

Wheatland, Wyoming
September 13, 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., Monday, Sept. 13, 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 Shoemaker, Madsen and Evans. Also present was Town Attorney, Doug Weaver and Town Clerk/Treasurer, Cindy Kahler.

Mayor Hensel presented the agenda with the following additions; Under "Petitions, Memorials and Complaints" - VFW Presentation; Thank you letter from the Wheatland Golf Club- under "Old Business" #1 - Gene Hayes - Wyo. Community Gas; #2 - Planning and Zoning Chairman - Herschel Pruitt - Update on Union Wireless application. Under New Business- #4 - Madsen Rezone Application and Preliminary Plat; #5 - Pat Mitchell-Cemetery Directory A motion was made by Councilman Madsen and seconded by Councilman Evans to approve the agenda as amended. Motion carried 3-0.

The minutes of the regular meeting held on August 9, 2010 and the special meeting held on August 12, 2010 were presented. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve the minutes of the regular meeting Aug. 9, 2010 and the special meeting of August 12, 2010 as presented. Motion carried 3-0.

The vouchers are as follows: Ace Industrial Supply-supplies- 157.50; Airgas-supplies-842.51; Allen's Part's-veh maint-25.80; Altec inc-veh maint-804.37; Andrew Starr-Snap-On-supplies-161.05; Atco Internat'l-supplies-275.00; Atlas Office Products-supplies-53.02; Dennis Becker-contract labor-500.00; Bob Ruwart Motors-veh maint-28.54; Bob's Door Service-supplies-80.00; Casper Star Tribune-supplies-72.80; Chemsearch- supplies-397.10; Chief Supply-supplies-222.54; Colorado Paint Co.-supplies-1137.68; Communicom Services-internet-224.03; Contractors Materials-supplies-52.98; Crescent Electric-supplies-3729.71; Dana Kepner-supplies-3460.84; Dean Hensel-mayor salary-300.00; Dell Marketing-supplies-94.99; Pete Delgado-handicapped curb-1900.00; Dept. Of Revenue-public utility tax-2713.98; Div of Fire Prevention-supplies-326.97; Dept. Of Employment-workers comp-4927.11; Diversified Inspections-truck inspections- 2055.13; Double D Cleaning-janitorial-325.00; Drube's Supply-supplies-327.32; Jason Evans-council salary-100.00; Electrical Systems Cons.-engineering-201.23; Electrotechnics Corp-supplies-33.84; Energy Labs-testing-760.00; Fairbanks Scales-contract labor-1313.80; Farm Plan-supplies-408.23; Fastenal Co.-supplies-99.99;

Fat Boys Tire-veh maint-243.45; First State Bank-supplies-94.50; Floyd's-supplies-179.49; Fox Fire-supplies-18.95; Gases Plus-supplies-74.71; Grainger-supplies-73.49; Huffer's Food Pride-supplies-190.83; Source Gas-heat-359.24; Kois Bros.-supplies-2130.00; Kriz Davis-supplies-2563.76; KYCN-adv-180.00; LEP Service-certifications-1400.00; Laramie Peak Motors-veh maint-51.42; Laramie Peak Vet Assoc.-supplies-80.00; Lathrop Equip-supplies-37.90; Lawson Products-supplies-855.84; Long's Tree Service-spraying-3485.00; Mader, Tschacher & Peterson-audit fees-13,000.00; Alan Madsen-council salary-200.00; MES-Rocky Mtn-supplies-9295.00; Midwest Hose-supplies-142.99; Mikes Printing-supplies-135.83; Mikes Pack & Ship-postage-60.02; Montana Electric-safety training-138.47; NFPA-subs-170.95; HSBC-supplies-85.39; Northwest Pipe & Fittings-supplies-102.00; Orbitcom-phones-1796.03; Pamida-supplies-29.92; Partsmaster-supplies-64.27; Oktoberfest-contribution-100.00; P.C. Record Times-adv-2869.57; P.C. Weed & Pest-supplies-56.05; Peterbilt of Wyoming-supplies-674.40; Platte Valley Bank-payment-9624.99; Pocket Press-supplies-92.90; PNC Equipment-ambulance lease-49,636.84; Quill Corp-supplies-36.84; Qwest-phones-47.47; Bob Shoemaker-council salary-200.00; Reliabile Rentals-supplies-212.00; Safety Kleen-supplies-437.25; Safeway-supplies-136.59; Scott Scheller-emergency mgmt-200.00; Sewing Shop-supplies-27.00; Sparkletts-supplies-95.04; Simon Contractors-supplies-2082.43; Skarshaug Testing-supplies-160.02; Sue Sluss-council salary-100.00; State of Wyoming-sales tax-12865.81; Sunshot Engineering-engineering-460.00; T & R Service-transformer disposal-25,497.00; Teel Gun Works-supplies-1409.70; The Light House-supplies-107.70; Titan Machinery-supplies-121.88; North Platte Phys. Therapy-fitness program-63.00; Town Treasurer-petty cash-756.53; TriHydro Corp-landfill monitoring-5199.52; Two Way Radio Service-supplies-360.00; Ultramax-supplies-607.50; Verizon Wireless-phones-1171.76; Wagner Electronics-supplies-350.84; Wheatland Automotive-veh maint-1309.06; Wheatland Coop-gas & dsl-11,454.20; Wheatland Vol. Fire Dept.-refund-1721.96; Bloedorn Lumber-suppleis-432.29; Wheatland Med. Clinic-physicals-150.00; Wireless Advanced Comm-supplies-321.62; Wyoming.com-contract-60.00; Wyoming Law Enforcement Acdmy-school-500.00; Wyoming Machinery-supplies-1042.55; Wyoming State Forestry-supplies-499.00; Xerox Corp-copiers-129.58; Wyoming Mun. Power Agency-power-185,280.15; Payroll-total salaries-167,949.99; Sunshot Engineering-engineering-5940.00; Dana Kepner-pathway-211.50; Farm Plan-pathway-36.96; WESCO-Rowley St.-1182.89; WYDOT-pathway-146.04; Kriz Davis-Rowley St-333.11; Crescent Electric-Rowley St.-490.58; By Architectural Means-fire hall-4055.11; T & R Electric-fire hall-4421.00; Wireless Advanced-fire hall-3476.89; Norb Olind-fire hall-72,720.00; Total Vouchers - \$644,977.72

Mayor Hensel read a proclamation for Constitution Week, September 17-23, 2010

VFW Post 3558, Representative Blacky Budd presented the Mayor and Council with a Flag Holiday Flying Plaque describing the proper times to fly the American Flag.

Mayor Hensel read a thank you letter from the Golf Club for repairs done to the cart paths by the Street Dept..

Clerk/Treasurer, Cindy Kahler was present and gave the financial report. A motion was

made by Councilman Evans and seconded by Councilman Madsen to approve the financial report and place it on file. Motion carried 3-0.

Mayor Hensel stated that 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. Moto Cross Representative, Rick Keck reported that the track on the Town property was closed and they would be moving. He indicated that they would be approaching the Town for assistance to develop the new track at the new location.

Clerk/Treasurer, Cindy Kahler presented a change order for the Fire Hall Project. The change order would delete a new 1 1/2" water service and tap the existing 2" water service and re-feed the domestic water service, along with making some changes regarding the emergency generator back up system. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve change order #2 as described in the amount of \$6,183.29. Motion carried 3-0.

Wyoming Community Gas Representative, Gene Hayes presented a check to the Mayor and Council in the amount of \$5,089.63 as a rebate. He stated that in the past the rebate funds have been used to upgrade the skate park. He also thanked the Town for the work done on the golf cart paths.

Planning and Zoning Chairman, Herschel Pruitt was present and stated that an application from Union Wireless would be coming to the Council for review. He stated Union Wireless had submitted an application for a Special Use Permit to install a tower on a property on 16th Street to be heard at the July meeting of the Planning and Zoning Board. The Board had tabled the application until such time as a workshop with the Council could be held. He stated that the workshop was held on August 24, 2010 due to no quorum available for the August Planning and Zoning Board meeting. Chairman Pruitt indicated that there were Union Wireless Representatives at the workshop. He stated that the legal counsel for Union Wireless felt that since there was no action taken in the proper time frame for issuing Special Use Permits that the permit should be issued. Chairman Pruitt stated that Union Wireless requested that the permit be issued by the Board or they would go directly to the Town Council. The Planning and Zoning Board referred the matter to the Town Council for review.

Mayor Hensel introduced an application from Maverik Inc. #391 to transfer a retail liquor license from Casey Laffitte dba Timberhaus. Mayor Hensel asked Mr. Laffitte if he wished to transfer his retail liquor license to Maverik and he stated that he did. Councilman Evans stated that he had been in contact with some other liquor dealers concerning this kind of transfer they had voiced some concerns regarding the amount of young people that frequent Maverik versus a "bar" or "package liquor store" setting. Councilman Shoemaker asked the representatives from Maverik how the liquor would be accessed. Mr. Rouse indicated that it would be separate and there would be an additional cash register inside the liquor store portion of the main store to handle all liquor sales and they

have an electronic ID system. Councilman Madsen asked Casey Laffitte what his plans were to move forward should something happen to stop his pending sale and he stated he would not be re-opening a bar and restaurant. Councilman Madsen stressed concerns about the youth "hanging out" at Maverik. Police Chief, Randy Chesser stated that he had some concerns regarding the liquor store set up inside the Maverik Store and the lack of attention paid by the employees to customers. He stated that it would certainly cause some "policing problems" for his Department. There was a discussion concerning Maverik's lack of support for community projects. Dan Brecht stated that when he was working on the 16th Street Beautification Project there were only two businesses on 16th Street that did not support it, one of which was Maverik and the other one was a very small start up business. Cathy Jones stated that she knew of numerous requests that had been made to Maverik for community project support and they had all been denied. She stated that to her knowledge Maverik does not put any money back into the community. After further discussion a motion was made by Councilman Evans and seconded by Councilman Madsen to approve the liquor license transfer application submitted by Maverik. Mayor Hensel called for the vote, voting no - Councilmen Shoemaker, Evans and Madsen. Mayor Hensel stated that the motion had failed and the transfer denied.

Mayor Hensel introduced a malt beverage application for the Platte County Chamber of Commerce for Oktoberfest to be held downtown on September 30, 2010 from 600 P.M. to 9:00 P.M.. A motion was made by Councilman Madsen and seconded by Councilman Shoemaker to approve the malt beverage permit for the Platte County Chamber of Commerce for September 30, 2010 at the minimum fee allowed by law. Motion carried 3-0.

Clerk/Treasurer, Cindy Kahler presented a claim from Don Mosser for damages done by a trash can to his car. The Council requested that more information be obtained on the incident before they could make a decision. Clerk/Treasurer, Kahler stated that she would have that information available for the October meeting.

Mayor Hensel presented an application from Robert Madsen for a Special Permit to subdivide property he owns at 215 East Oak and he asked Planner, Dennis Becker to give a report. Planner, Becker stated that the Preliminary Plan had been approved by the Planning and Zoning Board with ten conditions as specified by the Planning Office. He stated that condition #2 required a drainage plan however, the Council had the authority to waive that condition if they wished to do so. Councilman Madsen stated he would be abstaining from the discussion and any decisions made concerning this matter. Planner, Becker stated that Robert Madsen has filed for a permit to rezone the property to Low Density Suburban Residential District. A motion was made by Councilman Shoemaker and seconded by Councilman Evans to approve the Subdivision Preliminary Plan as submitted by Robert Madsen with the conditions as specified by the Planning Office. Mayor Hensel called for the vote, voting yes, Councilmen Shoemaker and Evans, Mayor Hensel. Mayor Hensel declared the motion passed.

Mayor Hensel introduced Pat Mitchell and stated that she had previously submitted a proposal to place a directory at the cemetery and he asked Mrs. Mitchell to explain her

plan. She stated that she and Donita Graves were presently photographing headstones and working on identification at the cemetery. She stated that Deputy Clerk/Treasurer, Sandy Lipps had developed a directory in alphabetical order in book form and she thanked her for all the assistance she had been giving them. Mrs. Mitchell stated that she is working on developing a book form of directory to be placed at the cemetery. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to allow Mrs. Mitchell to move forward with her project. Motion carried 3-0.

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 will be held on October 11, 2010.

Mayor, Dean Hensel

Attest;

Clerk/Treasurer, Cindy Kahler