

**MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
APRIL 5, 2011
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for April 5, 2011 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 Eric Peterson, Roger Elmore, Linda Nanko/Yeager, Joe Zerwas and Steve Zerwas.
Absent: None*

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".

Dave Lunn (24340 Fallbrook Ave) was present to question when the City of Wyoming was going to take action on the property next to him.

Administrator Mattson stated the City is getting quotes for the cleanup. If the cost is above \$50,000 the City will have to advertise for RFP's (Request for Proposals) and award the bid to the lowest bidder. The cost of the cleanup will be assessed against the property. The soonest the cleanup could start would be after the road restrictions are lifted.

Lunn commented the cleanup will be over \$50,000 because of the hazardous waste that has been dumped on the property without permits from the PCA (Pollution Control Agency). Lunn also said the property has an illegal septic system which drains into Judicial Ditch #1.

Attorney Vierling stated the orders are in place to remove the junk from the property. The City will see what's there when the junk is gone in regards to hazardous waste. Lunn also questioned why the City can't shut them down and why there isn't an injunction on the property. Attorney Vierling stated at this time the only order the City has is to clean up the property.

Lunn questioned what the City of Wyoming was going to do to stop the activity immediately. Lunn would like a Police car sitting at the property to see what goes in and out. Police Chief Hoppe stated the City has been actively working on monitoring the property. The Police Department does not have the resources to have a car there 24-7.

Attorney Vierling recommended Lunn meet with Police Chief Hoppe and file a report on what exactly the property has on it. The meeting will be on Thursday, April 7th.

Jim and Ann Jacobson (6615 253rd Street) were present to express their opinion on the adjacent park Blue Spruce and the lack of maintenance it has. The park has an over abundance of moles and gophers.

Jim Jacobson also mentioned he was a passenger in a vehicle that was involved in a traffic stop by the Wyoming Police for speeding. Apparently his wife Ann Jacobson was driving the vehicle. A. Jacobson stated she would expect a working relationship with the Police force and should of only received a warning. She also mentioned she has seen the Police Patrol hiding behind bushes and buildings. A. Jacobson believes they should be patrolling the main throughways and not be tampering in neighborhoods. A. Jacobson stated she has not had a ticket in 8 years and was not asked for proof of insurance. The Police Department should be more involved in the community.

Police Chief Hoppe stated the Police Department has a very active role in the community and do a very good job patrolling to get in every neighborhood. Hoppe stated she could bring her ticket to the District Court to be discussed further.

Mayor Peterson stated the street sign is missing at Goodview and 263rd.

Jim and Ann Jacobson also stated there has been a patio swing in Blue Spruce Park since last fall which was probably dumped before the snowfall.

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for March 15, 2011.**

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 15, 2011.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: 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 adopting Resolution No. 11-04-23 a resolution requesting special consideration under MN Statutes 353.63 and 353.64 to allow part-time police officers participate in the Public Employees Police and Fire Retirement Plan.**

3 To consider adopting Resolution No. 11-04-24 a resolution authorizing City staff to close certain funds and/or transfer certain funds as a part of the 2010 audit.

Administrator Mattson stated all the funds that are being closed are funds in which the project is complete. Since some of the funds are bond funds they can't be transferred to the General Fund. As these funds are closed they must be transferred into an ongoing bond fund. Funds 332,334 and 350 are all bond funds so they will be transferred in Fund 335 which is an ongoing bond fund. Fund 470 – Project complete and will be charging the deficit of \$30,135.00 back to General Fund. Fund 435 – Was completed in 2005, the City was waiting for the funds from the Economic Development Authority; which we now have and will transfer the remaining funds into Fund 602.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER S. ZERWAS, TO APPROVE #3 AS PRESENTED.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

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

4 Report of the Wyoming Public Works Supt., Jason Windingstad for March 30, 2011

5 Report of the Wyoming Police Chief, Paul Hoppe for March 30, 2011

6 Report of City Building Official, Fred Weck, IV for March 30, 2011

7 Report of City Attorney Mark Vierling for March 30, 2011

8 Report of City Engineer Mark Erichson, WSB for March 30, 2011

**9 Comfort Lake Forest Lake Watershed District Liaison Report for March 24, 2011
Submitted by Mark Lobermeier**

A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE CONSENT AGENDA ITEMS #2, #4 THROUGH #9 AS PRESENTED. PULLING #3 FOR DISCUSSION.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS:

- 10 To consider adopting Resolution No. 11-04-25 a resolution revoking 269th Street and the future road segment from 269th street to East Viking Boulevard and designating West Comfort Drive, Heath Avenue and Greenway Avenue to the City's Municipal State Aid System for roads.**

Engineer Erichson stated this was an agenda item from the past and was approved by City Council. The recommendation from Wyoming City Staff was to add Greenway Ave., West Comfort Drive, Heath Ave. and Kettle River Blvd. into the City's Municipal State Aid System for roads. This will allocate everything the City of Wyoming has at this time. The roads can be changed annually if the funds have not been used on the roads. This will be looked at yearly.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADOPT RESOLUTION NO. 11-04-25 A RESOLUTION REVOKING 269TH STREET AND THE FUTURE ROAD SEGMENT FROM 269TH STREET TO EAST VIKING BOULEVARD AND DESIGNATING WEST COMFORT DRIVE, HEATH AVENUE AND GREENWAY AVENUE TO THE CITY'S MUNICIPAL STATE AID SYSTEM FOR ROADS.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

- 11 To consider adopting Resolution No. 11-04-26 a resolution approving State of Minnesota Joint Powers Agreement with the City of Wyoming on behalf of its City Attorney (Eckberg Lammers) and Police Department and authorizing the Mayor and City Administrator/Clerk to sign on behalf of the City.**

Police Chief Hoppe stated this is a records management upgrade which requires Police Departments to get their own line from the BCA (Bureau of Criminal Activity). The Joint Powers Agreement lays out the requirements. The resolution is from the State which has to be used.

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS, SECONDED BY COUNCILMEMBER S. ZEWRAS, TO ADOPT RESOLUTION NO. 11-04-26 A RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENT WITH THE CITY OF WYOMING ON BEHALF OF ITS CITY ATTORNEY (ECKBERG LAMMERS) AND POLICE DEPARTMENT AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR/CLERK TO SIGN ON BEHALF OF THE CITY.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

- 12 To consider accepting the resignation of Frank Storm from the Wyoming Park and Recreation Board and appoint a member to fill the vacancy created by the resignation.**

J. Zerwas commented Frank's shoes will be hard to fill and Elmore stated Frank Storm has done an outstanding job and has been an outstanding leader for the City and Township of Wyoming.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER J. ZERWAS, TO APPROVE ACCEPTING THE RESIGNATION OF

FRANK STORM FROM THE WYOMING PARK AND RECREATION BOARD AND APPOINT A MEMBER TO FILL THE VACANCY CREATED BY THE RESIGNATION.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

13 To consider authorizing the hiring of an Accountant/Bookkeeper for the City of Wyoming following the background and reference check of the recommended candidate.

This item was tabled from the agenda until the next scheduled meeting.

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO TABLE THIS ITEM UNTIL THE NEXT SCHEDULED MEETING OF THE WYOMING CITY COUNCIL.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

CLAIMS

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF MARCH 16, 2011 THROUGH April 5, 2011.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER

Rush Line – The Route 285 schedule modifications began February 14th. There was an initial drop in ridership as some folks went back to riding the Route 275 bus. Since then there has been a steady increase in riders. The 15 minute reduction in travel time on the express busses is quite popular. The Rush Line staff will continue to market the route. The Heartland Express has begun connecting service to the St Paul bus from the County Road 17 Park and Ride and from St. Bridget's Church in Lindstrom. The riders using Heartland Express are mostly from north of Wyoming.

Surface Water Management Plan – Attended last Wednesday's meeting where the group learned about buffers, infiltration, and various Watershed District's policies. The next meeting will be Wednesday April 27th at 6pm at the Wyoming Municipal Building.

COUNCILMEMBER S. ZERWAS – No report at this time.

COUNCILMEMBER ELMORE – Attended the Wyoming Park Board meeting, where the Board accepted the resignation of Frank Storm. The Park Board also discussed the Egg Hunt.

COUNCILMEMBER J. ZERWAS – Attended the Joint Sewer Commission meeting on March 21st. The Bio System seems to be working well.

MAYOR PETERSON – Attended the Surface Water Management Plan meeting which was very informative. Also attended the Fire Department training at Comfort Lake on Saturday, where he was a victim in the lake.

15 **“Closed session of the City Council to discuss Labor Negotiation Strategies as per MN Statute 13D.01-05”**

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADJOURN THE APRIL 5, 2011 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT 8:43 P.M.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas

Voting Nay: None

Abstain: None

_____, Deputy Clerk