

**APPROVED MINUTES  
PLANNING COMMISSION  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
JANUARY 26, 2010  
7:00 PM**

**CALL TO ORDER:**

Planning Commission Chairman Frank Storm called the Regular Meeting of the Wyoming Planning Commission meeting of January 26, 2010 to order at 7:00 P.M.

**CALL OF ROLL:**

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Frank Storm, Ken Meyers, Sean Wagner, Mark Lobermeier, and Judy Coughlin

Members Absent: None.

Also Present: Staff Member Fred Weck, Council Liaison Roger Elmore.

**DETERMINATION OF A QUORUM:**

Chairman Storm determined a quorum was present.

**PLEDGE OF ALLEGIANCE:**

**OPEN FORUM:**

*“An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action maybe deferred to staff for research and future Planning Commission Agendas if appropriate.”*

No members of the public spoke.

**APPROVAL OF MINUTES:**

- 1 Consider approving the minutes of the Regular Meeting of the Wyoming, Minnesota Planning Commission for January 12, 2009.**

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR DECEMBER 22, 2009.**

*Voting Aye: Coughlin, Meyers, Wagner, Lobermeier, and Storm.*

*Voting Nay: None*

*Abstain: None*

**PUBLIC HEARINGS**

There were no Public Hearings.

**NEW BUSINESS**

There was no New Business.

## OLD BUSINESS

### 2 Ordinance Updates – Firearms, Snowmobiles and Off-Road Vehicles, and Nuisances.

The Planning Commission continued to review City Ordinances to be updated as a part of the Orderly Annexation Agreement between the City and the former Township, beginning with the Firearm Ordinance. Chairman Storm asked for comments from the Planning Commission. Commissioner Wagner commented that Sec. 22 – 5, (2), regarding the requiring of permission of a property owner, either written or oral, was written in such a way that it was trying to do too much in one paragraph and was confusing. After discussion with the Commission it was decided that the Item would read as follows:

2. Unless otherwise permitted by State Statute it shall be unlawful for any person to possess, carry or have under his control:
  - a. Any firearm upon the land of another without the written permission, or be in the presence of, the owner or lessee of that land. The person(s) authorized to hunt/shoot must have in their possession the written permission. Written permission must be dated and include the following: the full name, address, date of birth, phone number, and signature of the person authorized to hunt or shoot on identified land; the full name, address, phone number and signature of the landowner or lessee.
  - b. Any controlled weapon upon the land of another without the written permission, be in the presence of, or have the oral permission of the owner or lessee of that land. If permission is oral, the person must be able to provide immediately the name, address, and phone number of the owner or lessee from whom permission was obtained, and if requested, must be able to produce written verification of that permission within seventy-two (72) hours.

The definition for controlled weapon is to be added to the ordinance, the definition for firearm is to be revised to fit, and the ordinance revised where needed based on the intended definition.

Commissioner Wagner asked staff whether State Statutes already prohibited a person from being in control of a firearm or controlled weapon while intoxicated, and if so, that Sec. 22 – 5, (40), be stricken from the ordinance. Weck responded that he believed the statutes already did prohibit it and would verify.

Sec. 22 – 5, (5), regarding the control of varmints was discussed next and whether a definition for "safe and prudent" could be established. It was decided that since a definition could not be established that the section should be stricken from the ordinance.

Section 22 – 6 was discussed next, and it was decided that since the definition for dangerous weapons does not include any weapons that could be used for hunting, that the last sentence of the section be removed.

Commissioner Lobermeier commented on Sec. 22 – 4, items (7, 8, & 9,) regarding the discharge of firearms, bow and arrow, and controlled weapons while hunting or target practicing. Commissioner Lobermeier questioned the distances listed when using a controlled weapon. After discussion it was decided to revise the items as follows and to add an item concerning controlled weapons:

7. By any person for target practice with a firearm provided that the projectiles are stopped by a suitable backstop and provided further that the shooting occurs at least five hundred (500) feet from a city park or trail, and five hundred (500) feet from all buildings, or a stockade or corral containing livestock, unless the buildings or livestock are owned by that person, or unless that person has the owner's written permission carried on his/her person.
8. By any person hunting with a firearm at least five hundred (500) feet from a city park or trail, and five hundred (500) feet from all buildings, or a stockade or corral containing livestock, unless the buildings or livestock are owned by that person, or unless that person has the owner's written permission carried on his/her person.
9. By any person hunting with a bow and arrow at least two hundred (200) feet from a city park or trail, and two hundred (200) feet from all buildings, or a stockade or corral containing livestock, unless the buildings or livestock are owned by that person, or unless that person has the owner's written permission carried on his/her person. Bow and arrow target practice may also take place within the confines of a building if a suitable backstop is used.
10. By any person for target practice with a controlled weapon provided that the projectiles are stopped by a suitable backstop and provided further that the shooting occurs at least one hundred (100) feet from a city park or trail, and one hundred (100) feet from all buildings, or a stockade or corral containing livestock, unless the buildings or livestock are owned by that person, or unless that person has the owner's written permission carried on his/her person.

Staff was directed to make the changes to the ordinance and bring the revised ordinance back to the Commission at its next meeting to consider its approval.

The Snowmobiles and Off-road Vehicles Ordinance was considered next.

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER WAGNER, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO ACCEPT THE REVISIONS TO THE ORDINANCE AND TO SEND IT TO THE CITY ATTORNEY FOR FINAL REVIEW BEFORE ADOPTION.**

Chairman Storm asked if there was any discussion on the motion, Commissioner Lobermeier why Sec. 34 – 137, (4), prohibits travel on boulevards when it's allowed in Item (1). After discussion about the definition of, and to reduce confusion about what would be considered the boulevard, Commissioner Lobermeier offered a friendly amendment to the motion to remove Sec. 34 – 137, (4), from the ordinance. Commissioners Wagner and Meyers accepted the amendment to the motion.

*Voting Aye: Coughlin, Meyers, Wagner, Lobermeier, and Storm.*

*Voting Nay: None*

*Abstain: None*

The Nuisance Ordinance was discussed next; Chairman Storm asked the Staff's opinion on what direction the Commission should take with the ordinance. Weck responded that his opinion is that the Commission should review the combined city and township ordinance and to ignore the other example ordinances unless there was something glaring that needed to be fixed or added.

Commissioner Wagner commented that he prefers the North Branch Nuisance Ordinance because it covers health, safety, and welfare without extraneous items or ambiguous terms.

Commissioner Coughlin replied that the North Branch ordinance also has pages of regulations concerning abandoned vehicles that may not be needed by Wyoming. Commissioner Meyers offered that he thought that the North Branch ordinance as a base document is better than the Wyoming Ordinance.

Chairman Storm asked the commission members to compare the Wyoming and North Branch ordinances and for them to come to the next meeting with their comments.

### **3 Comments on City Engineers Draft Sewer and Water Comprehensive Plans.**

Chairman Storm asked the Commissioners if they had any further comments for the City Engineer regarding the sewer and water comprehensive plans. Commissioner Lobermeier expressed that he had questions and comments for the engineer. Chairman Storm asked if Commissioner Lobermeier could email the engineer with those comments. Commissioner Wagner asked about the implementation of the plans, and his question was to be included in the email to the engineer. Commissioner Meyers commented that the two implementation plans both have merits, but that there are also gaps in them, such as long-term maintenance costs.

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER WAGNER, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO ADJOURN THE REGULAR MEETING OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR JANUARY 26, 2010 AT 8:13 P.M.**