

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
JANUARY 5, 2016
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for January 5, 2016 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, Linda Nanko/Yeager, Joe Zerwas, Claire Luger and Lisa Iverson

ABSENT: None

Also Present: Mark Vierling-Eckberg Lammers, Craig Mattson-City Administrator, Robb Linwood-Assistant City Administrator, Mark Erichson-WSB, Paul Hoppe - Public Safety Director and Building Official, Fred Weck

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE

ANNUAL MEETING

1. Designate Official Newspaper for 2016 – Forest Lake Times – Resolution 16-01-01

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ADOPT RESOLUTION 16-01-01 DESIGNATING THE FOREST LAKE TIMES AS THE OFFICIAL NEWSPAPER FOR 2016.

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

Voting Nay: None

Abstain: None

2. Designate Official Depository for City Funds for 2016 – Resolution 16-01-02

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO ADOPT A RESOLUTION 16-01-02 DESIGNATING OFFICIAL DEPOSITORY FOR CITY FUNDS FOR 2016.

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

Voting Nay: None

Abstain: None

3. Elect an Acting Mayor to serve in absence of Mayor during 2016 – (Minn. Stat. 412.121)

A MOTION WAS MADE BY MAYOR PETERSON SECONDED BY COUNCILMEMBER LUGER TO APPOINT COUNCILMEMBER JOE ZERWAS TO SERVE IN ABSENCE OF THE MAYOR AS ACTING MAYOR FOR 2016.

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

Voting Nay: Iverson

Abstain: None

4. Appoint Wyoming Board and Commission Members for 2016 – Resolution 16-01-03

The City Council determined to table the appointments of Park Board Members and to see if we would receive any interest from other community members of the city.

A MOTION WAS MADE BY COUNCILMEMBER _____ SECONDED BY COUNCILMEMBER _____ TO ADOPT A RESOLUTION 16-01-03 APPOINTING WYOMING BOARD AND COMMISSION MEMBERS FOR 2016

Voting Aye:
Voting Nay: None
Abstain: None

A MOTION WAS MADE BY COUNCILMEBER ZERWAS SECONDED BY COUNCILMEMBER PETERSON TO APPOINT FRANK STORM TO THE PLANNING COMMISSION

Voting Aye: Iverson, Luger, Nanko/Yeager, Peterson, 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 16-01-04

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ADOPT RESOLUTION 16-01-04 APPROVING COUNCILMEMBER APPOINTMENTS TO BOARDS, COMMISSIONS, COMMITTEES AND BOARD OF TRUSTEES OF FIRE DEPARTMENT VOLUNTEER RELIEF ASSOCIATION.

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

6. Set Annual Fees for City Services for 2016 – Resolution 16-01-05

Council Member Iverson – Fees have gone up. How did you calculate the new fees for the planning and zoning?

Fred Weck – Building Official/Zoning Admin – Application fees for subdivisions have not changed. Preliminary Plat, escrow has not changed. Commercial fees have gone down on zoning and escrows have been added in to these. Escrows were based on other cities escrows amounts from other cities. The application process shows that they will receive any remaining escrow.

Council Member Iverson – asked about average escrows and has concerns about escrow amounts for developers. Has concerns that it may cost more to build here in Wyoming. Asked staff about additional fees for Variances

Council Member Nanko/Yeager – Before the city hired a planner felt these fees were high enough and that the variance fee is high

Fred Weck – Building Official/Zoning Admin– The items don't go straight to the planner, they are still reviewed by me. The Variance fee has an escrow portion added to it and most of the time we do not see many private individuals apply for this application.

A MOTION WAS MADE BY COUNCILMEMBER PETERSON SECONDED BY COUNCILMEMBER ZERWAS TO ADOPT RESOLUTION 16-01-05 SETTING ANNUAL FEES FOR CITY SERVICES FOR 2016.

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

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".

APPROVAL OF MINUTES:

- 7. Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for December 15, 2015.**

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 15, 2015

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

Voting Nay: None

Abstain: None

- 8. Consider approving the minutes of the "Special Meeting" of the Wyoming, Minnesota City Council for December 22, 2015.**

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER LUGER TO APPROVE THE MINUTES OF THE "SPECIAL MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR DECEMBER 22, 2015

Voting Aye: Zerwas, Nanko/Yeager, Luger, Peterson, 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.

- 9. To Consider Resolution 16-01-06 a resolution declaring certain vehicles as surplus property for disposal and authorizing the Police Department to dispose of vehicles through online auction.**

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

10. Report of the Public Safety Director, Paul Hoppe for December 29, 2015.

11. Report of City Building Official, Fred Weck, IV for December 28, 2015.

12. Report of City Attorney Mark Vierling for December 29, 2015.

13. Report of City Engineer Mark Erichson, WSB for December 29, 2015.

COUNCIL MEMBER IVERSON PULLS CONSENT AGENDA ITEM #10

COUNCIL MEMBER NANKO/YEAGER PULLS CONSENT AGENDA ITEM #13

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE CONSENT AGENDA ITEMS #9, #11, and #12 AS PRESENTED.

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

Voting Nay: None
Abstain: None

Consent Agenda Item #10 - Report of the Public Safety Director, Paul Hoppe for December 29, 2015.

Council Member Iverson – Asked about the fire drill and is a little concerned about the family if they would not react properly to a real life event because of the drill

Public Safety Director Paul Hoppe – We has a family reach out to the department. The drill has been rescheduled at this time. The drill is similar to any drill a school would use, tornado drills, active shooters, fire drills, etc. Once the drill is completed we will go over with the family how the drill went. We will use the film for education purposes in the future and put it on our website.

Consent Agenda Item #13 Report of City Engineer Mark Erichson, WSB for December 29, 2015.

Council Member Nanko/Yeager – Asked about the status of the letter of credit with Heims Lake Villas per Engineer Erichson's report

City Engineer Erichson - Staff had requested that the developer provide a letter of credit over the amount of the improvements of the development. We did allow the letter to be 125% and not the 150%. We would require the developer to maintain that 125% until work was completed to reduce it. The letter of credit has not been reduced at this time of the work at this time, total work deduction is about \$40,000 so far.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE CONSENT AGENDA ITEMS #10 and #13 AS PRESENTED.

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

COMMUNICATIONS:

14. 2015 LMCIT Property Casualty Dividend Information

Council Member Iverson – Asked if the money that city is receiving back goes to the general fund and is this consistent?

Assistant City Administrator Linwood – Monies go into the general fund and the amount varies from year to year if we receive one.

15. Connexus Energy LED Lighting Upgrade

OLD BUSINESS: NONE

NEW BUSINESS

16. To consider Resolution 16-01-07 a resolution to replace two police squad cars with the purchase of two 2016 ford police pursuit utility vehicles for the Wyoming police department in the amount of \$73,094.10 and to dispose of old squad cars via auction

Paul Hoppe – Public Safety Director – We are replacing these squad cars and this year we have an anomaly and had a catastrophic repair due to a blown engine. The estimate to repair that engine is between \$7,500 and \$8,000. If we would put the vehicle up for auction we would have received about \$9,000. Did not make sense to put a new engine in the vehicle. We have no other vehicle to replace the vehicle and we have brought in our reserve car currently to perform our normal patrol activities.

Council Member Nanko/Yeager – Asked about why the manufacturers haven't beefed up these components on the car. Also asked why we would not rotate squad 207 to building safety.

Paul Hoppe – Public Safety Director – Stated some components like brakes, suspension, frame and alternator are beefed up, but the others are the same as a normal car driven by the public. Squad 207 has been used very heavily and the idea in the next agenda item is to rotate a vehicle to building safety that still has some useful life.

Council Member Zerwas – The purchases and auction of cars is based upon the rotation schedule that was put in place and believes we should continue to be utilized.

Council Member Iverson – Questioned if the car with the damaged engine could be given to a tech school of some sort and the city would receive a tax write off in exchange

City Attorney Vierling – Stated that cities don't receive the same benefits as private business so it would not be applicable.

Public Safety Director Hoppe – Stated that the vehicle will still have some value at auction even with a blown engine.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION 16-01-07 A RESOLUTION TO REPLACE TWO POLICE SQUAD CARS WITH THE PURCHASE OF TWO 2016 FORD POLICE PURSUIT UTILITY VEHICLES FOR THE WYOMING POLICE DEPARTMENT IN THE AMOUNT OF \$73,094.10 AND TO DISPOSE OF OLD SQUAD CARS VIA AUCTION

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

Voting Nay: None

Abstain: None

17. To consider Resolution 16-01-08 a resolution to replace one squad car with the purchase of one 2016 ford police utility vehicle for the Wyoming police department in the amount of \$33,843.95

Council Member Iverson – Asked about taking an impound vehicle like the 2001 Hyundai on the council agenda for auction. Could we purchase it and repurpose that vehicle for the building department.

Public Safety Director Hoppe – Vehicles that are not claimed when they are arrested those cars are auctioned and the funds are put back into the tow lot. The lot pays for the tow charges for vehicles. There is a reason that people don't claim cars, the 2001 Hyundai was not claimed because the tow and impound lot charges were not paid by the owner because the car is worth less than those charges.

Council Member Iverson – Asked if there are other vehicles that are in better shape could be purchased. Asked what the 202 police fund could be used for?

Public Safety Director Hoppe – The 202 account is not designate for specific use like the 208 fund. We have planned and designated the 202 account for purchasing unmarked cars and try to support some of operations with other funds that tax levy dollars. The account was in a negative balance when I began in Wyoming.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE Resolution 16-01-08 A RESOLUTION TO REPLACE ONE SQUAD CAR WITH THE PURCHASE OF ONE 2016 FORD POLICE UTILITY VEHICLE FOR THE WYOMING POLICE DEPARTMENT IN THE AMOUNT OF \$33,843.95

Voting Aye: Zerwas, Peterson, and Luger

Voting Nay: Iverson and Nanko/Yeager

Abstain: None

18. To consider Resolution 16-01-09 a resolution to authorize purchase of nine safety grates for lift stations for fall protection safety in the amount of \$9,695.53

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION 16-01-09 A RESOLUTION TO AUTHORIZE PURCHASE OF NINE SAFETY GRATES FOR LIFT STATIONS FOR FALL PROTECTION SAFETY IN THE AMOUNT OF \$9,695.53

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

Voting Nay: None

Abstain: None

19. To consider Resolution 16-01-10 a resolution approving “payment pay voucher #3” to Phoenix Fabricators and Erectors, Inc. for the water tower no. 3 project (WSB project 2591-07) (city project 15-03) in the amount of \$17,362.39.

City Engineer Erichson – *This payment is the 3rd pay voucher for water tower 3. This is for work completed this fall and we are recommending payment. We will not see any additional pay vouchers on this project until spring.*

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER PETERSON TO APPROVE RESOLUTION 16-01-10 A RESOLUTION APPROVING “PAYMENT PAY VOUCHER #3” TO PHOENIX FABRICATORS AND ERECTORS, INC. FOR THE WATER TOWER NO. 3 PROJECT (WSB PROJECT 2591-07) (CITY PROJECT 15-03) IN THE AMOUNT OF \$17,362.39.

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

Voting Nay: None

Abstain: None

20. To Consider Resolution 16-01-11 a resolution accepting the work and approving final payment for the Greenway Avenue improvement project city project no.13-01; S.A.P. 248-121-001 in the amount of \$17,867.49

City Engineer Erichson – *We have approved this project and we will be contingent on receiving the maintenance bond tomorrow from the contractor tomorrow. This resolution accepts the work and makes the final payment to the contractor.*

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 16-01-11 A RESOLUTION ACCEPTING THE WORK AND APPROVING FINAL PAYMENT FOR THE GREENWAY AVENUE IMPROVEMENT PROJECT CITY PROJECT NO.13-01; S.A.P. 248-121-001 IN THE AMOUNT OF \$17,867.49

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

Voting Nay: None

Abstain: None

21. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of DECEMBER 16, 2015 through JANUARY 5, 2016

Council Member Iverson – *Questioned a bill from Breitbach automotive for replacement of brakes on a squad we are getting rid of.*

Public Safety Director Hoppe – We still need to run squad cars until June that is when we anticipate the new ones being delivered and equipped.

Council Member Iverson – Questioned meals for teen speakers?

Public Safety Director Hoppe – We bring in teen speakers to the elementary school for a day as part of our Peak program. They talk to the kids about peer pressure and other items. We buy them lunch for their volunteer work.

Council Member Iverson – Questioned the bill for Wright Express Fuel

Assistant City Administrator Linwood – Believes in the past it has been labeled under WEX, it is the fuel service and gas cards the city uses for all of our vehicles in the city

A MOTION WAS MADE BY COUNCIL MEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF DECEMBER 15, 2015 THROUGH JANUARY 5, 2016.

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER – Attended the sewer commission meeting, the plant is running well. Had discussion on Solar, the site specific plan was not going to work since they already receive discounted power from Xcel Energy The price of the proposal is dropping and we will hear more from them at future meeting. Thanked everyone for coming

COUNCILMEMBER J. ZERWAS – No Report

COUNCILMEMBER LUGER – No Report

COUNCILMEMBER IVERSON – Asked about the progress on Pioneer Trail and asked about audio and video for council chamber. Thanked staff for putting council meeting audio on the website.

City Engineer Erichson – Has not completed request to MN/DOT and researched the road to look at likelihood of speed being reduced.

Assistant City Administrator Linwood – We have looked into the Audio and will be reviewing contacts for the video and we should have something to the city council soon.

MAYOR PETERSON – No Report

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER TO ADJOURN THE JANUARY 5, 2016 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:20PM

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

Voting Nay: None

Abstain: 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.

NEXT REGULAR MEETING: JANUARY 19, 2016 - 7:00PM