

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
MAY 5, 2015
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for May 5, 2015 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, Claire Luger, Joe Zerwas and Lisa Iverson

ABSENT: None

Also Present: Mark Vierling, Eckberg Lammers, Craig Mattson, City Administrator, Robb Linwood-Assistant City Administrator, Fred Weck – Building Official/Zoning Administrator, and Mark Erichson, WSB– City Engineer

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”.*

Nancy Spangler – 5983 258th St – *Concerned with the direction the city is headed in. At the February 17th Council Meeting Mayor Peterson asked for strategic planning. She believes we do not need a consultant to do the council’s job. Concerned about tax forfeited land. Wants to see long term strategic planning.*

Jerry Owens 25747 Gramford Ave - *Wanted to speak about the lawsuit for flushable wipes and the city. Glad to see the city entered into the lawsuit, thinks it was a very good decision. Looks like we are helping the city and other communities around the United States.*

Don Waller – 28480 Forest Blvd – *Understand that we are putting up another sign that says welcome to Wyoming. Wanted to make sure that it was put in the correct location and wanted to know why a tree was cut down on 35W by the other sign and why it has not been cleaned up.*

Chris Kohs – Tires Warehouse and Service - Greenway Ave – *Sees issues with curbing out on Greenway Ave. Out of 10 customers that come into store 8 say something. They have customers that won’t come in anymore since high end cars are low to the ground. We are losing business because of this. Everyone on the stretch believes that the curb is poor. We have two residential driveways that are smooth. Why are the commercial ones not? They have been maintaining the sidewalk*

City Engineer Erichson – *We are familiar with the situation the curb and gutter is a standard detail for state. Before the street was asphalt straight in. There is sidewalk directly adjacent to the curb and gutter. New developments will have surmountable curb.*

Council Member Iverson – Asked if the final last layer of asphalt help at all?

City Engineer Erichson – It will bring up the clearance, but will not decrease the bump they feel.

Council Member Nanko/Yeager – Good intentions with the curb but what is the remedy?

City Engineer Erichson– You would have to remove the curb and the driveway to have a flatter surface.

City Administrator Mattson – One thing that was discussed is if the businesses are willing you willing to pay for change in the road. There was no assessments to any businesses for the reconstruct of Greenway Ave.

City Engineer Erichson – If that project would have been assessed it would have been \$13,000 a lot for commercial. To remove the driveways and correct them it would be about \$55,000 or approximately \$3500 a driveway.

Council Member Iverson – Could we hold a workshop or what can we do to help our businesses with this problem.

Doug Kiekhafer – 26240 Greenway Ave – They have two entrances, he works all over the cities and has never seen an entrance like this into a building. We have LATV there and they are complaining about it.

Staff will review the curb on Greenway and set up a workshop to have businesses meet to discuss the issue.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for April 21, 2015.

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR APRIL 21, 2015 AS AMMENDED.

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

Voting Nay: None

Abstain: None

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

2. To consider **Resolution 15-05-28** a resolution adopting assessment for the 26795 Forest Boulevard cleanup

Building Official Weck – All the work has been completed and Mr. Vierling has put together the total costs of the demolition and cleanup

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO OPEN THE PUBLIC HEARING FOR THE ASSESSMENT FOR THE 26795 FOREST BOULEVARD CLEANUP AT 7:22PM

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

Voting Nay: None

Abstain: None

NO PUBLIC COMMENT

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGERTO CLOSE THE PUBLIC HEARING FOR THE ASSESSMENT FOR THE 26795 FOREST BOULEVARD CLEANUP AT 7:23PM

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

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY IVERSON SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION NO. 15-05-28 A RESOLUTION ADOPTING ASSESSMENT FOR THE 26795 FOREST BOULEVARD CLEANUP

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

Voting Nay: None

Abstain: 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 acknowledge the LG230 Application of the Lakes Area Youth Service Bureau, 2444 N. Lake Street, Forest Lake, MN to conduct Off-Site Gambling (Raffle) at Stars and Strikes, 5063 273rd Street, Wyoming on July 16th, 2015
4. To confirm the City Council of The City of Wyoming Does Not Waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04. When renewing Liability Insurance Coverage with LMCIT (League of Minnesota Cities Insurance Trust).

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

5. Report of the Public Safety Director, Paul Hoppe for April 29, 2015
6. Report of City Building Official, Fred Weck, IV for April 30, 2015.
7. Report of City Attorney Mark Vierling for May 1, 2015.
8. Report of City Engineer Mark Erichson, WSB for April 30, 2015.
9. Report of Wyoming Public Works Supt., Jason Windingstad for April 30, 2015, 2015.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER IVERSON, TO APPROVE CONSENT AGENDA ITEMS #3 THROUGH #9 AS PRESENTED.

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

Voting Nay:

Abstain:

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS:

10. To consider **Resolution 15-05-29** a resolution providing for the competitive negotiated sale of \$5,030,000 General Obligation Improvement and Utility Revenue Bonds, Series 2015A

Brenda Krueger – Springsted – *These bonds are for all costs for the street and utility improvements – We have structured the bonds to meet parameters. The resolution sets a sale, date and time. The preliminary amount for the sale is \$5,030,000. The bonds will pay for the special assessments and utilities as well. They are structured with two main purposes, the streets is 20% to property owners and the utilities are paid from your utility accounts for 10 years. Later this year you will certify the assessments for a term of 10 years for equal amounts starting in 2016. We will take the bids at 10 o'clock in the morning then we will be here to present the sale date to council. We will go through Moody's at an A1 rating.*

Council Member Zerwas – *Is 10 years a long time for bonds?*

Brenda Krueger – *No, bonds can be anywhere from 10 to 20 years*

Council Member Nanko/Yeager – *When we go to pay this back. How will it be structured?*

Administrator Mattson - *We will levy for Debt Levy – and the others will be paid out of our utility portion.*

Council Member Nanko/Yeager – *Page 3 - the city is required to annually review the budget of the utility funds. Will the council review this?*

Administrator Mattson – *We will review this with our audit and budget review. The water tower will be associated with our enterprise funds as well.*

Council Member Nanko/Yeager – *Would like to review earlier in the year, review the general fund budget, and will we review the enterprise funds?*

Administrator Mattson – *Yes, we will review it at budget time and review the enterprise fund with more scrutiny.*

Council Member Iverson – *Would like to an earlier budget review starting in the summer*

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION NO. 15-05-29 A RESOLUTION PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$5,030,000 GENERAL OBLIGATION IMPROVEMENT AND UTILITY REVENUE BONDS, SERIES 2015A

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

Voting Nay: None

Abstain: None

11. To consider the 2014 Annual Audit of Funds – Wyoming Audit Management Letter, Wyoming Financial Report for fiscal year 2014 and Compliance Reports.
(Brad Falteysek, CPA – Abdo, Eick & Meyers LLP)

Brad Faltysek – Abdo Eick and Meyers – *We will review the management letter tonight and we can go more in depth if council has questions. We are giving you an unmodified opinion. We look at internal controls, how things are processed from beginning to end. We put everything in here and management to responsibility for the numbers. Page 3 – Limited segregation of duties. This is where we have 1 or 2 people handling transactions. We have potential for mistake or fraud. Very common with city staffs this size. Page 4 – Standard language and Page 5 – General fund Page 6 Graphical fund. Fund balance at the end of the*

year, this balance is at 68%, state auditor recommends at 35 to 50%. You want to make sure you have enough because you rely on tax levy. 68% is where you are, other cities are compared below in the chart. You are slightly below the average of that population size. You have an unassigned balance, not all of that is available for spending.

Council Member Nanko/Yeager – Sees 68.2% she believes that is high. Are we saving up towards an equipment sale?

Brad Faltysek– You are unassigned is at 50% not the whole 68% is not all available.

Council Member Nanko/Yeager – Asked if the city is planning a large expenditure? Where we able to put so much money away?

City Administrator Mattson – Council has opted to do things like expended the entire surface water management fund, and you have exceeded those funds in this area. This is why you have reserve funds, you have unexpected expenditures that you may need to cover.

Brad Faltysek – Summary of General Fund – Non business license and permits came in high at about \$122,000 and miscellaneous about \$30,000. You were about 300,000 under expenditures. The biggest one was general government department – Administration. A lot of that was 160,000 for contingency or LGA.

Council Member Nanko/Yeager – Under budget in public safety and public works – where were those portions of that budget.

Public Safety Director Hoppe – We save in some of our fuels and with the dollars per gallon at the pump. Slightly under budget in the fire department in turn out gear. We were able to recycle some of that equipment. Slight savings in full time employees with FMLA issues and utilizing part time employees.

Brad Faltysek – Page 8 - 3.1 Million in 2012 and in 2013 you were at about 3.7 Million. Your intergovernmental revenues – The city did start receiving LGA again in 2014. That was for the big reason in the increase. A transfer in of 207,000 dollars from your TIF District. This was a way to capture the ending life of that tax increment district. Page 9 - Same chart looking at expenditures – per resident – you are doing well in all of your departments in your peer groups.

Council Member Nanko/Yeager – We levy \$42,000 to pay the mortgage on the Bingham Property.

Brad Faltysek – We are paying \$25,000 for debt and the rest is going into the EDA Fund.

City Administrator Mattson – We have the money in the EDA Fund and at some point we may want to look at paying of the remaining portion of the land.

Council Member Nanko/Yeager – Stated in the future she would like to see the EDA Budget adjusted.

Brad Faltysek – Page 11 is our debt service funds. This is for TIF district and bonds that have been paid off in 2015. It's a good time to do this when other ones are falling off. Are your cash balances sufficient, do you have enough of these to pay these are questions you look at. These are on Page 12, 13 and 14.

Council Member Nanko/Yeager – The Interfund loan how long will it take to pay back?

Brad Faltysek – On Page 15 based on the current tax increment we keep the TIF going for next 12 years we will capture the increment coming in the hope is the property values will increase over the next 12 years.

Council Member Nanko/Yeager - Fallbrook Ave project had overruns how we will address this deficit in the future. Also asked about the remaining balance in the 2009 Project.

Council Member Iverson – Asked if we put excess funds in surface water if we would need to raise it?

Administrator Mattson – May work for short period of time, we would still want to review the surface water fund.

Brad Faltysek – Discussed upcoming changes in accounting standards - Big changes are GASB 68 – Liability will be about 1.5 Million Dollars, nothing to be overly concerned with.

Council Member Nanko/Yeager – Asked why the city invests in C and D grade bonds.

Accountant Frechette – These bonds are fully secured and we have not received the credit rating when these were purchased.

Administrator Mattson – We have certain standards that a city must meet, the financial advisor would only allow us to have a bond with a certain period of time and the interest rate. We will contact Dain Bosworth or Morgan Stanley along with the Local Bank for these. They know we can only invest in certain paper and they will give us what is available for municipalities and we will select based on what they present.

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE THE 2014 ANNUAL AUDIT OF FUNDS – WYOMING AUDIT MANAGEMENT LETTER, WYOMING FINANCIAL REPORT FOR FISCAL YEAR 2014 AND COMPLIANCE REPORTS. (BRAD FALTEYSEK, CPA – ABDO, EICK & MEYERS LLP)

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

Voting Nay: None

Abstain: None

12. To consider **Resolution 15-05-30** a resolution approving an application by a Governmental Subdivision for Conveyance of Tax Forfeited Land for an Authorized Public Use of Parcels 21-720-01, 21-720-02, 21-720-03, 21-720-04 AND 21-40-00

A MOTION WAS MADE BY LUGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 15-05-30 A RESOLUTION APPROVING AN APPLICATION BY A GOVERNMENTAL SUBDIVISION FOR CONVEYANCE OF TAX FORFEITED LAND FOR AN AUTHORIZED PUBLIC USE OF PARCELS 21-720-01, 21-720-02, 21-720-03, 21-720-04 AND 21-40-00

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

Voting Nay: IVERSON

Abstain: None

13. To consider extending employment offers to Brittany Lepowsky and Anthony Zerwas as a Part-Time Police Officers in the Wyoming Police Department contingent on the outcomes of a psychological and physical exam.

Public Safety Director Hoppe – We have been working on creating an eligibility list since last year. We will now be running down to no part time officers due to the hiring of our last part time officer to another department for a fulltime position. Applicants are graded by experience, knowledge, and volunteerism. From that point they take a written exam. That score is added to the application score, they are then forwarded to a physical agility test which is pass or fail. They then move to interview process where the names are whited out and they are only allowed to

introduce themselves with their first name. I work off this hiring process and it allows us to end up with most capable applicants for the position while having anonymity.

Mayor Peterson – Who participates in the interview process?

Public Safety Director Hoppe – Officer Scott Thomas, Investigator Matt Paavola and Myself. We average those 3 scores from the interview. We try to have complete anonymity with the process.

Councilmember Iverson – Asked Council Member Zerwas if the one applicant is his grandson.

Council Member Zerwas – Yes, but was not even aware until recently that he had applied.

Public Safety Director Hoppe – Asked both applicants to verbally commit to a year with the department and they have agreed.

A MOTION WAS MADE BY LUGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE EXTENDING AN EMPLOYMENT OFFER TO ANTHONY ZERWAS AS A PART-TIME POLICE OFFICER IN THE WYOMING POLICE DEPARTMENT CONTINGENT ON THE OUTCOMES OF A PSYCHOLOGICAL AND PHYSICAL EXAM.

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

Voting Nay: None

Abstain: Zerwas

A MOTION WAS MADE BY IVERSON SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE EXTENDING AN EMPLOYMENT OFFER TO BRITTANY LEPOWSKY AS A PART-TIME POLICE OFFICER IN THE WYOMING POLICE DEPARTMENT CONTINGENT ON THE OUTCOMES OF A PSYCHOLOGICAL AND PHYSICAL EXAM.

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

Voting Nay: None

Abstain:

14. To consider the request of A1 Excavating to extend the work hours of the 2015 Street Utility Improvement Project

City Engineer Erichson – The contractor identified their proposed schedule and the contractor has asked the city council for an expansion of working hours. They would like to work until 8:30pm during the week and on Saturdays they would like to start work at 7:00am. Their intent is to try to finish the project as quickly as possible.

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE THE REQUEST OF A1 EXCAVATING TO EXTEND THE WORK HOURS OF THE 2015 STREET UTILITY IMPROVEMENT PROJECT FROM 7:00AM TO 8:30PM MONDAY THROUGH FRIDAY AND TO REMAIN 8:00 TO 5:00 ON SATURDAY.

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

Voting Nay: Iverson

Abstain:

CLAIMS:

15. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of April 21, 2015 through May 5, 2015.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY

COUNCILMEMBER IVERSON TO CONSIDER AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF APRIL 21, 2015 THROUGH MAY 5, 2015.

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER- *Thank you for coming*

COUNCILMEMBER J.ZERWAS – *Thank You for Coming*

COUNCILMEMBER LUGER – *Attended Park Board Meeting and waiting to hear back prices of benches.*

COUNCILMEMBER IVERSON – *Would like a work session Thursday, June 11 at 5:00PM – Would like to discuss the following: Consultant Contracts, Staff Job Descriptions, Roles of Department Heads, Role of City Administrator, Role of Assistant City Administrator, and Strategic Planning*

MAYOR PETERSON – *No Report*

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER ADJOURN THE MAY 5, 2015 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR SESSION AT 9:02PM

Voting Aye: Nanko/Yeager, Peterson, Luger, Zerwas 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
MAY 19, 2015
7:00 PM