

Wheatland, Wyoming  
February 9, 2009

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, Feb. 9, 2009, 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 and Shoemaker and Councilwoman Sluss. Also present were Town Attorney, Doug Weaver and Town Clerk/Treasurer, Cindy Kahler.

Mayor Hensel presented the agenda and stated that he would be deleting a presentation to Kent Smith as he was unable to attend and adding George Bohl as item #8 under "New Business". A motion was made by Councilman Shoemaker and seconded by Councilwoman Sluss to approve the agenda as amended. Motion carried 3-0.

The minutes of the meeting held on January 12, 2009 and the special meeting held on Jan. 14, 2009 were presented. A motion was made by Councilwoman Sluss and seconded by Councilman Madsen to approve the minutes for the regular meeting on Jan. 12, 2009 and the special meeting on January 14, 2009 as presented. Motion carried 3-0.

The voucher for the month of January, 2009 were presented for payment. A motion was made by Councilman Madsen and seconded by Councilman Shoemaker to approve the vouchers for payment. Motion carried 3-0. The vouchers are as follows: A & A Earth Works-contract labor-225.00; ABS Seamless-supplies-4738.00; Airgas-supplies-555.87; Allen's Part's-veh. maint-224.69; Altec Inc-veh maint-533.80; Amazing Monogramming-supplies-322.32; Aramark-supplies-64.97; Atlas Office Products Inc-supplies-167.45; Bob Ruwart Motors-veh maint-29.98; California Contractors-supplies-358.80; Caselle-computer support-1328.00; Chief Supply-supplies-259.99; Communicom Services-internet-195.85; Consolidated Mfg-supplies-275.31; Contractors Materials-supplies-90.00; Dana Kepner-supplies-1565.29; DBC Irrigation-supplies-324.63; Dean Hensel-mayor salary-300.00; Dept. Of Revenue-utility tax-3627.89; Detroit Ind. Tool-supplies-432.04; Workers Safety & Comp-workers comp-7144.85; Doug Weaver-attorney fee-1750.00; Double D. Cleaning-janitorial-325.00; Drive Train-veh maint-39.55; Drube's Supply-supplies-394.05; Jason Evans-council salary-200.00; Eastern Wyo. Ambulance Service-service-10,360.99; Energy Labs-testing-850.00; Farm Plan-supplies-370.95; Fat Boy's Tire-veh main-862.50; Fox Fire -supplies-51.95; Friends of the

NRA-contribution-100.00; Fred Pryor Seminars-seminar-358.00; Gases Plus-supplies-330.37; Glock Inc.-supplies-163.00; Green Seal Corp-supplies-522.67; H & H Concrete-steps- 600.00; Huffer's Food Pride-supplies-39.52; IACP-dues-120.00; Kilmer's Dist.-supplies-402.00; Source Gas-heat-9835.90; Kriz Davis-supplies-190.88; KYCN-adv-80.00; Label City-supplies-77.70; Laramie Peak Motors-supplies-656.98; Lawson Products-supplies-897.92; Lock Trucking-supplies-7.64; Lyle Signs-supplies-73.96; Alan Madsen-Council salary-200.00; MES-Rocky Mtn.-supplies-804.53; Mike's Printing-supplies-705.63; Mike's Priority-shipping-17.71; Montana Electric - safety meetings-272.50; Nat'l Directory of Law-book-143.10; HSBC Bus. Solutions-supplies-99.41; Orbitcom-phones-1696.78; Pamida-supplies-201.23; Partsmaster-supplies-175.06; P.C. Chamber of Commerce-contribution-5,000.00; P.C. Record Times-adv-4417.47; Qwest-phones-91.20; RMIN-dues-100.00; Bob Shoemaker-Council Salary-200.00; Safety-Kleen-supplies-241.73; Safeway -supplies-479.21; Scott Scheller-emergency mgmt-200.00; Sparkletts-supplies-39.49; Sirchie Finger Printing-supplies-787.15; Skarshaug-supplies-28.44; Sue Sluss-Council salary/travel-421.50; State of Wyoming-sales tax-10,059.09; Streichers-supplies-904.99; Sunshot Engineering-730.00; The Light House-supplies-234.45; Total Fitness Center-fitness program-221.00; Town Treasurer-petty cash-457.20; Traveler's-insurance-34,372.00; Trihydro Corp-landfill monitoring-520.70; Verizon Wireless-phones-506.52; Vermeer Sales-supplies-3129.28; V.F.W.-flag-65.00; Wagner Electronics-supplies-195.57; Wheatland Automotive-veh maint-226.82; Wheatland Coop-gas & dsl-5217.70; Wheatland Vol. Fire Dept.-expenses-1270.66; Bloedorn Lumber-supplies-416.79; Wheatland REA-power-1557.14; Wireless Advanced Comm-supplies-90.00; Wyo. Conf. Of Mun. Courts-dues-100.00; Wyo. Dept. Of Employment-unemployment-52.38; Wyo. State Forestry-supplies-230.83; WYOPASS-dues-200.00; Xerox Corp-supplies-341.41; Wyoming Mun. Power Agency-power-148,657.18; Payroll-total sal-166,922.49; Wheatland REA-3 phase service-7913.89; Sunshot Eng-engineering-6605.00; Cooper Power-supplies-102,940.00; Pauwels Transformers-supplies-29,697.00; Electrical Systems Cons.-engineering-1043.60; Ed Hawley-BM #3 well- 28,372.01; Crescent Electric-supplies1237.53; Total Vouchers-\$623,236.63.

Mayor Hensel presented Vic Kinnel with an appreciation plaque for his sixteen years of service on the Board of Adjustment for the Town of Wheatland.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Shoemaker and seconded by Councilwoman Sluss to approve the financial report as presented. Motion carried 3-0.

Mayor Hensel stated that the Council had received reports from the Public Works Depts., Police Dept., P.C. Chamber of Commerce, Municipal Court, Fire Dept., Planner, Building Inspector, Wyoming Municipal Power Agency and the Projects. Chamber Pres. Knickerbocker stated that due to funding cuts the Chamber of Commerce was having a difficult time and they' would like any assistance the Town could give them. He stated they would be conducting a fund raiser to help with the shortfalls.

Police Chief, Randy Chesser requested the Council amend the Police Dept. budget in the amount of \$7,000.00 for two cameras he needs to purchase to replace two that no longer work properly.

He stated that he has a \$5,000.00 grant and an asset forfeiture check in the amount of \$1,695.00 to cover the costs. The Council agreed to amend his budget in the spring when the other budget amendments are done.

Proposed Ordinance No. 745 was introduced on third and final reading. A motion was made by Councilman Madsen and seconded by Councilman Shoemaker to approve proposed Ordinance No. 745 on third reading and final passage. Motion carried 3-0. Ordinance No. 745 follows in its entirety:

AN ORDINANCE ESTABLISHING MONTHLY RATES  
FOR GARBAGE COLLECTION AND REPEALING  
ALL PREVIOUS ORDINANCES ESTABLISHING  
COLLECTION RATES.

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

The following rates are hereby established for the collection of garbage and refuse:

Section 1. Residential Rates:

- (A) Single family dwellings shall pay \$16.50 per month for weekly collection.
- (B) Multi-family dwellings, including but not limited to duplexes, four-plexes, apartment complexes and senior citizen complexes shall pay \$16.50 per month per unit for weekly collection.

Section 2. Business and Professional Office Rates:

- (A) The following businesses shall pay \$135.00 per month for six day per week collection:
  - (I) All restaurants, including not for profit clubs that serve meals on a regular or sporadic basis.
  - (ii) Convenience Stores
  - (iii) Extended care facilities (not nursing homes)
- (B) The following businesses shall pay \$26.00 per month for twice a week collection:
  - (I) Professional offices for each office occupied
  - (ii) Community organizations that do not sell food or alcoholic beverages
  - (iii) Day care centers not located in a personal residence
  - (iv) Churches
- (C) Large commercial retail/grocery stores shall pay \$250.00 per month for six day a week collection.
- (D) Small commercial retail/grocery stores shall pay \$175.00 per month for six day a week collection.
- (E) Motels, hotels and bed and breakfasts shall pay the following:
  - (I) 0-12 rooms with twice weekly pickup shall pay \$30.00
  - (ii) 13-30 rooms with twice weekly pickup shall pay \$35.00 per month
  - (iii) 31-45 rooms with five day per week pickup shall pay \$45.00 per month

- (iv) 46-60 rooms with five day per week pickup shall pay \$55.00 per month

Section 3. Public Buildings:

- (A) Platte County School District #1 shall pay \$500.00 per month for five day a week collection.
- (B) Platte County shall pay \$250.00 per month for five day a week collection at the Platte County Courthouse and Detention Center.
- © Platte County Public Library shall pay \$26.00 per month for twice a week collection.
- (D) Hospitals and nursing homes shall pay \$250.00 per month for six day a week collection.

Section 4. Other Rates:

All other businesses and public buildings not specifically set forth above:

- (A) \$32.00 per month for twice a week collection.
- (B) \$45.00 per month for five day a week collection
- © In the event more than one business is located in the same building, but the businesses are owned by the same entity, the businesses will be considered one business, however, will be charged \$45.00 per month whether the collection is twice a week or five day a week collection.
- (D) In the event more than one business is located in the same building and the businesses are owned by different entities, each business will pay a separate rate each month depending on the number of collections each week.
- (E) Residential dwellings in which a business is also operated shall pay \$32.00 per month for weekly collection.

Section 5. Repeal;

All ordinances previously enacted establishing rates for collection of garbage and refuse are hereby repealed.

This ordinance will become effective on March 1, 2009.

Passed and approved this 8<sup>th</sup> day of December, 2008 on first reading.

Passed and approved this 12<sup>th</sup> day of January, 2009 on second reading.

Passed and approved this 9<sup>th</sup> day of February, 2009 on third reading and final passage.

/s/ Dean Hensel, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 746 was introduced on second reading. Planner, Marlin Johnson stated that he would request the Council move forward with the second reading, however, he plans to

visit with Mr. King on the use of the lots being re-zoned before the third and final reading. A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to approve proposed Ordinance No. 746 on second reading. Motion carried 3-0. Proposed Ordinance No. 746 title being 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 HIGHWAY BUSINESS DISTRICT  
(HB) TO MOBILE HOME SUBDIVISION DISTRICT (MHS).

Parklane Village Mobile Home Park Manager, George Bohl was present and voiced concerns about master metering the electric service to the park. He indicated that master metering would place a hardship on the owner and himself, as there would have to be some means developed to collect the costs of power to the mobile homes. He also stated that he had not received prior notification on the Town's change of policy regarding power service to Mobile Home Parks, nor had the owner. Elect. Supt. Mike Taylor stated that the Town Council had adopted the policy to master meter mobile home parks as they are private property and the Town should not be involved with privately owned services. Town Attorney, Doug Weaver stated that he had sent out notices to park owners sometime ago and there have already been two courts changed to the master meter system. Town Electrical Inspector, Steve Snook stated the Town should not be doing repairs on privately owned electric systems.

Yvonne Morris was present and requested the Faith Fest Committee be allowed to place a memorial to John Johnson in Lewis Park as he was one of the founders of the annual Faith Fest. She stated that they would like to place a rock with a small plaque on it somewhere near the band shell, with assistance from the Town. A motion was made by Councilman Shoemaker and seconded by Councilwoman Sluss to allow the Faith Fest Committee to place a memorial to John Johnson in Lewis Park with assistance from the Town. Motion carried 3-0.

Clerk/Treasurer, Cindy Kahler stated that the following banks have filed applications to be considered Official Depositories for the Town of Wheatland's funds; First State Bank, Platte Valley Bank and Bank of the West. A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to designate First State Bank, Platte Valley Bank and Bank of the West as "Official Depositories" for the Town of Wheatland's funds. Motion carried 3-0.

A motion was made by Councilwoman Sluss and seconded by Councilman Shoemaker to designate the Platte County Record Times as the "Official Newspaper" for the Town of Wheatland's publications. Motion carried 3-0.

Town Attorney, Doug Weaver presented a draft copy of the Resolution confirming the creation of a Platte County Improvement Projects Joint Powers Board ; By-Laws of the Joint Powers Board; Escrow Agreement and a Joint Powers Board Agreement. Attorney, Weaver stated that

he had requested Todd Bishop, from Kaiser and Company make some changes on dates and some verbiage and he had not received the final copies with the changes. A motion was made by Councilman Shoemaker and seconded by Councilman Madsen to approve the Resolution and all associated documents and direct the Mayor to execute them, as soon as the Town Attorney has reviewed and approved them. Motion carried 3-0. The Resolution title is as follows:

A RESOLUTION APPROVING, RATIFYING AND CONFIRMING THE CREATION OF THE PLATTE COUNTY IMPROVEMENT PROJECTS JOINT POWERS BOARD; EXECUTION AND DELIVERY OF A JOINT POWERS AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF PLATTE COUNTY, WYOMING, THE TOWN OF WHEATLAND, WYOMING THE TOWN OF CHUGWATER, WYOMING; THE TOWN OF GLENDO, WYOMING, AND THE TOWN OF GUERNSEY, WYOMING; CONDITIONALLY APPOINTING MEMBERS OF THE JOINT POWERS BOARD REPRESENTING THE TOWN OF WHEATLAND; APPROVING THE BYLAWS OF THE JOINT POWERS BOARD; AND OTHER DETAILS RELATED THERETO.

A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to adjourn the regular meeting and go into a public hearing at 7:31 p.m. . Motion carried 3-0.

Mayor Hensel opened the Public Hearing for the liquor license transfer for Los Dominquez and renewals for the other establishments in Wheatland holding licenses at 7:32 p.m..

Mayor Hensel introduced an application for a transfer of the Restaurant Liquor License from Javier A. Dominquez, dba Los Dominquez Family Mexican Restaurant, Lot 10, Block 135, 1556 South Street to Olivia Dominquez. Town Attorney, Doug Weaver stated that the application had met all of the legal requirements to be transferred. Mayor Hensel asked for public comment, there being none a motion was made by Councilwoman Sluss and seconded by Councilman Shoemaker to approve the transfer of the Restaurant Liquor License from Javier A Dominquez to Olivia Dominquez dba Los Dominquez Family Mexican Restaurant. Motion carried 4-0.

Mayor Hensel stated that the liquor license renewals for retail, limited and restaurant licenses would be considered individually and if anyone wished to comment on them, please do so as they were presented.

Wheatland Moose Lodge #1636 - A motion was made by Councilman Madsen and seconded by Councilman Shoemaker to approve the limited liquor license renewal for Wheatland Moose Lodge #1636. Motion carried 4-0.

Wheatland Country Club - A motion was made by Councilwoman Sluss and seconded by Councilman Madsen to approve the limited liquor license renewal for Wheatland Country Club. Motion carried 4-0.

Dusty Boots, Inc dba Vimbo's - A motion was made by Councilman Shoemaker and seconded by Councilwoman Sluss to approve the liquor license renewal for Dusty Boots, dba Vimbo's. Motion carried 4-0.

Jimmy G. Wilson dba Wheatlanes - A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to approve the liquor license renewal for Jimmy G. Wilson dba Wheatlanes. Motion carried 4-0.

Safeway Stores 46, Inc. dba Safeway Store #2462 - A motion was made by Councilwoman Sluss and seconded by Councilman Shoemaker to approve the liquor license renewal for Safeway Stores 46, dba Safeway Store #2462. Motion carried 4-0.

Robo LLC - A motion was made by Councilman Shoemaker and seconded by Councilman Madsen to approve the liquor license renewal for Robo LLC. Motion carried 4-0.

LeAnn's Inc - A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to approve the liquor license renewal for LeAnn's Inc. Motion carried 4-0.

Big A in Wheatland, LLC dba Big A - A motion was made by Councilwoman Sluss and seconded by Councilman Shoemaker to approve the liquor license renewal for Big A in Wheatland, LLC dba Big A. Motion carried 4-0.

Landmark Bar Associates, LLC dba Landmark Bar - A motion was made by Councilman Shoemaker and seconded by Councilman Madsen to approve the liquor license renewal for Landmark Bar Associates, LLC dba Landmark Bar. Motion carried 4-0.

Casey Laffitte dba Casey's Timberhaus - A motion was made by Councilman Shoemaker and seconded by Councilwoman Sluss to approve the liquor license renewal for Casey Laffitte dba Casey's Timberhaus. Motion carried 4-0.

Jin H. Min dba El Gringo's - A motion was made by Councilwoman Sluss and seconded by Councilman Shoemaker to approve the restaurant liquor license renewal for Jin H.. Min dba El Gringo's. Motion carried 4-0.

Olivia Dominquez dba Los Dominquez Family Mexican Restaurant - A motion was made by Councilman Shoemaker and seconded by Councilman Madsen to approve the restaurant liquor license renewal for Olivia Dominquez dba Los Dominquez Family Mexican Restaurant. Motion carried 4-0.

High Plains Pizza, Inc. dba Pizza Hut #207- A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to approve the restaurant liquor license for High Plains Pizza Inc., dba Pizza Hut #207. Motion carried 4-0.

A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to close the public hearing and reconvene to the regular meeting. Motion carried 3-0.

A catering permit application from Dusty Boots/Vimbo's was presented for February 20, 2009 at the 4-H Building for an American Legion fund raiser. A motion was made by Councilman Madsen and seconded by Councilwoman Sluss to approve the catering permit application from Dusty Boots/Vimbo's for Feb. 20, 2009 at the 4-H building at the minimum fee allowed by law. Motion carried 4-0.

A catering permit application from Dusty Boots/Vimbo's was presented for April 18, 2009 at the 4-H Building for a fund raiser for Friends of the NRA. A motion was made by Councilman Shoemaker and seconded by Councilwoman Sluss to approve the catering permit application from Dusty Boots/Vimbos for April 18, 2009 at the 4-H Building at the minimum fee allowed by law. Motion carried 4-0.

With no further business to come before the Governing Body, Mayor Hensel adjourned the meeting at 7:46 P.M.. The next regular meeting of the Town Council of the Town of Wheatland will be held on March 9, 2009.

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Mayor, Dean Hensel

Attest:

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Clerk/Treasurer, Cindy Kahler