

**UNAPPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
APRIL 15, 2014
7:03 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for April 15, 2014 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, Roger Elmore, Steve Zerwas and Joe Zerwas

ABSENT: Steven Zerwas

Also Present: Mark Vierling, Eckberg Lammers, Robb Linwood-Assistant City Administrator, Craig Mattson-City Administrator, City Engineer, Mark Erichson, Public Works Superintendent, Jason Windingstad, Fred Weck, Building Official,

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”.*

Steve Sicheneder – *Street projects – Plan last year was to do railroad area, had vote that failed. Wondering if the council will be moving forward with project, now that assessment policy is in place.*

Mayor Peterson – *No plans this year for streets*

Donald Waller – *Would like to know when we will be doing these projects on the streets since we have an assessment policy in place.*

Council Member Joe Zerwas – *We had the financing in place before, the assessment policy was put in place if we wanted to use it, it would be hitting people twice using the road fund and the assessment policy*

Dan Babbit – *Glen Oak Drive – Wants to know about new water tower. Are we building*

one? Wants something done with Roads, election proves this.

City Engineer Mark Erichson – As part of our comprehensive water plan there are standards that are required for residents and fire protection on water supply. We are at that threshold for fire suppression and storage requirements.

Jerry Owens – 21757 Gramford – If you listen you are seeing other cities going to our system.

City Administrator Mattson – You can assess but the biggest issue is showing the benefit and demonstrate value to the assessment against the property. The legislature is looking at approving Street Zoning Districts. With this use can assess over a 20 year period and you do not have to show an improved value.

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for April 1, 2014.

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS SECONDED BY COUNCILMEMBER ELMORE TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 18, 2014.

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

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

- 2 Report of the Public Safety Director, Paul Hoppe for April 9, 2014
- 3 Report of City Building Official, Fred Weck, IV for April 11, 2014.
- 4 Report of City Attorney Mark Vierling for April 11, 2014
- 5 Report of City Engineer Mark Erichson, WSB for April 10, 2014
- 6 Report of Wyoming Public Works Supt., Jason Windingstad for April 10, 2014

A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE CONSENT AGENDA ITEMS #2

THROUGH #6 AS PRESENTED.

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

Voting Nay: None

Abstain: None

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

- 7 To consider **Resolution 14-04-24** a resolution denying a Conditional Use Permit to allow Verizon Wireless to construct a seventy-four (74) foot monopole communication tower and equipment shelter at 7514 250th St. in the City of Wyoming

Fred Weck Building Official/Zoning Admin – At the last meeting the Planning Commission received information prior to that meeting from Verizon. There was no chance of review, since that information has been reviewed and that review has been staff recommendations are still in place denying the permit due to tower setbacks and provide a study why that particular location is necessary.

A MOTION WAS MADE BY COUNCILMEMBER, ELMORE SECONDED BY COUNCILMEMBER J. ZERWAS TO ADOPT A RESOLUTION DENYING A CONDITIONAL USE PERMIT TO ALLOW VERIZON WIRELESS TO CONSTRUCT A SEVENTY-FOUR (74) FOOT MONOPOLE COMMUNICATION TOWER AND EQUIPMENT SHELTER AT 7514 250TH ST. IN THE CITY OF WYOMING

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

Voting Nay:

Abstain: None

Council Member Linda Nanko/Yeager – Are the findings of fact we have enough to deny the submission?

City Attorney Mark Vierling – Yes, we believe so

- 8 To consider **Ordinance No. 2014-01** an interim ordinance placing a temporary moratorium on conditional use permit applications for wireless telecommunication facilities in the City and directing that studies of official controls related thereto be conducted

City Attorney Mark Vierling – Recommends the Moratorium and an opportunity to review the ordinance.

Council Member Joe Zerwas – how long can we have this moratorium in place?

City Attorney Vierling – By statute up to 180 days

City Council Member Elmore – Would like to have the planning commission move on this quickly.

City Attorney Vierling – should be completed in allotted time but you have to go through the process as well.

Council Member Joe Zerwas – Does not like the idea of a moratorium in the case that there is commercial property that would allow for a tower.

City Attorney Vierling – The Council could take of the moratorium at any time, believes you would need a minimum of 60 days for review of the ordinance

Council Member Elmore – We place a moratorium with option of withdrawing it if Verizon would like to submit on a commercial piece of property.

A MOTION WAS MADE BY COUNCILMEMBER, ELMORE SECONDED BY COUNCILMEMBER NANKO/YEAGER TO ADOPT ORDINANCE NO. 2014-01 AN INTERIM ORDINANCE PLACING A TEMPORARY MORATORIUM ON CONDITIONAL USE PERMIT APPLICATIONS FOR WIRELESS TELECOMMUNICATION FACILITIES IN THE CITY AND DIRECTING THAT STUDIES OF OFFICIAL CONTROLS RELATED THERETO BE CONDUCTED

*Voting Aye: Elmore, Nanko/Yeager, and Peterson
Voting Nay: J. Zerwas
Abstain: None*

- 9 To consider **Resolution No. 14-04-25** a resolution approving a site plan application to allow the construction of a 3,000 square foot parking lot adjacent to 26787 Forest Boulevard

A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER ELMORE TO ADOPT RESOLUTION NO. 14-04-25 A RESOLUTION APPROVING A SITE PLAN APPLICATION TO ALLOW THE CONSTRUCTION OF A 3,000 SQUARE FOOT PARKING LOT ADJACENT TO 26787 FOREST BOULEVARD

*Voting Aye: Elmore, Nanko/Yeager, Peterson, and Zerwas
Voting Nay:
Abstain: None*

- 9 To consider **Resolution No. 14-04-26** a resolution making appointments to Wyoming Park Board for 2014.

Council Member Elmore – The Park board has new members ready to be appointed, will be made up of 5 members meeting once a month, bylaws will be presented to the city council after the park boards first meeting.

Council Member Nanko/Yeager – Would rather see the council review the commission bylaws and mission before the park board is appointed and re-established.

A MOTION WAS MADE BY COUNCILMEMBER, J. ZERWAS SECONDED BY COUNCILMEMBER PETERSON TO ADOPT A RESOLUTION MAKING APPOINTMENTS TO WYOMING PARK BOARD FOR 2014.

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

CLAIMS:

- 11 Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of April 2, 2014 through April 15, 2014.

A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER J. ZERWAS AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF APRIL 2, 2014 THROUGH APRIL 15, 2014.

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

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER – *Dan Friedner from Colliers International was present at the EDA meeting – He presented a general description of market in Wyoming and how the city may want to market the Bingham Property. Staff was asked to acquire different opinion from another commercial real estate company. A chain called Cobblestone Hotels are looking for investors. Thanks for Coming*

COUNCILMEMBER J.ZERWAS – None

COUNCILMEMBER ELMORE – None

COUNCILMEMBER S.ZERWAS – Absent

MAYOR PETERSON – None

A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER ZERWAS TO ADJOURN THE APRIL 15, 2014 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT 7:55 PM

Voting Aye: Nanko/Yeager, Peterson, Elmore, 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
MAY 6, 2014
7:00 PM