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AmTrak will expand through Wyoming because they wrote a letter?

First, Cheyenne hasn't had AmTrak service through town for a very long time. When the WTE writes that service was discontinued six years ago, they should have added, "service that originated out in the boonies west of town."

The magnificent UP depot hasn't been home to rail passengers for years. It is now home to a tavern and a picture gallery, as well as several dues-, donation- and tax-funded public offices - LEADS, DDA, Chamber of Commerce and Cheyenne Area Convention and Visitors Bureau. Each of whom left other downtown office locations to fill space in the depot so it wouldn't look like such a poor use of public funds.

Who thought that a letter could bring such an impressive and desirable addition to Cheyenne? AmTrak. They must not have written a letter in support of the Global Strike Command. Let that be a lesson.

Not that we've been made aware that a letter is likely to bring such impressive results, we each need to put new cartridges in the Canon and set about writing a bunch of letters. Instead of these guys with the high salaries getting out and doing the recruiting they are paid to do, letters now seem to be in vogue.

What attractive business would you most

like to see come to Cheyenne?

We can rule out a brewery, Catholic college or glass plant. We wrote letters to them and they rejected us. Jerks!

With the unlimited supply of "stimulus" money, we obviously could fund any new business or attraction we wrote to.

We probably have to rule out major league sports, too. We just don't have the number of residents to support the transplanted Tampa Bay Rays or Oakland Raiders. Besides, we already have our quota of local Al Davis's. We don't need more know-it-alls, give-me-more-public-money types.

Please, don't anybody write to Kearney, Nebraska, asking them to move the Arch here. We have two interstate systems but that Arch has been a cropper since it opened. Why take advantage of our railroad heritage? Puhleezee! We'll leave that to North Platte. Or Sacramento.

I think my letter will go to Washington. They have far too many attractions for one city. It just isn't fair. The Washington Monument wouldn't fit in right. Nor the Lincoln Memorial. But how about the National Zoo? What an attraction that would be for us. We'd change the name, of course. I'll mail my letter yet today.

Herald -- n. An officer whose business was to proclaim war ... He was invested with a sacred and inviolable character. A proclaimer; one who publishes or announces; A forerunner; a precursor; a harbinger. v. To introduce, or give tidings of ... To proclaim, to announce, to foretell, to usher in.

Neighbors prevail in billboard litigation

Smackdown!

The billboard case evolves because the City of Cheyenne issued four permits to NextMedia to erect wall-size billboards around town, after the City had banned additional billboards.

The City's failed defense was, "well, that's not what we meant to do. It was a mistake." If the City could prevail on every lawsuit brought against them because they'd "made a mistake," city coffers would be much fuller now.

When you hear the elected officials pontificate about the "beauty" they want for our city, county and state, you wonder why they continue to issue *any* permits to erect more billboards. Billboards are "ugly," as legal counsel for the neighbors - and a neighbor himself - opined.

When I look at billboards, I'm reminded of the hit song "If you wanna be happy" from years back:

*If you wanna be happy for the rest of your life
 Never make a pretty woman your wife
 So for my personal point of view
 Get an ugly girl to marry you*

This might be the theme song for billboard companies. "Ugly" more satisfies, they probably believe. "Erect another ugly billboard and make more pretty money!"

Judge Kautz of Goshen County states the dispute as follows: "Plaintiffs filed this action seeking declaratory relief which: a) construes Cheyenne City Ordinance §17.128.090 as prohibiting billboards in certain locations, and b) determines that Defendants violated that ordinance by permitting and constructing a billboard near Plaintiffs' residences. Defendant NextMedia filed a counterclaim seeking costs and attorney's fees, and reimbursement for expenses if the result of Plaintiff's case was that NextMedia had to remove a billboard."

In other words, NextMedia demanded that if they lost, the winner had to pay their costs to comply with the ordinance. If I were NextMedia, I'd sue the City for those costs. The permit should not have been issued and only the City controlled that action. I don't think it's incumbent on an applicant to know the rules (law) better than the City is supposed to know them.

An appeal to the Supreme Court on this one won't change Judge Kautz's wise and proper decision.

In his decision letter, Judge Kautz reviewed the claims, counterclaims, defenses, stalls, etc. What he wrote, frankly, is pretty close to what the Cheyenne Herald presented in a previous issue.

In his Analysis, Kautz wrote: "Plaintiffs' declaratory relief case is exclusively about interpretation of Cheyenne City Ordinances. Plaintiffs ask the Court to rule that Cheyenne Code 17.128.090(G) prohibits off-premise signs, including billboards. They do not challenge the factual decision made by the City Administration. Instead, they challenge the City's interpretation of its own ordinance."

And Hulk body slams Andre the Giant!

"This Ordinance is clear and unambiguous. Reasonable persons would not disagree about its meaning, nor apply varying interpretations. The plain, obvious language of this ordinance is that sign structures advertising things not located on the property where the sign is are prohibited in all zoning areas of Cheyenne," Judge Kautz continued.

I like this guy! I like him a lot. Why can't Laramie County find judges with his competence? Oh, yeah, they aren't looking for competence - they are repaying favors.

In slapping down NextMedia's demand to be paid to make things right, the Judge wrote: "NextMedia offers no authority for the proposition ..." That's because there is none. In Great Britain, the **LOSER** may have to pay costs, but not the winner.

Now, the coup de grâce:

"Plaintiffs are not precluded from bringing this declaratory relief action because it involves the interpretation of a city ordinance. Cheyenne City Ordinance §17.128.090 prohibits new sign structures what are not located on the property where the advertised product is located. Defendant NextMedia's counterclaim fails to state a claim upon which relief may be granted."

Summary Judgment is granted in favor of Plaintiffs."

Have I mentioned that I like this judge?

Now, the question is: When will the offending billboard be removed? This ruling should mean that the other three illegally issued permits are void and those three billboards have to come down, too.

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