

**UNAPPROVED MINUTES  
CITY COUNCIL  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
FEBRUARY 3, 2014  
7:00 PM**

**CALL TO ORDER:**

*Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for February 3, 2014 to order at 7:11 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, Roger Elmore, Steve Zerwas and Joe Zerwas*

*ABSENT: NONE*

*Also Present: Mark Vierling, Eckberg Lammers, Justin Messner-City Engineer-WSB, Robb Linwood-Assistant City Administrator, Craig Mattson-City Administrator, Jason Windingstad, Public Works Superintendent and Paul Hoppe, Public Safety Director*

**DETERMINATION OF A QUORUM:**

**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".*

**APPROVAL OF MINUTES:**

- 1 Consider approving the minutes of the "Work Session" of the Wyoming, Minnesota City Council for January 21, 2014.**

**A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS SECONDED BY COUNCILMEMBER ELMORE TO APPROVE THE MINUTES OF THE "WORK SESSION MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR JANUARY 21, 2014.**

*Voting Aye: Elmore, Nanko/Yeager, Peterson, Zerwas and Zerwas*

*Voting Nay: None*

*Abstain: None*

- 2 Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for January 21, 2014.**

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER J. ZERWAS TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR JANUARY 21, 2014.**

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

- 3** To consider adopting **Resolution No. 14-02-11** 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:**

- 4** Report of the Public Safety Director, Paul Hoppe for January 31, 2014
- 5** Report of City Building Official, Fred Weck, IV for January 29, 2014.
- 6** Report of City Attorney Mark Vierling for January 30, 2014
- 7** Report of City Engineer Mark Erichson, WSB for January 29, 2014
- 8** Report of Wyoming Public Works Supt., Jason Windingstad for January 28, 2014

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER S. ZERWAS TO APPROVE CONSENT AGENDA ITEMS #2 THROUGH #9 AS PRESENTED.**

*Voting Aye: Elmore, Nanko/Yeager, Peterson, Zerwas and Zerwas*

*Voting Nay: None*

*Abstain: None*

**COMMUNICATIONS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

- 9** To acknowledge the letter of resignation of Jerry Headley after 13 years of service to the Wyoming Public Works Department effective March 28, 2014

**A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER S. ZERWAS TO ACKNOWLEDGE THE LETTER OF RESIGNATION OF JERRY HEADLEY AFTER 13 YEARS OF SERVICE TO THE WYOMING PUBLIC WORKS DEPARTMENT EFFECTIVE MARCH 28, 2014**

*Voting Aye: Elmore, Nanko/Yeager, Peterson, Zerwas and Zerwas*

*Voting Nay: None*

*Abstain: None*

- 10** To consider adopting **Resolution 14-02-12** a resolution approving a Conditional Use Permit amendment to allow Grace Evangelical Free Church to expand their facility located at 26689 Faxton Avenue

**City Administrator Mattson** – *You have the recommendation in front of you. Primary recommendation was that they would have to mark parking spots and one side of Faxton ave. had to be marked for no parking.*

**A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER J. ZERWAS TO ADOPT RESOLUTION 14-02-12 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW GRACE EVANGELICAL FREE CHURCH TO EXPAND THEIR FACILITY LOCATED AT 26689 FAXTON AVENUE**

*Voting Aye: Elmore, Nanko/Yeager, Peterson, Zerwas and Zerwas*

*Voting Nay: None*

*Abstain: None*

- 11** To consider adopting **Resolution 14-02-13** a resolution to authorize the purchase of a 2014 Ford F-350 in the amount of \$57,174.00 for the Public Works Departments

**Public Works Superintendent Windingstad** – *We would like to replace the 1996 Freightliner truck that we currently have. The freightliner is a large dump truck style vehicle. We are looking to replace with F-350. On call employees would take the truck home and respond with it. Researched other cities replacement policies – look at 10 years as replacement for daily drivers. We are slightly over budget on vehicle. We will sell the freightliner at auction for minimum bid at \$20,000.*

**Mayor Peterson** – *Do you feel you can get that?*

**Public Works Superintendent Windingstad** – *Yes*

**Council Member Joe Zerwas** – *What did we pay for the Freightliner in 2009?*

**Public Works Superintendent Windingstad**– *\$43,000*

**Council Member S. Zerwas** – *How many miles on Freightliner?*

**Public Works Superintendent Windingstad**– *around 168,000 to 170,000*

**Council Member S. Zerwas** – *You cannot use the freightliner to pull pumps?*

**Public Works Superintendent Windingstad**– *Yes we can, but is difficult to do other tasks that*

*we have in the department*

**Council Member S. Zerwas** – *Why not just keep freightliner and buy daily drive truck?*

**Council Member Nanko/Yeager** – *Would the new truck be a mobile shop on wheels, weekend call back would use it?*

**Council Member Nanko/Yeager** – *Can we put proceeds of freightliner in sewer and water or must it go into the general fund?*

**City Administrator Mattson** – *No, must go to General Fund*

**Council Member S. Zerwas** – *Trying to justify cost, other than maintenance, would rather see a regular truck, put tool box on it and keep the freightliner to do pump pulling.*

**A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER ELMORE TO ADOPT RESOLUTION 14-02-13 A RESOLUTION TO AUTHORIZE THE PURCHASE OF A 2014 FORD F-350 IN THE AMOUNT OF \$57,174.00 FOR THE PUBLIC WORKS DEPARTMENT**

*Voting Aye: Elmore, Nanko/Yeager, Peterson,*

*Voting Nay: J. Zerwas and S. Zerwas*

*Abstain: None*

**12** To consider adopting **Resolution 14-02-14** a resolution to authorize the purchase of a 2014 Ford Utility Vehicle for the Fire Department at a cost of \$31,801.82

**Public Safety Director Hoppe** – *Fire Department is looking to replace a 1993 Grass Rig and then use the 2014 Ford a mobile command center. We are having maintenance issues on the grass rigs. The tank will go into the 2001.*

**Council Member Nanko/Yeager** – *How many fire calls with this command car go on?*

**Public Safety Director Hoppe** – *we run two mobile command vehicles will go on every call, 200 plus calls a year.*

**Council Member Nanko/Yeager** – *How many grass fires?*

**Public Safety Director Hoppe** – *about a dozen grass fires.*

**Council Member Nanko/Yeager** – *Does not like the idea of a command scene vehicles – would rather see a vehicle used for fighting fires.*

**Public Safety Director Hoppe**– *To purchase a new grass rig you are looking at \$90,000 to \$100,000. Job of Fire Chief is to size up the scene, then order the resources. They need to know what they need. We will use the police utility vehicles going forward and then pass it down to the fire department. We have one command vehicle that will need to be addressed next year.*

**Council Member Joe Zerwas** – *How long do you think you will get out of the vehicle?*

**Public Safety Director Hoppe** – *15 years approximately*

**Council Member Joe Zerwas** – *If we buy this vehicle then next year we would send down one from the police.*

**Public Safety Director Hoppe** – *Correct*

**Mayor Peterson** – *You did what the city council instructed you to do.*

**A MOTION WAS MADE BY COUNCILMEMBER, J. ZERWAS SECONDED BY COUNCILMEMBER ELMORE TO ADOPT RESOLUTION 14-02-14 A RESOLUTION TO AUTHORIZE THE PURCHASE OF A 2014 FORD UTILITY VEHICLE FOR THE FIRE DEPARTMENT AT A COST OF \$31,801.82**

*Voting Aye: Elmore, Nanko/Yeager, Peterson, Zerwas and Zerwas*

*Voting Nay: None*

*Abstain: None*

**13** To consider adopting **Resolution 14-02-15** a resolution ordering the project and authorizing the preparation of plans and specifications for the Greenway Ave. street improvements (City Project No. 13-01) from Goodview Ave to Greenway Road

**Justin Messner – WSB** – *Made presentation on specifications for Greenway Ave.*

**Mayor Peterson** – *Urban part would have sidewalk – which side would it be on?*

**Justin Messner – WSB** - *Commercial side.*

**Mayor Peterson** - *How much to put a small layer of asphalt on the rural area for bicycles or walking?*

**Justin Messner - WSB** – *could look at paved shoulders or aggregate shoulders*

**Council Member Steve Zerwas** – *is there a minimum length of roadway to have it 40mph to keep it a state aid project. Concerned about when roadway goes from 30 to 40mph on a curve.*

**Justin Messner - WSB** – *Generally not, you have to meet specifications for a state aid roadway*

**Asst City Administrator Linwood** – *One thing to take into consideration is the roadway must meet state aid specifications for roadway speeds, once completed the city has the ability to mark the roadway with the speed limits they see fit.*

**Council Member Nanko/Yeager** – *Why the road was in such poor conditions?*

**Justin Messner - WSB**– *You did not have to meet state standards when it was built*

**Council Member Nanko/Yeager** – *improvements will be sufficient going forward and support utilities?*

**Justin Messner - WSB** – *Yes*

**Council Member Nanko/Yeager** – *We assessed Fallbrook and not Greenway*

*Justin Messner WSB – Few benefitting properties and businesses are receiving an improved area from an urban area.*

**A MOTION WAS MADE BY COUNCILMEMBER, ELMORE SECONDED BY COUNCILMEMBER NANKO/YEAGER TO ADOPT RESOLUTION 14-02-15 A RESOLUTION ORDERING THE PROJECT AND AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE GREENWAY AVE. STREET IMPROVEMENTS (CITY PROJECT NO. 13-01) FROM GOODVIEW AVE TO GREENWAY ROAD**

*Voting Aye: Elmore, Nanko/Yeager, Peterson, Zerwas and Zerwas*

*Voting Nay: None*

*Abstain: None*

**14** To consider adopting Resolution 14-02-16 a resolution to authorize the amendment of the City of Wyoming Personnel Policy in regards to employee residency and take home vehicles

*City Administrator Mattson – City Council asked staff to review other cities policies in regards to residency and take home vehicles.*

*City Council Member Nanko/Yeager – would not apply to fire and is not comfortable removing residency completely. The City can apply reasonable residency according to state statute. Forest Lake has a 30 minute response and North Branch a 20 minute response for public works.*

*City Attorney Vierling – Residency issues are difficult to enforce*

*Mayor Peterson – If an employee lives to far away it could be a performance issue.*

*Council Member Steve Zerwas – Believes that 25 miles is too far*

*Mayor Peterson – Believes we do not want to have exceptions*

**A MOTION WAS MADE BY COUNCILMEMBER, ELMORE SECONDED BY COUNCILMEMBER S. ZERWAS TO ADOPT RESOLUTION 14-02-16 A RESOLUTION TO AUTHORIZE THE AMENDMENT OF THE CITY OF WYOMING PERSONNEL POLICY IN REGARDS TO EMPLOYEE RESIDENCY AND TAKE HOME VEHICLES CONTINGENT ON THE CHANGE: ADDING DEPARTMENT HEADS ALONG WITH THE CITY ADMINISTRATOR TO AUTHORIZING VEHICLES FOR TAKE HOME PURPOSES(BULLET #3 UNDER SPECIFIC POLICIES RELATING TO TAKE HOME VEHICLES) AND CHANGE 25 NAUTICAL MILES TO 15 MILES FROM WYOMING CITY HALL**

*Voting Aye: Elmore, Peterson, Zerwas and Zerwas*

*Voting Nay: Nanko/Yeager*

*Abstain: None*

#### **CLAIMS:**

**15** Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of January 21, 2014 through February 3, 2014.

**A MOTION WAS MADE BY COUNCILMEMBER, S. ZERWAS SECONDED BY**

**COUNCILMEMBER J. ZERWAS TO AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF JANUARY 21, 2014 THROUGH FEBRUARY 3, 2014.**

*Voting Aye: Elmore, Nanko/Yeager, Peterson, Zerwas and Zerwas*

*Voting Nay: None*

*Abstain: None*

**COUNCIL REPORTS:**

**COUNCILMEMBER NANKO/YEAGER** – *We still have an assessment policy to finalize or do we want to have it on an agenda. Do we want to go beyond 80/20 percent? Assessment Policy on next Agenda – Council Agrees.*

**COUNCILMEMBER J.ZERWAS** – *I was at the sewer meeting, an employee that worked there quit her job and filed for unemployment*

**COUNCILMEMBER ELMORE** – *No report*

**COUNCILMEMBER S.ZERWAS** – *attended sewer commission meeting, they received rebate check for \$3500 from Xcel energy*

**MAYOR PETERSON** – *Talked to Jason about last snow storm, wanted to compliment them on the nice job they did plowing.*

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER S. ZERWAS TO ADJOURN THE FEBRUARY 3, 2014 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT 9:15 PM**

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

*Voting Nay: 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  
FEBRUARY 18, 2014  
7:00 PM***