

**MINUTES CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
JUNE 15, 2010
7:00 PM**

CALL TO ORDER:

Mayor Sheldon Anderson called the Regular Meeting of the Wyoming City Council for June 15, 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".

To Acknowledge Proclamation Declaring June 24, 2010 as "Ebenezer Day"

No open forum

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for June 1, 2010.**

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR JUNE 1, 2010.

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

Voting Nay: None

Absent: None

SCHEDULED BID LETTINGS: NONE
SCHEDULED PUBLIC HEARINGS: 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.

- 2 To consider authorizing repayment of \$18,565.28 to the Minnesota DEED as excess funds from the BDPI Grant received to assist in the construction of 257th Street and Utilities Improvement Project.**
- 3 To consider approving agreement with Municipal Emergency Services, Inc. 1751 Business Park Drive, Fremont, Nebraska 68025 to perform required test on the Wyoming Volunteer Fire Department SCBA for a cost not to exceed \$1,500.00.**
- 4 To consider adopting Resolution No. 10-06-41 a resolution appointing Election Judges for the City of Wyoming for the Primary and General Elections of 2010.**
- 5 To consider adopting Resolution No. 10-06-42 declaring certain impounded vehicles as surplus property for disposal and authorizing the Police Department to dispose of the vehicles through online auction - Crashedtoys.com.**
- 6 To consider authorizing the use of \$1,012.58 of the \$5,580.98 Balance of the "Supplemental Police Fund" to replace a Computer (CPU) and software in the Wyoming Police Department. (*Authorized Expenditure*)**

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

- 7 Report of the Public Works Supt. Jason Windingstad for June 9, 2010**
- 8 Report of the Wyoming Police Chief, Paul Hoppe for June 9, 2010**
- 9 Report of City Building Official, Fred Weck, IV for June 9, 2010.**
- 10 Report of City Attorney Mark Vierling for June 9, 2010**
- 11 Report of City Engineer Mark Erichson, WSB for June 9, 2010**
- 12 Report of Wyoming Volunteer Fire Chief Dennis Berry of activity through May 2010**

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE CONSENT AGENDA MOTIONS #2-#12 AS PRESENTED.

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

Voting Nay: None

Absent: None

COMMUNICATIONS:

NO ACTION REQUIRED - "East Central Arts Council"

OLD BUSINESS:

13 To consider removing from the table and adopting Resolution No. 10-06-43 a resolution approving a one year extension to May 18, 2011 to Finalize the Development Agreement and file the Final Plats of "Delmonico Park".

Attorney Vierling stated this item was on the agenda at the last City Council meeting. The City Council determined to deny a one year extension because a number of items were not completed by the developer. Since the last meeting the developer has completed the documents required by the City attorney and has agreed to the amendments and the infrastructure permits required. Attorney Vierling stated the City Council has two choices at this time either take no action or approve the extension. Councilmember Nanko/Yeager stated the approval should be contingent on Attorney Vierling's drafting a suitable development agreement. Councilmember Elmore stated the City has already waited a year for the documents for this development. Councilmember Goudge questioned if there was a time period for the development. Attorney Vierling stated there is not a timeline at this time but the City Council can request one.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE REMOVING THIS ITEM FROM THE TABLE.

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

Voting Nay: None

Absent: None

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER GOUDGE, APPROVE A SIX MONTH EXTENSION TO NOVEMBER 18, 2011 TO FINALIZE THE DEVELOPMENT AGREEMENT AND FILE THE FINAL PLATS OF "DELMONICO PARK" CONTINGENT ON SATISFACTORY SATISFING ALL THE REQUIREMENTS OF THE CITY ATTORNEY.

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

Voting Nay: None

Absent: None

NEW BUSINESS:

14 To consider adopting Resolution No. 10-06-44 a resolution to designate Maranatha Church as the Polling Place for both Wyoming Precincts for the November 2, 2010 General Election.

Administrator Mattson stated the current polling places are the City Hall Precinct A for the former City residents and the Township Hall Precinct B for the former Township residents (current Police Station) for the Primary Election August 10, 2010. At this time Administrator Mattson is requesting Maranatha Assembly of God Church as the polling place for both Wyoming Precincts A & B for the November 2, 2010 General Election. The Maranatha Assembly of God Church is a large facility to manage voters in the facility and also has adequate parking and voters from both Precincts. The City Council must pass this resolution to authorize the change in location of the polling places not less than 90 days prior to the next election followed by a mailed notice to each registered voter in the Precinct's at least 25 days

prior to the election.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADOPT RESOLUTION NO. 10-06-44 A RESOLUTION TO DESIGNATE MARANATHA CHURCH AS THE POLLING PLACE FOR BOTH WYOMING PRECINCTS FOR THE NOVEMBER 2, 2010 GENERAL ELECTION.

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

Voting Nay: None

Absent: None

15 To consider accepting the proposed 2010 Crack Fill and Seal Coat Project and authorize the City Engineer to request Quotes for approval by the Wyoming City Council.

The City Maintenance Department and the City Engineer has reviewed the roadways for this year's crack fill and seal coat project. The roads that will be crack filled and seal coated this year are the left over roads that did not get done in 2009 which are the roads in the Thurnbeck Development. These roads are cost friendly to do in close proximity and with a limited amount of funds available. At this time staff is requesting authorization to request quotes for the 2010 crack filling and seal coating project.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE ACCEPTING THE PROPOSED 2010 CRACK FILL AND SEAL COAT PROJECT AND AUTHORIZE THE CITY ENGINEER TO REQUEST QUOTES FOR APPROVAL BY THE WYOMING CITY COUNCIL.

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

Voting Nay: None

Absent: None

16 To consider adopting Resolution No. 10-06-45 Resolution adopting and approving a summary publication for ordinances 2010-03 through 2010-11, Ordinances Amending Chapters 1, 16, 18, 22, 32, 34, and 36 of the Wyoming City Code.

Building Official Weck stated the Planning Commission has been working on merging the City of Wyoming and the previous Wyoming Township ordinances. When the ordinances are passed the previous Township and City ordinances will all be the same. The DNR rules were followed for any changes concerning Ashton Lake. Councilmember's stated Building Official Weck and the Wyoming Planning Commission did a terrific job merging both sets of ordinances and they put a lot of hard work into it.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADOPT RESOLUTION NO. 10-06-45 RESOLUTION ADOPTING AND APPROVING A SUMMARY PUBLICATION FOR ORDINANCES 2010-03 THROUGH 2010-11, ORDINANCES AMENDING CHAPTERS 1, 16, 18, 22, 32, 34, AND 36 OF THE WYOMING CITY CODE.

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

Voting Nay: None

Absent: None

17 To consider rescheduling the November 2, 2010 Regular Council Meeting due to the General Election scheduled for that date and schedule the canvas of vote of the City election.

Administrator Mattson stated the Regular City Council meeting is on November 2, 2010. Due to the General Election scheduled for the same day the City Council meeting will have to be rescheduled. Mayor Anderson suggested changing the date to November 3, 2010 at 7:00 pm.

A MOTION WAS MADE BY MAYOR ANDERSON, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE RESCHEDULING THE NOVEMBER 2, 2010 REGULAR COUNCIL MEETING DUE TO THE GENERAL ELECTION SCHEDULED FOR THAT DATE AND SCHEDULE THE CANVAS OF VOTE OF THE CITY ELECTION TO NOVEMBER 3, 2010.

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

Voting Nay: None

Absent: None

18 To consider authorizing Police Chief Paul Hoppe to utilize department unmarked squad (Durango) as ground transportation to and from Quantico, Virginia and during attendance at the FBI Academy from July 8th to September 23, 2010.

Councilmember Nanko/Yeager questioned the City policy on City vehicles. Administrator Mattson stated at this time there is no specific policy pertaining to leaving the state with a City vehicle. The City does have a policy for reimbursement costs. All Chief Hoppe's expenses on the FBI Academy Base are paid for by the Federal Government. Councilmember Nanko/Yeager questioned if there was a more economical vehicle for the trip. Chief Hoppe stated the Dodge Charger would be more efficient but he prefers the Charger stay in the City of Wyoming. The cost of fuel, meals and entertainment during the time in Quantico off base will be the responsibility of Chief Hoppe.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE AUTHORIZING POLICE CHIEF PAUL HOPPE TO UTILIZE DEPARTMENT UNMARKED SQUAD (DURANGO) AS GROUND TRANSPORTATION TO AND FROM QUANTICO, VIRGINIA AND DURING ATTENDANCE AT THE FBI ACADEMY FROM JULY 8TH TO SEPTEMBER 23, 2010.

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

Voting Nay: None

Absent: None

CLAIMS:

19 Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of June 2, 2010 through June 15, 2010.

A MOTION WAS MADE BY COUNCILMEMBER YEAGER, SECONDED BY COUNCILMEMBER GOUDGE, TO AUTHORIZING PAYMENT OF RECOMMENDED BILLS AND PAYROLL FOR THE PERIOD OF JUNE 2, 2010 THROUGH JUNE 15, 2010.

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

Voting Nay: None

Absent: None

COUNCIL REPORTS:

COUNCILMEMBER GOUDGE - Attended the Planning Commission Public Hearing. The Planning Commission did a very good job combining the ordinances.

COUNCILMEMBER ZERWAS - Attended the funeral of Thad Joselyn a Volunteer Firefighter for the City of Wyoming.

COUNCILMEMBER ELMORE - No report at this time.

COUNCILMEMBER NANKO/YEAGER - Attended the Planning Commission Public Hearing. Thanked everyone for attending the City Council meeting.

MAYOR ANDERSON - Attended the funeral of Thad Joselyn a Volunteer Firefighter for the City of Wyoming with Councilmember Zerwas.

Mayor Anderson stated the City Council will be going into a closed session to discuss a personnel issue.

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO ADJOURN THE JUNE 15, 2010 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AT 7:21 P.M. THE CITY COUNCIL WENT INTO A CLOSED SESSION TO DISCUSS A PERSONNEL ISSUE.

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

Voting Nay: None

Absent: None

ADJOURN CLOSED MEETING

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO AJOURN THE CLOSED MEETING AT 7:50 P.M.

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

Voting Nay: None

Absent: None

_____, Deputy Clerk