

Wheatland, Wyoming
June 12, 2017

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

A regular meeting of the Town Council for the Town of Wheatland, Platte County, and State of Wyoming was held in the Council Chambers of Town Hall on June 12, 2017 pursuant to the law.

Mayor Fabian called the meeting to order at 7:00 PM.

The following were present at roll call: Councilmen Graves, Ashenhurst, Madsen and Britz. Clerk/Treasurer Candy Wright and Attorney Doug Weaver were also present.

Mayor Fabian led the Pledge of Allegiance.

Mayor Fabian added Ambulance Agreement to the agenda under New Business. With no other additions or changes the amended agenda was presented to the Council. Councilman Graves motioned, seconded by Councilman Britz, to accept the agenda as amended. Motion passed 4-0.

Mayor Fabian presented the consent agenda to Council for approval. The consent agenda consists of the minutes, financial report, vouchers, and department head reports. Councilman Britz motioned seconded by Councilman Madsen to accept the consent agenda as presented. Discussion was held on the negative number in the Cash Summary and if the landfill will be able to accept the large number of shingles which will result from the hail storm. Mayor Fabian called for a vote on the motion to approve the consent agenda. Motion passed 4-0. All reports will be placed on record and available for review.

May vouchers approved by Council are as follows: 16TH STREET,1,425.00 4 RIVERS EQUIP,1,285.44 AIRGAS,322.76 ALBERTSONS/SAFEWAY INC,65.09 ALEXANDER CONST,4,479.74 ALLEN'S PARTS SUPPLY,159.21 ALSCO,51.75 ALTEC INC,79.79 APPRAISALS INC.,475.00 ASHENHURST, THANE,150.00 ATLAS OFFICE PRODUCTS INC,325.95 BANISH, DEB,72.00 IOLYNCEUS, LLC,2,250.63 BIRCH,1,845.76 BLACK HILLS ENERGY,1,734.47 BLOEDORN LUMBER,509.63 BOB RUWART MOTORS,1,330.00 BRANDON GRAVES,150.00 BRITZ, WILLIAM R,150.00 CENTURYLINK,182.76 CHIEF SUPPLY,479.40 CITY OF TORRINGTON,784.08 CME,INC,1,898.70 CONTRACTORS MATERIAL INC,230.89 CPS DISTRIBUTORS,478.17 CRA PAYMENT CENTER,1,707.33 CRESCENT ELECTRIC,1,280.96 DANA KEPNER CO,15,080.88 DOUBLE D CLEANING,325.00 DRUBE'S SUPPLY,2,192.68 ELECTRICAL SYSTEMS CONSULTANTS,18,922.00 EMBLEM ENTERPRISES, INC,617.26 ENERGY LABS, INC.,721.00 ERICKSON, REX,3,753.94 FABIAN, JOE,956.96 FARIS MACHINERY,185.03 FAT BOYS TIRE,1,818.65 FIRST BANK CARD,3,296.74 FIRST STATE BANK,14,000.00 FLOYD'S,233.25 FRENCHMAN VALLEY COOP,6,455.73 FUTURUM TECHNOLOGIES,2,182.99 GOVT FORMS AND SUPPLIES,284.71 GRAINGER,464.00 H & H CONCRETE,900.00 HAWKINS INC,856.00 HEIMSOOTH, TRAVIS,750.00 HERDT, RUTH,200.00 HIGH PLAINS CONSTRUCTION INC,125,860.93 HILTY CONSTRUCTION,24.48 HORTON FUELS LLC,5,438.85 IDEAL,101.90 INTERMOUNTAIN SALES OF DENVER,7,135.00 INTERMOUNTAIN SWEEPER CO.,492.00 JOHN DEERE FINANCIAL,576.90 KECK, LAUDEN,593.95 KOIS BROTHERS EQUIP,500.00 KRIZ-DAVIS CO,675.00 KYCN RADIO,200.00 LAMBERT, MICHAEL,200.00 LARAMIE

PEAK MOTORS,47.20 LAWSON PRODUCTS,292.09 LEAK LOCATORS OF MT,10,055.00 LOCAL GOVT LIABILITY POOL,21,293.00 LOCK TRUCKING CO,62.25 LONG'S TREE SPRAYING SERVICE,8,788.00 LYLE SIGNS INC,183.90 MADSEN, ALAN,150.00 MERCHANT JOB TRAINING AND SAFE,550.00 MERITAIN HEALTH,27,660.34 MICKELSEN, VICKI,499.83 MIDWEST HOSE & SPECIALTY,126.54 NACOP,60.00 OLD TREE DESIGN,141.00 ONE CALL OF WY,56.25 O'REILLY AUTO,27.98 P.C. FAIR BOARD,1,000.00 P.C. LIBRARY,2,000.00 P.C. PARKS & REC,94,411.20 PARTSMASTER,816.86 PAUL CONWAY SHIELDS,54.49 PC MAIN STREET,325.00 PEAK WELLNESS CENTER,4,500.00 PEDCO,4,750.00 PETERBILT OF WY,222.44 PITNEY BOWES GLOBAL,316.65 PLATTE SD#1, 80.00 PLATTE VALLEY BANK,50,000.00 QUALIFICATION TARGETS INC,831.19 QUEST INC,875.73 QUILL CORPORATION,1,437.63 RECORD TIMES & PC MERCHANT,2,194.98 SAFETY-KLEEN,148.80 SARGENT DRILLING,11,559.82 SHOPKO DEPT,9.29 SIMPLY CREATIVE,220.00 SKARSHAUG TESTING LAB,193.00 SOLID WASTE PROFESSIONALS OF WY,1,025.79 SONICLEAR,373.00 SOUTHWEST PLUMBING & MECHANICAL,2,004.45 SPARKLETTS & SIERRA SPRINGS,122.19 STEIL SURVEYING SERVICES,2,551.50 STEVENSON, TERRY,200.00 STREETS, MARK,500.00 TEAM LABORATORY CHEMICAL CORP,208.00 TERMINIX,691.00 TIRE SHOP,563.65 THRIFTY FOODS,519.70 TIMELESS,13,568.33 TOWN TREASURER,935.77 TRANSUNION RISK & ALTERNATIVE,25.00 TRIHYDRO CORP,2,797.52 TRUGREEN,7,535.15 ULTRAMAX,1,868.00 VALLEY PLUMBING & HEATING,259.26 VALLI INFO SYSEMS INC,842.66 VERIZON WIRELESS,654.15 VINEYARD, COBY,20.00 VYVE,137.58 WAM- LEADERSHIP TRAINING,25.00 WAMCAT,130.00 WARD MCCONAHAY,660.00 WARWS,235.00 WESCO RECEIVABLES CORP.,682.38 WESTERN UNITED ELECT SUPPLY,14,084.66 WESTER-WETSTEIN & ASSOC,12,188.39 WHEATLAND AUTOMOTIVE,1,179.78 WHEATLAND MIDDLE SCHOOL,800.00 WHEATLAND R.E.A.,6,676.33 WYO DEPT. OF AGRICULTURE,50.00 WY MACHINERY CO,6,946.50 WY MUNICIPAL POWER,218,478.62 WY RETIREMENT SYSTEM,450.00 WY WIRELESS INTERNET,75.00 WY.COM,20.00 XEROX CORP,872.07; Payroll-\$182,771.86; Total Vouchers & Payroll-\$969,767.44

Mayor Fabian called Lee Morrison to the front of the Council Chambers to receive the Town of Wheatland's "Whatever it Takes" award. Lee went above and beyond his duties by retrieving the keys, out of a trash truck, for a resident. Mayor Fabian also recognized and congratulated Jason Harston for completing his electrical apprenticeship program and Macy Mote for receiving her Girl Scout Gold Award.

Mayor Fabian presented several thank you notes and cards which were received through-out the month. Clerk Wright reported on several calls received from residents commending the staff on how nice the cemetery looked for Memorial Day.

Mayor Fabian introduced Brady Irvine from the Platte County Resource District. Ms. Irvine requested the Council to waive the building permits for the new Resource District building. Councilman Graves motioned and seconded by Councilman Madsen to waive building permits and water tap fees. Motion passed 4-0.

Kit Armour reminded the Council of the Chamber Mixer to be held at the Waste Transfer Station on June 15th. Dan Brecht spoke highly of the recycling center at the Transfer Station and complimented the staff on their hard work.

UNFINISHED BUSINESS: Ordinance 808 was presented for third reading. A revision to the ordinance was presented to Council. Community members spoke both in favor and against the

ordinance. The Historic Preservation Commission will include the entire town of Wheatland. Discussion was held on federal and state funding and the Council confirmed that the Commission can be dissolved in the same way as it was created. Councilman Britz motioned seconded by Councilman Ashenhurst to approve Ordinance 808 on third reading as amended. Motion passed 3-1 with Councilman Graves voting against. Ordinance 808 follows in its entirety:

ORDINANCE 808

AN ORDINANCE CREATING A WHEATLAND HISTORIC PRESERVATION COMMISSION TO IMPLEMENT THE CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM IN ACCORDANCE WITH THE WYOMING STATE HISTORIC PRESERVATION OFFICE

Whereas: Buildings and properties in the Town of Wheatland hold certain historic value, and,

Whereas: Inventory and preservation of said historic properties within communities have proven to provide economic, environmental and social benefits, and,

Whereas: The National Park Service (NPS) has established a Certified Local Government (CLG) Program to assist communities with the preservation and promotion of their historic properties and character, and,

Whereas: The NPS CLG program is administered through the Wyoming State Historic Preservation Office (SHPO), and,

Whereas: Participation in the CLG program provides access to grants for historic preservation through the Wyoming SHPO, and,

Whereas: Participation in the CLG program provides access to technical assistance for the historic site surveys, building assessments and preservation assistance in general, and,

Whereas: Participation in the CLG will allow certain sites and/or buildings within Wheatland to be nominated to the National Register of Historic Sites, and,

Whereas: Participation in the CLG and enrollment in the National Register does not compromise property owner rights in any way,

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

A Wheatland Historic Preservation Commission shall be established, whose responsibility it is to implement the CLG program on behalf of the Town of Wheatland.

The Commission shall be made up of at least five members, appointed by the Mayor and approved by the Town Council.

Members of the commission shall serve without compensation.

The Commission shall comply with the CLG Handbook as written by the Wyoming State Historic Preservation Office and officially approved by the Department of the Interior.

The Wheatland Historic Preservation Commission shall recommend and review nominations to the National Register or Historic Sites that lie within the boundaries of the Town.

All local designations shall be at the request and the consent of the property owner. Local designation shall not impose special or specific restrictions on any site or limit the use of the property or any adjoining property in any special manner.

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED on 1st reading the 10th day of April, 2017.

PASSED on 2nd reading the 8th day of May, 2017.

PASSED on 3rd reading the 12th day of June, 2017.

S/N: Mayor Joseph Fabian

Attest: S/N: Clerk Candy Wright

Mayor Fabian presented, for third reading, Ordinance 809 adopting the recodification of Town ordinances. Attorney Weaver discussed changes to the ordinance. Councilman Madsen motioned and seconded by Councilman Britz to approve Ordinance 809 as amended for third reading. Motion passed 4-0. Ordinance follows in its entirety:

ORDINANCE NO. 809

RECODIFICATION: AN ORDINANCE ADOPTING A RECODIFICATION OF THE ORDINANCES OF THE TOWN OF WHEATLAND

WHEREAS, the Town of Wheatland has provided for the organization of the general ordinances of the Town that have on-going effect into a code organized by subject matter; and

WHEREAS, the Code should be adopted as the body of law of the Town.

BE IT ORDAINED by the Governing Body of the Town of Wheatland, Wyoming, as follows:

Section 1: 1.01.010 Adoption, Amendment and Repeal.

- a. There is hereby adopted the Wheatland Municipal Code which consists of the ordinances of the Town that have ongoing effect and which have not expired according to their own terms.
- b. This Code may be cited as the Wheatland Municipal Code.
- c. New ordinances may be added to the Code, and if an ordinance is enacted with a numbering system that is inconsistent with the Code numbering system, the Town Clerk is authorized to assign an appropriate code number and to codify the ordinance accordingly.
- d. The repeal of any code section does not revive the original text of the Code Section, but rather, repeal of an existing section repeals the underlying ordinance section and all of its amendments.

- e. No annexation or property zoning ordinances are affected by this recodification.
- f. In the event there is a discrepancy between any provisions of the Wheatland Municipal Code and the underlying ordinance the provisions in the underlying ordinance control.
- g. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the Town of Wheatland, Wyoming, codified by Code Publishing Company, Seattle, Washington, pursuant to the provisions Section 15-1-103(a)(xxxviii) of the Wyoming Statutes

Section 2: 1.01.020 Repeal of Ordinances not Included.

The provisions of the above-described Wheatland Municipal Code shall be in force and effect upon its adoption and posting as required by law.

Section 3: 1.01.030 Effect of Code on Past Actions and Obligations.

The repeal provided for in the proceeding section of this Ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the adoption of the Wheatland Municipal Code; nor shall such repeal affect any Ordinance or resolution promising or guaranteeing the payment of money for the Town or authorizing the issue of any bonds of the Town, or any evidence of the Town's indebtedness, or any contract or obligation assumed by the Town; nor shall such repeal affect the administrative ordinances or resolutions of the Town Council not in conflict with the Wheatland Municipal Code; nor shall it affect the annual tax levy, nor shall it affect any right or franchise conferred by ordinance or resolution on any person or corporation; nor shall it affect any ordinance relating to the salaries of Town officers or employees; nor shall it affect any ordinance naming, opening, accepting or vacating streets or alleys in the Town; nor shall it affect any ordinance or resolution establishing or amending rates or fees charged for Town services, unless included in the Wheatland Municipal Code.

Section 4: 1.01.040 Reference Applies to All Amendments.

Whenever a reference is made to this code as the "Wheatland Municipal Code" or to any portion thereof, or to any ordinance of the Town of Wheatland, Wyoming, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

Section 5: 1.01.050 Title, Chapter and Section Headings.

Title, chapter and section headings contained in this code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof.

Section 6: 1.01.060 Constitutionality.

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council declares that it would have passed this code, and each section, subsection,

sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 7: 1.01.070 Reference to Specific Ordinances.

The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number, or otherwise, and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

Section 8: 1.01.080 Codified Ordinances.

The last ordinance included in this codification of the Wheatland Municipal Code is Ordinance No. 807, 2017, approved on January 9, 2017. Ordinances approved by the governing body subsequent to Ordinance No. 807, 2017, but prior to adoption of this code, are hereby adopted and made a part of this code.

This Ordinance shall be in full force and effect upon adoption and posting as required by law

PASSED on first reading the 10th day of April, 2017.

PASSED on second reading the 8th day of May, 2017.

PASSED on third reading the 12th day of June, 2017.

S/N: Mayor Joseph Fabian

Attest: S/N: Clerk Candy Wright

Mayor Fabian presented, for second reading, Ordinance 810 a request, by Sean and Ashely Harris, to rezone the West 105 feet of Lots 41 and 42 of the Gunter Addition. Councilman Ashenhurst motioned and seconded by Councilman Graves to approve Ordinance 810 for second reading. Motion passed 4-0. Ordinance follows in title only:

AN ORDINANCE REZONING THE WEST 105 FEET OF LOTS 41 AND 42,
GUNTER ADDITION, TOWN OF WHEATLAND.

NEW BUSINESS:

Mayor Fabian presented a Catering Permit Application from the Landmark Bar. Applicant Laramie Cole will be catering a wedding at the 4H Building on July 8, 2017. Councilman Graves motioned, seconded by Councilman Madsen, to approve the Catering Permit with minimum fees. Motion passed 4-0.

Mayor Fabian presented a Catering Permit Application from the Smitty's Lanes. Applicant Kent Smith will be catering a wedding at the 4H Building on July 15, 2017. Councilman Madsen

motioned, seconded by Councilman Graves, to approve the Catering Permit with minimum fees. Motion passed 4-0.

Attorney Weaver presented an Easement Agreement along with an Avigation & Hazard Easement for Mark and Linda Virant. Councilman Madsen confirmed Premier Title is not benefitting from the sale of these properties so there is no need to abstain from the vote. Councilman Graves motioned, seconded by Councilman Madsen, to authorize Mayor Fabian to sign the Virant agreements on behalf of the Town. Motion passed 4-0. Attorney Weaver presented a Contract for Sale and a Contract for Lease with Jason and Jennifer Query to purchase the land and then lease it back, with minimal use, for \$1 per year. Councilman Graves motioned seconded by Councilman Madsen to authorize Mayor Fabian to sign on behalf of the Town. Motion passed 4-0.

Mayor Fabian presented Council with Ordinance 811 which would allow temporary travel trailer camping in Conservancy zoning districts from August 19, 2017 to August 22, 2017. Camping would only be allowed after all local RV campgrounds are full. Conservancy districts include Lewis Park and the fairgrounds. Discussion was held on fees and the existing Town Code. Councilman Britz motioned, seconded by Councilman Madsen, to approve Ordinance 811 as written for first reading. Motion passed 3-0 with Councilman Graves abstaining from the vote. Ordinance follows in title only:

AN ORDINANCE ALLOWING TRAVEL TRAILER CAMPING IN CONSERVANCY ZONING DISTRICTS FROM AUGUST 19, 2017 TO AUGUST 22, 2017

Mayor Fabian presented the First Amendment to the Agreement with Banner Health for the ambulance. Councilman Graves motioned, seconded by Councilman Ashenhurst, to authorize Mayor Fabian to sign on behalf of the Town. Motion passed 4-0.

Tom Bramlet reported that the miniature golf committee has met several times. Their goal is to be open by Memorial Day 2018.

Mayor Fabian thanked the Art Guild for the 12 murals in town. Helen Rutz encouraged volunteers to assist with the mural on the Marker Building.

With nothing further to come before Council, the meeting was adjourned at 8:00 PM. The next regular meeting of Town Council will be July 10, 2017 at 7:00 PM in Town Hall.

Joseph Fabian, Mayor

Attest:

Candy Wright, Town Clerk