

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

CALL TO ORDER:

Mayor Sheldon Anderson called the Regular Meeting of the Wyoming City Council for November 16, 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:
Councilmembers Mayor Sheldon Anderson, Roger Elmore, Russ Goudge, Linda Nanko/Yeager and
Joe Zerwas.*

Absent: None

DETERMINATION OF A QUORUM:

The Acting 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".

Ben Montzka (Chisago County Commission) was present to discuss the Rush Line's great opportunities for residents and to encourage all to use the public transit. There is also the Heartline Transit Service which is also a public transit service for residents to use at \$2.00 per trip. Chisago County is struggling to supply services to the residents with all the cuts they had to make. Montzka also reported there are several openings in the East Central Library system. The applications are available on their web site. There are also three (3) opening in the Public Health Department which the members receive \$50.00 per meeting plus mileage. Montzka also reported County 30 will be receiving a chip & seal in 2011 along with County 22. Montzka congratulated newly elected Eric Peterson as Mayor of the City of Wyoming and Roger Elmore as City Councilmember. Montzka thanked Mayor Anderson for his years of service and also thank Goudge for his service as City Councilmember.

Rachel Girke was present to discuss the cars that have been driving around the stopped bus at her children bus stop. She has a private dirt driveway where the bus stops for pick-up and the cars go right around the bus over the white line. She questioned if the City of Wyoming could install a school bus stop sign that would reinforce the no passing white line ordinance. The location is on Hwy 61 and 245th Street. Chief Hoppe talked with Girke for a short time during the Council meeting.

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for November 3, 2010.**

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR OCTOBER 19, 2010, WITH THE FOLLOWING CORRECTION. ON THE MOTION TO DIRECT STAFF NOT TO ENFORCE THE ORDINANCE FOR 60 DAYS FOR LINDGREN ELMORE VOTED AYE.

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 appointing Jeff Mueller, 26230 Galen Drive, Wyoming, MN 55092 as a Probationary Firefighter to the Wyoming Volunteer Fire Department.**
- 3 To consider adopting Resolution No. 10-11-63 a Resolution declaring certain impounded vehicles as surplus property for disposal and authorizing the Wyoming Police Department to dispose of the vehicles through online auction or sell as scrap.**
- 4 To consider adopting Resolution No. 10-11-64 a resolution approving payment to Xcel Energy to install light fixtures and appurtenant work along 257th Street in the amount of \$43,617.50.**

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

- 5 Report of the Wyoming Police Chief, Paul Hoppe for November 10, 2010**
- 6 Report of City Building Official, Fred Weck, IV for November 10, 2010.**
- 7 Report of City Attorney Mark Vierling for November 10, 2010**
- 8 Report of City Engineer Mark Erichson, WSB for November 10, 2010**

COMMUNICATIONS:

"Acknowledge receipt \$5,200 donation from Hallberg Family Foundation"

- **\$2,800 to Wyoming Fire Department to purchase 106 psi Lifting Bag Set**
- **\$2,400 to Wyoming Police Department to upgrade to Digital Cameras**

Each year Gene Hallberg (Hallberg Marine) has asked the Volunteer Fire Department and the Wyoming Police Department for input on what Hallberg Marine could make a donation on. Both departments put

in their requests by letter. The Wyoming Fire Department requested a 106 psi Lifting Bag Set. The Wyoming Police Department requested upgrading their Digital Cameras. Both departments will submit a thank you letter in appreciation to Hallberg Marine.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS , SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE CONSENT AGENDA MOTIONS #3-#8 AS PRESENTED.

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

Voting Nay: None

Absent: None

OLD BUSINESS: NONE

NEW BUSINESS:

9 To consider adopting Resolution No. 10-11-65 a resolution certifying the unpaid utility bills of certain residents and businesses to property taxes for payment in 2011.

Administrator Mattson stated this is an ordinance the City has been following for the last three (3) years. When residents get past due on their Utility Bill three (3) quarters the City of Wyoming assesses the Utility Bill to their property taxes as an assessment.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER GOUDGE, TO ADOPT RESOLUTION NO. 10-11-65 A RESOLUTION CERTIFYING THE UNPAID UTILITY BILLS OF CERTAIN RESIDENTS AND BUSINESSES TO PROPERTY TAXES FOR PAYMENT IN 2011

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

Voting Nay: None

Absent: None

10 To consider adopting Resolution No. 10-11-66 a resolution redeeming certain lands from Chisago County Auditor prior to the expiration of redemption period of December 5, 2010.

Administrator Mattson stated the previous owner of the parcels did not file them with Chisago County. The parcels have lift stations, ponds and trails on them belonging to the City of Wyoming. At this time the City would like to redeem them.

A MOTION WAS MADE BY COUNCILMEMBER GOUDGE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADOPT RESOLUTION NO. 10-11-66 A RESOLUTION REDEEMING CERTAIN LANDS FROM CHISAGO COUNTY AUDITOR PRIOR TO THE EXPIRATION OF REDEMPTION PERIOD OF DECEMBER 5, 2010.

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

Voting Nay: None

Absent: None

11 To consider acknowledging the resignation of Part-time Police Officer Scott Sager and Authorize Police Chief Paul Hoppe to extend a conditional employment offer pending successful completion of background investigation and Psychological evaluation to Benjamin Bruce with a start date of December 15, 2010.

Police Chief Hoppe stated Officer Scott Sager has taken a position with the MN State Patrol and has resigned from the Wyoming Police Department. At this time all Sager's training has been suspended. Chief Hoppe would like extend an employment option to Benjamin Bruce, a candidate from the eligibility list.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER ZERWAS, TO ACKNOWLEDGE THE RESIGNATION OF PART-TIME POLICE OFFICER SCOTT SAGER AND AUTHORIZE POLICE CHIEF PAUL HOPPE TO EXTEND A CONDITIONAL EMPLOYMENT OFFER PENDING SUCCESSFUL COMPLETION OF BACKGROUND INVESTIGATION AND PSYCHOLOGICAL EVALUATION TO BENJAMIN BRUCE WITH A START DATE OF DECEMBER 15, 2010.

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

Voting Nay: None

Absent: None

12 To consider approving the engagement letter for auditing and related services for the year ending December 31, 2010 from HLB Tautges Redpath, Ltd.

Administrator Mattson stated this is a standard engagement letter for auditing and related services. The cost will be the same as in 2010.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE ENGAGEMENT LETTER FOR AUDITING AND RELATED SERVICES FOR THE YEAR ENDING DECEMBER 31, 2010 FROM HLB TAUTGES REDPATH, LTD.

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

Voting Nay: None

Absent: None

13 To consider adopting Resolution No. 10-11-67 a resolution approving a Conditional Use Permit to allow a Motor Vehicle Dealership located at 24235 Greenway Avenue.

Building Official Weck stated Joe Toohey of ICD, Incorporated has applied for a Conditional Use Permit to allow the operation of a motor vehicle dealership at 24235 Greenway Avenue. A hearing was held by the Wyoming Planning Commission on November 9, 2010; which had very little comment from the public. The Wyoming Planning Commission recommended approval of the Conditional Use Permit. Councilmember Nanko/Yeager questioned if there would be security for the cars with no lights or fencing. Toohey stated if it was ok with the owner of the property he would put up fencing but he is not looking at putting in a large lot; most of the cars will be inside the building. Police Chief Hoppe stated lots with low lighting do have more vandalism.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER GOUDGE, TO ADOPT RESOLUTION NO. 10-11-67 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A MOTOR VEHICLE DEALERSHIP LOCATED AT 24235 GREENWAY AVENUE.

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

Voting Nay: None

Absent: None

14 To consider Certifying the results of the Recount of the Wyoming City Council Election (Elmore/Williams) 11/10/2010 of the November 2, 2010 General Election.

Administrator Mattson stated the recount was held November 10, 2010 under the supervision of County Auditor Dennis Freed. The ballots were hand counted by two (2) election judges and the prevailing winner was Roger Elmore.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE CERTIFYING THE RESULTS OF THE RECOUNT OF THE WYOMING CITY COUNCIL ELECTION (ELMORE/WILLIAMS) 11/10/2010 OF THE NOVEMBER 2, 2010 GENERAL ELECTION.

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

Voting Nay: None

Absent: None

CLAIMS:

15 Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of November 4, 2010 through November 16, 2010.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO AUTHORIZING PAYMENT OF RECOMMENDED BILLS AND PAYROLL FOR THE PERIOD OF NOVEMBER 4, 2010 THROUGH NOVEMBER 16, 2010.

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

Voting Nay: None

Absent: None

COUNCIL REPORTS:

COUNCILMEMBER GOUDGE – Attended the Joint Sewer Commission meeting.

COUNCILMEMBER ZERWAS – Attended the Joint Sewer Commission - The building cost for the garage for the lift station totaled \$305,028. The City of Wyoming portion is \$110,542.15.

COUNCILMEMBER ELMORE – Attended the WABA meeting at the Polaris facility. Councilmember Elmore also announced all proceeds from the next benefit pancake breakfast at the Meadows will be donated to the Volunteer Wyoming Fire Department.

COUNCILMEMBER NANKO/YEAGER – Attended the Rush Line customer appreciation morning where Nanko/Yeager handed out coffee and bagels. She also thanked the residents for attending the City Council meeting.

MAYOR ANDERSON – No report at this time.

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER ELMORE, TO ADJOURN THE NOVEMBER 16, 2010 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AT 7:30 P.M.

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

Voting Nay: None

Absent: None

A portion of this public meeting may be closed to discuss "Labor Negotiation Strategies"; "Misconduct allegations or charges"; "Attorney-client privilege"; or "Performance evaluations" as per MN State Statute 13D.01-.05.

_____, Deputy Clerk