

**MINUTES  
CITY COUNCIL  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
FEBRUARY 16, 2010  
7:00 PM**

**CALL TO ORDER:**

*Mayor Sheldon Anderson called the Regular Meeting of the Wyoming City Council for February 3, 2010 to order at 7:00 P.M.*

**CALL OF ROLL:**

*On a Call of the Roll the following members of the Wyoming City Council were present: Mayor Sheldon Anderson, Councilmembers Roger Elmore, Russ Goudge, Linda Nanko/Yeager and Joe Zerwas.*

**DETERMINATION OF A QUORUM:**

*The Mayor determined a Quorum was present.*

**PLEDGE OF ALLEGIANCE:**

**OPEN FORUM:**

***“An opportunity for members of the public to address the City Council on items not on the current agenda. Items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate. You will be limited to two (2) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak”.***

***Jon Solberg, MNDot – TH 61 Access Management Plan – Presentation for future consideration***

Jon Solberg and Adam Josephson from MN Dot were present to review the concept map for Highway 61 Access Management Plan. This presentation will be for future consideration. The plan identifies existing and future corridors that have or will have high growth. Wyoming Business owners should be brought in on the discussions and then there will be a memorandum of understanding meaning we are all on the same page. The next meeting will take place in about a month with the engineers.

**APPROVAL OF MINUTES:**

- 1 Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for February 3, 2010.**

**A MOTION WAS MADE BY COUNCILMEMBER NANKO-YEAGER, SECONDED BY COUNCILMEMBER GOUDGE, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR FEBRUARY 3, 2010, WITH THE FOLLOWING CORRECTIONS.**

Correct Nanko-Yeager's report – the Rush Line is not talking about the flower gardens or shoreline planting, it is the Clean Water Workshop at Gander Mountain.

Correct Goudge's report he did not attend the Planning Commission but did attend the EDA.

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

#### **SCHEDULED BID LETTINGS: NONE**

#### **SCHEDULED PUBLIC HEARINGS:**

### **2 Public Hearing on proposed supplemental assessment for 257<sup>th</sup> Street and Utility Improvements (City Project No. 2008-01) Resolution No. 10-02-13**

Mayor Anderson opened the public hearing at 7:23 pm.

Mary Olson was present to question why Administrator Mattson stated the City had not received Doug LeVasseur letter of objection on the assessments for his property. Attorney Vierling stated the issue of assessments is a matter of upcoming litigation. Rudy and Mary Olson also submitted a formal written notice of objection to Attorney Vierling and Administrator Mattson at the February 16, 2010 meeting.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO CLOSE THE PUBLIC HEARING ON PROPOSED SUPPLEMENTAL ASSESSMENTS FOR 257<sup>TH</sup> STREET AND UTILITY IMPROVEMENTS (CITY PROJECT NO. 2008-01) AT 7:23 PM.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER ZERWAS, TO ADOPT RESOLUTION NO. 10-02-13 A RESOLUTION ADOPTING AND CONFIRMING SUPPLEMENTAL ASSESSMENTS FOR THE 257<sup>TH</sup> STREET ROADWAY AND UTILITY IMPROVEMENTS (CITY PROJECT NO. 2008-01).**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

#### **CONSENT AGENDA:**

**Items under the "Consent Agenda" will be adopted with one motion; however, council members may request individual items to be pulled from the consent agenda for discussion and action if they choose.**

### **3 To consider adopting Resolution No. 10-02-14 a resolution renewing various Licenses within the City of Wyoming for the year 2010.**

- 4 To consider adopting Resolution No. 10-02-15 a resolution approving the Full and Final Payment to Parkos Construction Company, Inc. 1010 Robert Street South, West Saint Paul, MN 55118 for work on the Wyoming Police & Public Works Departments in the amount of \$3,869.05.
- 5 To consider adopting Resolution No. 10-02-16 a resolution approving the refunding of the Escrow Funds for the Boschee Development in the amount of \$5,087.00
- 6 To Consider approving the Park & Trail Documents and Master Park Plan for the City of Wyoming as submitted by the Wyoming Park and Recreation Board.

After a long discussion regarding language, repetition, referring to Township and incompleteness; Councilmember Elmore stated the Park Board put a lot of time into the Park Plan at no cost to the City. Councilmember Elmore also stated he believes this document is a written guide for the future.

Mayor Anderson stated the Park Board was told to bring this plan back to the City Council for approval.

Councilmember Elmore will clean-up the language and remove the Township reference in the document.

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER GOUDGE, TO TABLE THE APPROVAL OF THE PARK & TRAIL DOCUMENTS AND MASTER PLAN UNTIL THE CHANGES ARE MADE AND THEN WILL BRING BACK TO CITY COUNCIL FOR APPROVAL.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

- 7 To consider reinstating Frank Molleda, 6150 262<sup>nd</sup> Street as a Probationary Firefighter in the Wyoming Volunteer Fire Department effective February 17, 2010.
- 8 To consider adopting the City of Wyoming Revolving Loan Fund Program Restated Policies and Procedures as recommended by the Wyoming Economic Development Authority.

Councilmember Nanko/Yeager stated on page 6 there a 2 b's in section D. Also there is a missing section.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER GOUDGE, TO APPROVE #8 WITH THE CORRECTIONS MADE.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND DEPARTMENT HEADS:**

**9 Report of the City Engineer, Mark Erichson for February 11, 2010.**

**10 Report of the Wyoming Police Chief, Paul Hoppe for February 10, 2010**

Councilmember Nanko/Yeager stated the City of Wyoming Police Department should be commended for taking care of the snowmobile issue on Ashton Lake.

**11 Report of City Building Official, Fred Weck, IV for February 11, 2010.**

**12 Report of City Attorney Mark Vierling for February 11, 2010**

**A MOTION WAS MADE BY COUNCILMEMBER, ELMORE SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE CONSENT AGENDA MOTIONS #3 - #5, #7, #9 AND #10 AS PRESENTED, PULLING #6, #8, AND #10 FOR DISCUSSION.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**COMMUNICATIONS:**

***Letter from US Cable Corporation advising the City of payment of Annual Franchise fee in the amount of \$37,086.73 for 2009.***

**OLD BUSINESS: None**

**NEW BUSINESS:**

**13 To consider approval of placement of antenna on the South Water Tower by Nextera to provide broadband internet service to a prospective customer in Wyoming for a monthly fee of 5% of gross revenues (initial est. \$255 - \$415 per month).**

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER GOUDGE, TO APPROVE PLACEMENT OF ANTENNA ON THE SOUTH WATER TOWER BY NEXTERA TO PROVIDE BROADBAND INTERNET SERVICE TO A PROSPECTIVE CUSTOMER IN WYOMING FOR A MONTHLY FEE OF 5% OF GROSS REVENUES (INITIAL EST. \$255 - \$415 PER MONTH). THE APPROVAL IS SUBJECT TO ATTORNEY AND ENGINEER REVIEW AND APPROVAL OF CONSTRUCTION PLANS.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**14 To consider accepting the Wyoming Water Supply Plan as submitted by the WSB and Mark Erichson, City Engineer as required by the Minnesota Department of Natural Resources (MNDNR).**

Engineer Erichson stated every 10 years City's are required to submit a water supply plan.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER, GOUDGE TO ACCEPT THE WYOMING WATER SUPPLY PLAN AS SUBMITTED BY THE WSB AND MARK ERICHSON, CITY ENGINEER AS REQUIRED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES (MNDNR).**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**15 To consider approving recommendations for installing Street Lights on 257<sup>th</sup> Street as provided by Xcel Energy Outdoor Lighting.**

**A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RECOMMENDATIONS FOR INSTALLING STREET LIGHTS ON 257<sup>TH</sup> STREET AS PROVIDED BY XCEL ENERGY OUTDOOR LIGHTING**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**16 To consider authorizing the disposal of two MP5 40 cal automatic rifles to Streicher's in trade for an M-4 .223 cal semi auto rifle with Holo sights for a cost of \$174.00.**

Police Chief Hoppe stated he did a evaluation of the Police Departments rifles and 6 out of 7 Police cars have the M-4 .223 cal semi auto rifle. It would cut training in half by having all the same rifles in the Police cars.

**A MOTION WAS MADE BY COUNCILMEMBER GOUDGE, SECONDED BY COUNCILMEMBER ELMORE, TO AUTHORIZE THE DISPOSAL OF TWO MP5 40 CAL AUTOMATIC RIFLES TO STREICHER'S IN TRADE FOR AN M-4 .223 CAL SEMI AUTO RIFLE WITH HOLO SIGHTS FOR A COST OF \$174.00.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**17 To consider authorizing the Police Chief, Paul Hoppe, to attend the National FBI Academy from July 11, 2010 to September 17, 2010 as provided for in the 2010 City Budget.**

Administrator Mattson stated the City of Wyoming has a secured position at the National FBI Academy. This is a great opportunity for the City and will benefit the City as a whole and also the Police Department.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER ELMORE, TO AUTHORIZING THE POLICE CHIEF, PAUL HOPPE, TO ATTEND THE NATIONAL FBI ACADEMY FROM JULY 11, 2010 TO SEPTEMBER 17, 2010 AS PROVIDED FOR IN THE 2010 CITY BUDGET.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.*

*Voting Nay: None*

*Abstain: None*

**CLAIMS:**

**18 Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of February 3, 2010 through February 16, 2010.**

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO AUTHORIZING PAYMENT OF RECOMMENDED BILLS AND PAYROLL FOR THE PERIOD OF FEBRUARY 3, 2010 THROUGH FEBRUARY 16, 2010.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas*

*Voting Nay: None*

*Abstain: None*

**COUNCIL REPORTS:**

**COUNCILMEMBER GOUDGE** – Attended the EDA meeting.

**COUNCILMEMBER ZERWAS** - None

**COUNCILMEMBER ELMORE** – Attended the Planning Commission meeting and the Wyoming Area Business Association lunch.

**COUNCILMEMBER NANKO/YEAGER** – Reported the Eagle Scout project on Ashton Lake was inconclusive because of low water level. The water in Heims Lake was pretty good.

**MAYOR ANDERSON** - None

**ADJOURN**

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADJOURN THE FEBRUARY 16, 2010 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT 8:17 P.M.**

*Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas*

*Voting Nay: None*

*Abstain: None*

\_\_\_\_\_, Deputy Clerk