

Wheatland, Wyoming
June 13, 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, June 13, 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 Allegiance.

Mayor Dixon presented the agenda and Clerk/Treasurer, Cindy Kahler stated that she had placed the incorrect date on the agenda, it should read "June 13, 2011 and not "May 11, 2011". A motion was made by Councilman Shoemaker and seconded by Councilman Madsen to approve the agenda as corrected. Motion carried 4-0.

The minutes of the regular meeting held on May 9, 2011 and the special meeting held on May 25, 2011 were presented. A motion was made by Councilman Evans and seconded by Councilman Graves to approve the minutes of May 9, 2011 and May 25, 2011 as presented. Motion carried 4-0.

The vouchers for the month of May, 2011 were presented for payment. A motion was made by Councilman Shoemaker and seconded by Councilman Evans to approve the vouchers as presented. Motion carried 4-0. The vouchers are as follows: A & A Earth Works-contract labor-279.13; Ace Industrial Supply-supplies-158.75; Adamson Police Products-supplies-1687.50; Airgas-supplies-75.24; Altec Inc-supplies-2801.41; Andrew Starr-Snap On-supplies-45.05; Aramark-supplies-469.87; Atlas Office Products-supplies- 4157.87; Auto Electric-supplies-23.87; Dennis Becker-planner-500.00; Botach Tactical-supplies-175.00; Brownells-supplies-1924.68; Caselle-computer support-1373.00; Randy Chesser-training-50.00; Chief Supply-supplies-531.17; Colonial Research-supplies-359.26; Communicom Services-internet-196.05; Consolidated Mfg-supplies-343.27; Country Greenhouse-flowers-132.00; Crescent Electric-supplies-475.67; Crile Carvey-web hosting-300.00; DBC Irrigation-supplies-237.77; Dell Marketing-supplies-2353.98; Dept. Of Employment-workers comp-4630.93; Division of Victim Services-conference-95.00; Jean Dixon-mayor salary-500.00; Doug Weaver

attorney fees-1750.00; Double D Cleaning-janitorial-325.00; Drube's Supply-supplies-506.79; Jason Evans-council salary-100.00; E.S.C.-engineering-1926.14; Energy Labs-supplies-1765.00; Fairbanks Scales-calibrate scale-1570.50; Farm Plan-supplies-1144.19; Fat boy's Tires-veh maint-854.25; NORCO-supplies-72.30; Goldstar Products-supplies-548.78; Grainger-supplies-640.27; Brandon Graves-council salary-100.00; H & H Concrete-concrete work-9225.00; Holiday Inn Convention Center- lodging-231.00; Huffers Food Pride - 133.32; IALEFI-dues-55.00; U.S. Treasury-tax deposit-3758.66; Ken Graff-police car-23,500.00; KINSCO-supplies-359.94; Source Gas-heat-2106.77; KYCN-adv-42.00; Days Inn-lodging-262.96; Greenline Equipment-supplies-2169.51; Lawson Products-supplies-235.90; Little America Inn-lodging-90.00; L.G.L.P.-insurance-1000.00; Lock Trucking-supplies-17.22; Long's Tree Spraying-spraying-5640.00; Lyle Signs-supplies-62.17; Alan Madsen-council salary-200.00; Marks Plumbing-supplies-289.69; Martin Ray Laundry-supplies-27.06; Max Fire Apparatus-supplies-721.32; Mike's Printing-supplies-568.75; Mike's Pack & Ship-postage-163.79; Montana Electric-training-166.07; NFPA-subsc-113.36; Northeast Wisc. Technical-training-175.00; HSBC-supplies-301.29; Northwest Pipe Fittings-supplies-94.53; Tim Olind-planning-2320.00; Orbitcom-phones-1717.60; Pamida-supplies-142.41; Partsmaster-supplies-288.43; P.C. Prevention-sponsor-500.00; P.C. Record Times-adv-2245.38; P.C. Weed & Pest-18.10; Peterbilt-supplies-9.48; P.C. Fair Board-sponsor-1000.00; P.C. Ministry Coop-contribution-100.00; Platte Valley Bank - lease-10,395.00; Precinct Police Products-supplies-624.00; Query Fencing-supplies-793.00; Qwest-phones-47.53; Bob Shoemaker-council salary-200.00; Reliable Rentals-supplies-100.00; Rotonics-supplies-11,250.00; Scott Scheller-emergency mgmt-200.00; Sewing Shop-supplies-62.00; Sparkletts-supplies-84.54; Sirchie Fingerprint Lab s-supplies-151.79; Southern Marking Systems-supplies-48.77; State of Wyoming-license-400.00; State of Wyoming - sales tax-11,862.53; Statewide Electric-supplies-660.00; Sunshot Engineering-engineering-917.50; T & R Service-supplies-3217.90; The Light House-supplies-232.53; North Platte Phys. Therapy-fitness program-95.00; Town Treasurer-petty cash - 895.40; Travelers-ins-45.00; Trihydro-landfill monitoring-3130.64; Turf Master-supplies-282.00; Ultramax-supplies-3489.00; Valley Plumbing -labor-212.00; Verizon Wireless-phones-781.76; PEDCO-subsidy-3750.00; Wagner Electronics-supplies-561.36; Westcoast Sales & Marketing-supplies-100.51; Western United Elect Supply-supplies-2900.00; Wheatland Automotive -veh maint-1202.91; Wheatland Coop-gas/dsl-13,472.73; Wheatland FFA-supplies-40.00; Wheatland Vol Fire Dept.-expenses-275.40; Wheatland Lumber-supplies-254.81; Wheatland Medical Clinic-physicals-100.00; Wheatland REA-power-1852.90; Wireless Advanced Comm-supplies-1265.00; Wyo. Dept. Of Agriculture-license-50.00; Wyoming Rural Electric-expenses-170.00; Wyoming Law Enforcement Acdmy-training-185.00; Wyoming Machinery-supplies-888.64; Wyo. Trophy & Engraving-supplies-227.71; Xerox Corp-copiers-498.51; W.M.P.A.-power-145,836.10; Payroll-total salaries-157,185.59; GDA Engineers- airport-24,411.01; Dave Ohde & Assoc.-pathway-7624.88; Sunshot Engineering - wastewater- 5,017.50; Total vouchers-\$513,279.85; Cap. Facilities: T.C. Edwards Plumbing- Fire Hall-1443.89.

Town Clerk/Treasurer, Cindy Kahler gave the financial report indicating that 92% of the budget had elapsed with 90% of the anticipated revenue being collected and 84% of the estimated expenditures being disbursed leaving a cash balance of \$3,300,848.76. 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 that the Council had received reports from the Public Works Depts., Police Dept., Municipal Court, Planner, Building Inspector, Projects and the Wyoming Municipal Power Agency and since there were no questions or concerns voiced they would be placed on file.

Proposed Ordinance No. 761 was presented on third and final reading. A motion was made by Councilman Evans and seconded by Councilman Graves to approve proposed Ordinance No. 761 on third and final reading. Motion carried. The motion in its entirety follows:

ORDINANCE NO. 761

AN ORDINANCE REZONING LAND WITHIN THE TOWN
OF WHEATLAND, WYOMING.

WHEREAS, all of the owners of the following-described real property:

See attached Exhibit "A"

have made application to rezone said property; and

WHEREAS, the Wheatland Planning and Zoning Commission, on March 14, 2011, held a hearing concerning the owners' preliminary subdivision plat and zoning change; and

WHEREAS, Wheatland Planning and Zoning Commission approved the preliminary subdivision plat with conditions, as well as the requested zoning change, and

WHEREAS, on March 14, 2011, the Planning Commission voted to recommend the governing body for the Town of Wheatland approve the preliminary plat with conditions and the requested zone change from Highway Business District to Light Industrial District.

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

The real property described on Exhibit "A" is hereby zoned from "Highway Business District" to "Light Industrial District" as set forth in Section 7-58 to 7-61 of the Wheatland Town Code.

The rezoning of the above described property shall become effective upon approval of the Final Subdivision Plat.

Passed and approved this 11th day of April, 2011, on first reading.

Passed and approved this 9th day of May, 2011 on second reading.

Passed and approved this 13th day of June, 2011 on third and final reading.

/s/ Mayor, Jean Dixon

Attest;

/s/ Cindy Kahler, Clerk/Treasurer

Proposed Ordinance No. 762 was presented on third and final reading. A motion was made by Councilman Madsen and seconded by Councilman Evans to approve proposed Ordinance No. 762 on third and final reading. Motion carried 4-0. Ordinance No. 762 follows in its entirety.

ORDINANCE NO. 762

AN ORDINANCE REZONING LAND WITHIN THE TOWN
OF WHEATLAND, WYOMING.

WHEREAS, all the owners of the following-described real property:

Lots 1,2 and 3 of Country Club Addition,
Town of Wheatland, Platte County, Wyoming

have application to rezone said property; and

WHEREAS, the Wheatland Planning and Zoning Commission, on April 7, 2011, held a hearing concerning the owners' zoning change application; and

WHEREAS, Wheatland Planning and Zoning approved the zone change, and

WHEREAS, on April 7, 2011, the Planning Commission voted to recommend to the governing body for the Town of Wheatland to approve the requested zone change from Highway Business District to Residential Hi-Density District.

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

The real property described above is hereby zoned from "Highway Business District" to "Residential Hi-Density District" as set forth in Section 7-38 to 7-40 of the Wheatland Town Code

Passed and approved this 11th day of April, 2011 on first reading.

Passed and approved this 9th day of May, 2011 on second reading.

Passed and approved this 13th day of June, 2011 on third and final reading.

/s/ Mayor, Jean Dixon

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Planner, Dennis Becker presented the final plat for the North Park Subdivision and he indicated

that the Planning and Zoning Board had approved the Final Plat with the fifteen conditions as specified on the preliminary plat at their regular meeting held on June 9, 2011. He indicated that Town Engineer, Russ Schamel had also approved the Final Plat with the conditions. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve the Final Plat for the North Park Subdivision with the fifteen conditions as specified on the Preliminary Plat. Motion carried 4-0.

Town Attorney, Doug Weaver presented the "Project Development and Administration Agreement for North Park Subdivision" between the Town of Wheatland, Platte County Economic Dev., and the Sherard Family Trust. The agreement addressed the development of the North Park Subdivision for light industrial businesses through a grant from the Wyoming Council. A motion was made by Councilman Madsen and seconded by Councilman Shoemaker to approve the agreement subject to all of the appropriate signatures and with the understanding that the property being deeded to PCED would revert back to the Town of Wheatland should it become necessary. Motion carried 4-0.

Brady Irvine was present representing the Platte County Soil Conservation Service regarding a building they plan to construct on the property adjacent to the Weed & Pest property. She stated that they wish to construct a storage facility and they would like the Council to waive the building permit fees in the amount of \$510.66 to assist them with the project. A motion was made by Councilman Madsen and seconded by Councilman Graves to waive the building permit fees in the amount of \$510.66 for the Platte County Soil Conservation Service. Motion carried 4-0.

Wheatland Jaycee President, Craig Frederick was present and requested the Jaycees be allowed to sell fireworks beginning June 22, 2011 and ending July 4, 2011 at their stand located south of the I-25 Pit Stop. The hours of operation will vary throughout the time period requested, but they will never be open later than 11:00 P.M.. He stated the Jaycees would be sponsoring the July 4th fireworks display. A motion was made by Councilman Evans and seconded by Councilman Shoemaker to approve the Jaycees request to sell fireworks beginning June 22, 2011 and ending July 4, 2011 at their stand. Motion carried 4-0.

Jaycees President, Craig Frederick presented a malt beverage permit application to sell beverages on July 2nd, 23rd, 30th, August 1st, 2nd, 3rd, 4th, 5th, 6th, and 7th. He stated that they would like to have a "traveling tank" on July 30th and Aug. 5th. There was a discussion concerning dispensing training and Chief Chesser stated that he would work with the Jaycees to get it done. A motion was made by Councilman Madsen and seconded by Councilman Graves to approve the Jaycees malt beverage permit for the dates as presented with the condition that there be two trained dispensing people with the "traveling tank" at all times. Motion carried 4-0.

A proposed Ordinance to increase water rates was introduced. A motion was made Bob Shoemaker and seconded by Jason Evans to pass proposed Ordinance No. 763 on first reading. Motion carried 4-0. The title to proposed Ordinance No. 763 is as follows:

AN ORDINANCE AMENDING ORDINANCE #701
PERTAINING TO WATER RATES TO RESIDENTIAL
AND COMMERCIAL USERS IN THE TOWN OF
WHEATLAND

A catering permit application from Vimbo's/Dusty Boots was presented for July 9, 2011 for a wedding at the 4-H Building. A motion was made by Councilman Madsen and seconded by Councilman Evans to approve the catering permit for Vimbo's/Dusty Boots for July 9, 2011 at the 4-H Building at the minimum fees allowed by law. Motion carried 4-0.

A malt beverage permit application from "Bikers Helping Others" was presented for July 15th and 16th for a class reunion. A motion was made by Councilman Shoemaker and seconded by Councilman Graves to approve the malt beverage permit for July 15-16, 2011 for "Biker's Helping Others" for a class reunion. Motion carried 4-0.

Mayor Dixon announced that the public hearing for the 2011-2012 budget would be on Wednesday, June 29, 2011 at 7:00 P.M..

A motion was made by Councilman Graves and seconded by Councilman Evans to adjourn to executive session. Motion carried 4-0.

A motion was made by Councilman Graves and seconded by Councilman Madsen to reconvene the regular meeting. Motion carried 4-0.

Town Attorney, Doug Weaver stated that during the executive session a settlement agreement was discussed concerning a clean air violation that was issued by the Wyoming Dept. Of Environmental Quality and a personnel issue.

With no further business to come before the Governing Body, Mayor Dixon adjourned the meeting at 9:15 P.M.. The next regular meeting of the Town Council will be held on July 11, 2011.

Mayor, Jean Dixon

Attest:

Town Clerk/Treasurer, Cindy Kahler