and final passage. Motion carried 3-0. Ordinance No. 728 follows in
its entirety.

AN ORDINANCE AMENDING THE SALARY FOR
THE MAYOR AND TOWN COUNCIL OF THE TOWN
OF WHEATLAND, WYOMING, AND ESTABLISHING
A NEW SALARY FOR THE MAYOR AND THE TOWN
COUNCIL, PURSUANT TO W.S. 15-2-103, as amended.

WHEREAS, on June 10, 2002, Ordinance No. 688 was passed and approved
on third reading providing for a salary for the Mayor of the Town of Wheatland of \$250.00
per month, and the salary for each council person of the Town of Wheatland was established
at \$75.00 for actual attendance at each regular or special meeting.

WHEREAS, the salary for the Mayor of the Town of Wheatland cannot exceed
\$24,000.00 per year, and the salary of each council person for the Town of Wheatland cannot

exceed \$150.00 for actual attendance at each regular or special meeting, pursuant to W.S. 15-2-103.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING.

The salary for the Mayor of the Town of Wheatland shall be \$300.00 per month.

The salary for each council person of the Town of Wheatland shall be \$100.00 for actual attendance at each regular or special meeting.

The above salaries will become effective when the new term for the mayor and each council person begins.

This ordinance will become effective on February 1, 2007.

Passed and approved this 14th day of August, 2006 on first reading.

Passed and approved this 11th day of September, 2006 on second reading.

Passed and approved this 9th day of October, 2006 on third reading and final reading.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Planner, Marlin Johnson presented a preliminary plan to subdivide property located at 77 and 79 Antelope Gap Road owned by Larry Wright. Planner, Johnson gave the staff report indicating that the matter was first heard in June 2006, however at that time it was considered an incomplete application as it did not include an engineered subdivision plat per the Town's Development Code. The applicant has submitted a plat indicating two parcels, one with two residences and an accessory structure and the other one with a hanger and two older hangers. The Town Engineer had several comments including lack of adequate water service and no sanitary sewer available, lack of utility easements, a private water service that crosses property lines and serves multiple properties which is not allowed by the Town Code. He further stated that a Real Estate Disclosure Note be placed on any approved plat identifying the lot owners would be responsible for connection to water and sewer mains whenever extension of those mains makes it feasible. Planner, Johnson stated that it would appear that the subdivision cannot practically meet the Town Development Code requirements but if the situation can be transformed for the betterment of the Town, current property owners and future property owners there could certainly benefit if approved. Planner, Johnson stated that the both he and the Planning and Zoning Board recommended approval of the preliminary plat with the following conditions:

1. That an electrical easement for the Town main line be created across the Edwards property or that the line be relocated to Town property prior to filing of a Final Plat. (Note that there is a private access easement already in place where the electrical main crosses the Edwards property).
2. That private utility easements be created for all electrical service lines that cross intervening properties.
3. That private utility easements be created for all water service lines that cross intervening properties.
4. That easement be created for all septic system components that lie on properties other than that served by said system.

5. That the water service to the Edwards property be terminated and that any relevant components of the related wastewater disposal system be properly abandoned prior to filing a Final Plat.
6. That a Real Estate Disclosure Note be placed on the Final Plat stating that no water service will be allowed to proposed Lot 1 until such time that extension of the Town's water and sewer systems make it feasible in the opinion of the Town Engineer.
7. That a Real Estate Disclosure Note be placed on the Final Plat stated that lot owners will be responsible for the connection to water mains and sewer mains whenever the extension of the Town's water and/or sewer systems make it feasible in the opinion of the Town Engineer (Note that the Town is expressly temporarily waiving the standard water and sewer requirements at this time due to the unique circumstances of this situation).
8. That a Real Estate Disclosure Note be placed on the Final Plat stated that lot owners are responsible for storm water detention for any future development, as required by the Town.
9. That utility easements twelve feet (12') in width be required along all interior lot lines in the subdivision, except the south side of proposed Lot 2, where an easement of only eight feet (8') in width be required along the front of the "old house".
10. That money in lieu of park land be submitted with the Final Plat or that the Town expressly waive the fee due to the fact that this property is substantially developed.
11. That a building permit be submitted to relocate or demolish the shed that encroaches upon the proposed lot line and that the work be accomplished prior to filing a Final Plat.
12. The building permits be submitted to demolish the standard hangars or to bring them up to Code to the satisfaction of the Building Inspector and that the work be accomplished prior to filing the Final Plat.
13. That the services to the RV pad, including electric, water and wastewater be abandoned in a manner satisfactory to the Town Building Inspector (This included abandoning the septic system in a manner acceptable to the State).
14. That building permits be submitted to bring the proximity of the hangar on proposed Lot 1 to the structure on proposed Lot 2 into compliance with Fire Code to the satisfaction of the Building Inspector and that the work be accomplished prior to filing a Final Plat .
15. That any necessary variance request application be submitted for hearing by the Town Board of Adjustment and that the request be approved prior to submittal of the Final Plat.
16. That the Planning Commission expressly allow two residences on the property at this time and that a note be placed on the Final Plat stating that the "old house" may not be expanded or replaced or that it be required to be removed prior to filing a Final Plat or that an additional lot be created for that residence; and
17. That proposed Lot 1 be rezoned to Airport/Heavy Industrial District upon filing of the Final Plat. (Proposed Lot 2 would remain Conservancy District).

There was a brief discussion on the requirements requiring bringing some of the structures up to Fire Code and the time involved. Planner, Johnson stated that a bond could be paid to the Town or the filing of the Final Plat could be delayed until the work was completed. A motion was made by Councilman Hensel and seconded by Councilwoman Allen to approve the Preliminary Plat as filed with the seventeen conditions with the word "interior" added to condition #9 and a correction of the lot number 2 to 1 in condition #17. Motion carried 3-0.

Mayor Pro Tem Wilhelm stated that the scheduled public hearing had been delayed approximately twelve minutes due to the length of time the subdivision discussion had taken, however at the time of 7:42 P.M. he would officially open the public hearing. Mayor Pro Tem Wilhelm opened the public hearing and stated that there were two grant applications being considered in the hearing, the development of a Comprehensive Land Use Plan for the Town of Wheatland and the feasibility of developing a parcel of land on the west side of I-25 at exit 80.

Mayor Pro Tem Wilhelm requested Candy Wright define the purpose of the grant application for the development of a Comprehensive Land Use Plan for the Town. Mrs. Wright stated that the application is being submitted by the Town to the Wyoming Business Council to secure a consultant service to update the Comprehensive Land Use Plan that was done in 1976. She stated that the Land Use Plan is extremely outdated and the grant would allow the Town to contract a consulting service to update it and plan for future development. Mayor Pro Tem Wilhelm asked for public comment from the audience. There was a question raised concerning the Land Use Plan for the rest of the County and Planner, Johnson indicated that there will be a grant application submitted by the County for the update of the County Comprehensive Land Use Plan that was also developed in 1976. He stated that he will be representing both the Town of Wheatland and Platte County and working directly with the Consulting Firm. Mayor Pro Tem Wilhelm asked for further comment, there being none he asked WADCO Director, Linda Fabian to define the grant application for the possible development of land located on the west side of I-25 at exit 80. Mrs. Fabian stated that there are approximately fifty two (52) acres of privately owned land on the west side of I-25 at exit 80 that has the potential of being developed as a business park. The grant would provide funds to contract a Consulting Service to discover the feasibility of developing the acreage as a business park. Mrs. Fabian indicated that the funds to match the grant funds would come from the owners of the property. There was a question concerning the feasibility of extending water and sewer lines across the interstate at that location and Mrs. Fabian stated that the would certainly be part of the study. Mayor Pro Tem Wilhelm asked for further comments from the public, there being none, he closed the public hearing at 7:55 P.M.

Mayor Pro Tem Wilhelm introduced a Resolution of support for the grant application concerning the Comprehensive Land Use Plan. A motion was made by Councilwoman Allen and seconded by Councilman Wilson to approve the Resolution of support for the grant application to develop and update the exiting Land Use Plan. Motion carried 3-0. The Resolution is as follows:

A RESOLUTION OF THE TOWN OF WHEATLAND, WYOMING
TO SUPPORT A PLANNING GRANT APPLICATION TO THE
WYOMING BUSINESS COUNCIL FOR CONSULTANT SERVICES
TO UPDATE THE COMPREHENSIVE LAND USE PLAN FOR
THE TOWN OF WHEATLAND.

WHEREAS, the current comprehensive land use plan is outdated for the Town of Wheatland.
WHEREAS, the Town is anticipating growth and seeks the professional advise of a
Comprehensive Planner.

WHEREAS, the Town has met and continues to work with the Wyoming Business Council and the Town and County Planner in the completion of the Comprehensive Land Use Plan for the Town of Wheatland.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Town Council of the Town of Wheatland that it fully supports the application to the Wyoming Business Council for an Economic Development Planning Only Grant under the Community Development Block Grant Program.

PASSED AND APPROVED AND ADOPTED THIS 9th day of October, 2006

/s/ Joel Dingman, Mayor

/s/ Jeff Wilhelm, Councilman

/s/ Dean Hensel, Councilman

/s/ Kirby Wilson, Councilman

/s/ Brenda Allen, Councilwoman

Attest: /s/ Cindy Kahler, Clerk/Treasurer

Mayor Pro Tem Wilhelm introduced the Resolution in support of the planning grant application to secure a consultant to discover the possible development of the 52 acres on the west side of I-25, Exit 80. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to adopt the Resolution in support of the planning grant application to secure the services of a consultant to determine the feasibility of the development of the 52 acres located west of I-25 at Exit 80. Motion carried 3-0. The Resolution is as follows;

A RESOLUTION OF THE TOWN OF WHEAT LAND, WYOMING
TO SUPPORT A PLANNING GRANT APPLICATION TO THE
WYOMING BUSINESS COUNCIL FOR CONSULTANT
SERVICES TO DISCOVER THE POSSIBLE DEVELOPMENT
OF PRIVATELY OWNED ACREAGE ON THE WEST SIDE OF
INTERSTATE 25 AT EXIT 80.

WHEREAS, there is approximately fifty-two acres of privately owned land on the west side of Interstate 25 at Exit 80.

WHEREAS, the Town is anticipating growth and seeks the professional advice of a planner.

WHEREAS, the Town has met with the owners of this property and the Wheatland Area Dev. Corporation Board of Directors in discussions about the potential of creating a Business Park.

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Wheatland that it fully supports the application to the Wyoming Business Council for an Economic Development Planning Only Grant under the Community Development Block Grant Program.

PASSED AND APPROVED AND ADOPTED THIS 9th day of October, 2006.

/s/ Joel Dingman, Mayor

/s/ Dean Hensel, Councilman

/s/ Jeff Wilhelm, Councilman

/s/ Kirby Wilson, Councilman

/s/ Brenda Allen, Councilwoman

Attest: Cindy Kahler, Clerk/Treasurer

City/County Planner, Marlin Johnson presented a "Request for Proposals for Consultant Services for Update of Comprehensive Land Use Plan" including a scope of work. He requested the Town support the request, and he would begin sending it out to consulting firms for proposals. Councilman Wilhelm suggested that the request include a statement concerning the availability

of funding since it will be funded primarily by a grant. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve of the "Request for Proposals for Consultant Services to Update the Comprehensive Land Use Plan" and allow Planner, Johnson to proceed. Motion carried 3-0.

Councilman Hensel presented a plan to relocate several electric poles at the hospital. He stated that the poles are in the sidewalk and he explained the plan to relocate them off the walk. Councilman Hensel stated that it will cost estimate is approximately \$1,000.00 and he requested the Town waive the fees for the hospital. Town Attorney, Doug Weaver stated that the Town would be waiving the fees to another government entity as the property belongs to the County. A motion was made by Councilwoman Allen and seconded by Councilman Wilson to waive the fees to relocate the electric poles at the hospital. Councilman Hensel abstained from the vote. Motion carried 3-0.

Councilman Wilson what the zoning is at the present airport and Town Engineer Russ Schamel stated it is primarily Heavy Industrial District. Councilman Wilson voiced some concerns regarding "airport zoning" and what those requirments are. Clerk/Treasurer, Cindy Kahler indicated that there are certain criteria that the FAA requires in "airport zoning" and it has to be done by Ordinance, so any concerns could be addressed when the Ordinance is presented.

With no further business to come before the Governing Body, Mayor Pro Tem Wilhelm adjourned the meeting at 8:10 P.M.. The next regular meeting of the Town Council will be held on November 13, 2006.

Mayor Pro Tem, Jeff Wilhelm

Attest:

Clerk/Treasurer, Cindy Kahler