

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
JANUARY 3, 2017
7:00 PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for January 3, 2017 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 Lisa Iverson, Linda Nanko/Yeager, Joe Zerwas, and Claire Luger

ABSENT: None

Also Present: Mark Vierling-Eckberg Lammers, Robb Linwood City Administrator, Mark Erichson-WSB, Paul Hoppe - Public Safety Director, Fred Weck - Building Official/Zoning Administrator and Marty Powers, Public Works Superintendent

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE

SWEARING IN OF OFFICIALS

City Administrator Linwood Swore in Council Member Zerwas, Council Member Nanko/Yeager and Mayor Iverson

ANNUAL MEETING

1. Designate Official Newspaper for 2017– Forest Lake Times – Resolution 17-01-01

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO ADOPT RESOLUTION 17-01-01 DESIGNATING THE FOREST LAKE TIMES AS THE OFFICIAL NEWSPAPER FOR 2017.

Voting Aye: Iverson, Luger, Nanko/Yeager, and J. Zerwas

Voting Nay: None

Abstain: None

2. Designate Official Depository for City Funds for 2017 – Resolution 17-01-02

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER TO ADOPT A RESOLUTION 17-01-02 DESIGNATING OFFICIAL DEPOSITORY FOR CITY FUNDS FOR 2017.

Voting Aye: Iverson, Luger, Nanko/Yeager, and J. Zerwas

Voting Nay: None

Abstain: None

3. Elect an Acting Mayor to serve in absence of Mayor during 2017 – (Minn. Stat. 412.121)

A MOTION WAS MADE BY MAYOR ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPOINT COUNCILMEMBER NANKO/YEAGER TO SERVE IN ABSENCE OF THE MAYOR AS ACTING MAYOR FOR 2017.

Voting Aye: Luger, Nanko/Yeager, Iverson, and J. Zerwas

Voting Nay: Iverson

Abstain: None

4. Appoint Wyoming Board and Commission Members for 2017 – Resolution 17-01-03

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO ADOPT A RESOLUTION 17-01-03 APPOINTING WYOMING BOARD AND COMMISSION MEMBERS FOR 2017

Voting Aye: Iverson, Luger, Nanko/Yeager, and J. Zerwas

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY COUNCIL MEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ADVERTISE ALL FUTURE EXPIRING TERMS FOR BOARDS FOR PLANNING COMMISSION, EDA, AND PARK BOARD NO LATER THAN OCTOBER 15th OF EACH YEAR.

Voting Aye: Iverson, Luger, Nanko/Yeager, and J. Zerwas

Voting Nay: None

Abstain: None

5. Review Council Appointments to Boards, Commissions, Committees and Board of Trustees of Fire Department Volunteer Relief Association – Resolution 17-01-04

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER BY COUNCILMEMBER ZERWAS TO ADOPT RESOLUTION 17-01-04 APPROVING COUNCILMEMBER APPOINTMENTS TO BOARDS, COMMISSIONS, COMMITTEES AND BOARD OF TRUSTEES OF FIRE DEPARTMENT VOLUNTEER RELIEF ASSOCIATION AND THE ADDITION OF REMOVING THE PUBLIC WORKS LIAISON, REMOVING THE PUBLIC SAFETY LIAISON AND THE COUNCIL EDA MEMBER WILL BE FILLED BY THE APPOINTED COUNCIL MEMBER.

Voting Aye: Iverson, Luger, Nanko/Yeager, and J. Zerwas

Voting Nay: None

Abstain: None

6. Establishing 2017 regular meeting nights of the City Council of the City of Wyoming and Budget Calendar for 2018 Budget

Administrator Linwood – Explained the changes to the City Council Meeting schedule due to the conflict of the 4th of July holiday and National Night out.

Council Member Zerwas – Would prefer the meeting normally held on Tuesday August 1st still be on Tuesday and be held before National Night out.

Council Member Nanko/Yeager – Would prefer Wednesday, August 2nd

Council Member Luger – Has no preference

A MOTION WAS MADE BY COUNCIL MEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ESTABLISH THE CITY OF WYOMING COUNCIL 2017 MEETING SCHEDULE AS PRESENTED AND MOVE THE 1st COUNCIL MEETING NIGHTS IN THE MONTH OF JULY AND AUGUST TO JULY 5TH AND AUGUST 2ND AT 7:00P.M.

Voting Aye: Iverson, Luger, Nanko/Yeager, and J. Zerwas

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY COUNCIL MEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ESTABLISH THE CITY OF WYOMING COUNCIL 2018 BUDGET CALENDAR MEETING SCHEDULE AS PRESENTED WITH THE ADDITIONS OF MEETINGS ON MAY 31, 2017 AND JUNE 15th, 2017 AT 7:00PM.

Voting Aye: Iverson, Luger, Nanko/Yeager, and J. Zerwas

Voting Nay: None

Abstain: None

7. Set Annual Fees for City Services for 2017 – Resolution 17-01-05

Council Member Nanko/Yeager – Questioned impound lot and tow fees and if it was an additional fee? How many car's get towed and how many were auctioned?

Public Safety Director Hoppe – The fee on the fee schedule is the base rate from Dan's towing that we receive and pass on to the car being towed. In 2016, there were 108 vehicles towed, 81 vehicles were released, 9 were unclaimed, 3 forfeiture vehicles were sold. Currently 18 vehicles are in process, and 9 that are forfeiture vehicles.

Council Member Nanko/Yeager – Thought that the \$85.00 amount for the swing away mailbox may be too high with consideration of the cities cost of the mail box.

Public Works Superintendent Powers – Suggested that normal store prices far exceed our price since we purchase in bulk and that we may be taking business away from local stores.

Council determined that \$75.00 was fair amount

Council Member Nanko/Yeager – asked about water and sewer reconnection costs and the raising of the re-inspection fee.

Building Official/Zoning Administrator Weck – In 20 years he has issued about 2 re-inspection fees, it is there for compliance.

Council Member Zerwas –Thought that the late fee on utility bills was too high at 10%

Council agreed that 5% was appropriate for this fee.

Council Member Nanko/Yeager – Suggested the Special assessment fee of \$40 was too high compared to other cities.

Council agreed upon \$25.00 for special assessments

Council Member Nanko/Yeager – Asked about the fees for pavilion and field rentals and if they are appropriate. Do the fees cover extra work for the public works department? Asked if the system in place is working or does the honor system need to be changed?

City Administrator Linwood – in regards to the fees they are consistent with what other communities are currently doing. Most of the field rental and scheduling is done by athletic agencies for the duration of the season as field availability is hard to come by. We always have some people who use the field/fields unauthorized and we do our best to contact individuals or athletic associations to make sure they abide to the fees and rules.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER TO ADOPT RESOLUTION 17-01-05 SETTING ANNUAL FEES FOR CITY SERVICES FOR 2017 WITH THE CHANGES TO MAILBOX ASSEMBLY \$75.00, 5% LATE FEE ON UTILITIES AND \$25.00 FOR SPECIAL ASSESSMENTS.

Voting Aye: Luger, Nanko/Yeager, Iverson and Zerwas
Voting Nay: None
Abstain: None

8. Authorize Electronic Signature Stamps for the Mayor, City Administrator and Finance Comptroller – Resolution 17-01-06

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ADOPT RESOLUTION 17-01-06 A RESOLUTION TO AUTHORIZE ELECTRONIC SIGNATURE STAMPS FOR THE MAYOR, CITY ADMINISTRATOR AND FINANCE COMPTROLLER

Voting Aye: Luger, Nanko/Yeager, Iverson and Zerwas
Voting Nay: None
Abstain: None

9. Authorize Signatories for the City of Wyoming Financial Accounts and Checks – Resolution 17-01-07

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER ZERWAS TO ADOPT RESOLUTION 17-01-07 A RESOLUTION TO AUTHORIZE ELECTRONIC SIGNATURE STAMPS FOR THE MAYOR, CITY ADMINISTRATOR AND FINANCE COMPTROLLER

Voting Aye: Luger, Nanko/Yeager, Iverson and Zerwas
Voting Nay: None
Abstain: None

REGULAR MEETING

John Bergum, 26345 Fenwick Avenue – Asked if the City had a video of water tower going up

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 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”.

Mayor Iverson - Stated there will be changes to our open forum, in the future residents will be able to speak about items on/or off the agenda. Each person will be given three (3) minutes to address the Council.

APPROVAL OF MINUTES:

10. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for December 20, 2016.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR DECEMBER 20, 2016

Voting Aye: Zerwas, Nanko/Yeager, Luger and Iverson
Voting Nay: None
Abstain: None

SCHEDULED BID LETTINGS:

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.

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

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE CONSENT AGENDA ITEMS #11 THROUGH #15 AS PRESENTED

Voting Aye: Zerwas, Nanko/Yeager, Luger and Iverson

Voting Nay: None

Abstain: None

11. Report of the Public Safety Director, Paul Hoppe for December 27, 2016
12. Report of City Building Official, Fred Weck, IV for December 28, 2016
13. Report of City Attorney Mark Vierling for December 28, 2016
14. Report of City Engineer Mark Erichson, WSB for December 28, 2016
15. Report of Public Works Superintendent Marty Powers for December 29, 2016

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS

16. Vacant Council Seat Discussion/Appointment

City Administrator Linwood – Reviewed the state statutes that apply to council vacancy for the City of Wyoming. This vacancy is 2 years or less therefor should be appointed by the City Council. Suggested a multitude of processes used by other cities that could be used to fill the vacant council seat with the term expiring at the end of 2018.

Council Member Luger – Believes the council vacancy should be filled quickly and that we owe it to the residents to appoint quickly. She would advocate for who came in 3rd in the election as that is the representation of the public and should be respected.

Council Member Zerwas – Believes that the people have spoken and nearly 1,000 people voted for the next highest vote getter.

Council Member Nanko/Yeager – Historically we have not used that process, in 2008 we did not appoint the next highest vote getter. Would like to appoint tonight and move forward with the process.

Mayor Iverson – Does not want to delay this process and believes we have a lot of great things to accomplish for the city. Mayor Iverson stated she has spoken to eight different people over the last 2 months that expressed interest.

Council Member Zerwas – Would favor appointing the next highest vote getter from the election Roger Elmore. If not allow residents to apply for the position and form a five person committee to recommend an appointment.

Council Member Luger – Would like to proceed to appoint Roger Elmore, has the community support and benefits the council, staff and most of all residents.

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER ZERWAS TO APPOINT ROGER ELMORE TO THE VACANT CITY COUNCIL SEAT

Voting Aye: Zerwas, and Luger

Voting Nay: Nanko/Yeager and Iverson

Abstain: None

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO ADVERTISE THAT THE CITY IS ACCEPTING APPLICATIONS FOR THE COUNCIL VACANCY AND THE COUNCIL WILL REVIEW THE APPLICANTS AND WILL APPOINT A FIVE MEMBER BOARD THAT WILL SELECT THE INDIVIDUAL TO FILL THAT VACANT SEAT.

Voting Aye: Zerwas, and Luger

Voting Nay: Nanko/Yeager and Iverson

Abstain: None

Council Member Nanko/Yeager – Don Waller served on the Wyoming Town Board from 1997 to 2003, five years as a chairman, he is a shop steward at Camden MNDOT for AFSCME Local trustee, he has served on the Wyoming Planning Commission, the County Planning Commission, the Joint Powers Fire Board, Township board road supervisor, Hwy 8 task force, Rush Line Task force, currently employed at the City of Woodbury at Public works and would bring this experience to the Wyoming City Council.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPOINT DONALD WALLER TO THE VACANT CITY COUNCIL SEAT

Voting Aye: Nanko/Yeager and Iverson

Voting Nay: Zerwas, and Luger

Abstain: None

After the motion by Council Member Nanko/Yeager and seconded by Mayor Iverson it was asked if there were any other motions at this time to which all council members stated “No” A deadlock is now in place for the council vacancy with a 2-2 vote for Mr. Waller and no other motions to fill the vacancy. Under Minnesota State statute 412.02 State law provides that statutory city councils make the appointment to fill a vacancy, except in the case of a tie vote when the mayor makes the appointment. Therefore the motion and vote for Mr. Waller is broken with the Mayor’s ability to the appointment and with the acceptance of the appointment from Mr. Waller.

Mr. Waller accepted his appointment to the vacant council position – City Administrator Linwood swore in Council Member Waller.

17. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of DECEMBER 16, 2016 through JANUARY 5, 2016

A MOTION WAS MADE BY COUNCIL MEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF DECEMBER 21, 2016 THROUGH JANUARY 3, 2017.

Voting Aye: Nanko/Yeager, Luger, Zerwas, Waller and Iverson

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER – Thanked everyone for coming

COUNCILMEMBER J. ZERWAS – No Report

COUNCILMEMBER LUGER – Thanked everyone for coming

MAYOR IVERSON – Thanked everyone for coming and is looking forward to seeing people at future meetings. Congratulated Robb Linwood as the new City Administrator and looking forward to some great changes in the coming years.

COUNCILMEMBER WALLER – Thanked everyone for coming.

MAYOR IVERSON ADJOURNED THE JANUARY 3, 2017 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:46PM

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.

***NEXT REGULAR MEETING:
JANUARY 17, 2017
7:00PM***