

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
MAY 19, 2015
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for May 19, 2015 to order at 7:07 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, Jason Windingstad, Public Works Superintendent, Paul Hoppe, Public Safety Director, and Mark Erichson, WSB- City Engineer

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ADD THE GREENWAY AVE. DRIVEWAY IMPROVEMENTS TO THE CITY COUNCIL AGENDA UNDER NEW BUSINESS #11

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

Voting Nay: None

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 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”.*

Jerry Owens 25717 Gramford Ave – *Believes we are doing extremely well budgeting and the audit came back very good. Thanked staff and also commended Chief Hoppe for only being off .5 percent on his budget – Believes council should back off staff or may face a lawsuit or harassment charges.*

APPROVAL OF MINUTES:

- 1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for May 5, 2015.**

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MAY 5, 2015 AS AMMENDED.

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

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.*

2. To consider adopting **Resolution No. 15-05-31** a resolution appointing Zach Pate and Cody LaRue to Wyoming Paid on Call Firefighters to Probationary Firefighter Status

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

3. Report of the Public Safety Director, Paul Hoppe for May 13, 2015
4. Report of City Building Official, Fred Weck, IV for May 13, 2015.
5. Report of City Attorney Mark Vierling for May 13, 2015.
6. Report of City Engineer Mark Erichson, WSB for May 13, 2015.
7. Report of Wyoming Public Works Supt., Jason Windingstad for May 13, 2015.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE CONSENT AGENDA ITEMS #2 THROUGH #7 AS PRESENTED.

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

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS:

8. To consider **Resolution No. 15-05-32** a resolution adopting ordinance 15-02 an ordinance amending the City of Wyoming Code of Ordinances, Chapter 34, Traffic, Article IV, Snowmobiles and Off-Road Vehicles and Article V, Recreational Motor Scooter, Motorized Push Scooter and Motorized Skateboard rules and regulations.

Public Safety Director Hoppe – *The Planning Commission and Fred Weck came to develop ordinance for Snowmobilers and ATV's. Believes they are appropriate for our community and is enforceable.*

Council Member Nanko/Yeager – *Wanted to know why the change from 10mph to 20mph and if it applies to ATV's as well?*

Public Safety Director Hoppe – *We wanted to have the snowmobiles and traffic moving at the same pace, it is safer when sharing a traffic lane. It applies to both snowmobiles and ATV's.*

Council Member Nanko/Yeager – They are prohibited on boulevards – will this alleviate people having to worry about them in residents and in yards? Also questioned about handicapped motor vehicles and tractors.

Public Safety Director Hoppe – Snowmobiles are supposed to travel to the closest trail as soon as possible. It should prevent them from being in our ditches. Handicapped motorized vehicles and tractors with a slow triangle sign would not fall under this ordinance

Council Member Nanko/Yeager – What about the new article V and the CC limits?

Public Safety Director Hoppe – We had to have some sort of line in there, 50cc or less.

Council Member Iverson – Asked if Golf Carts were allowed?

City Attorney Vierling – They are not allowed by state statute.

A MOTION WAS MADE BY NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION NO. 15-05-32 A RESOLUTION ADOPTING ORDINANCE 15-02 AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 34, TRAFFIC, ARTICLE IV, SNOWMOBILES AND OFF-ROAD VEHICLES AND ARTICLE V, RECREATIONAL MOTOR SCOOTER, MOTORIZED PUSH SCOOTER AND MOTORIZED SKATEBOARD RULES AND REGULATIONS.

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

Voting Nay:

Abstain:

9. Fire Department requests council authorization to extend a promotion to Captain Jesse Milligan to the position of Deputy Chief

Fire Chief JJ Hastings – We have been operating without a 4th deputy chief – We have implemented the duty crew system we are requiring 1 officer to be available nights and weekends. Nights are not a problem but weekends have been difficult to cover not having this position filled. We would like to fulfill this position with current Captain Jesse Milligan effective June 1, 2015.

Council Member Iverson - Asked if there was reason for the Chief 4 Title?

Fire Chief JJ Hastings - We simply have them labeled for radio traffic

Public Safety Director Hoppe - This would put us at our ideal staffing level in regards to Deputy Chiefs

A MOTION WAS MADE BY ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE THE REQUEST OF THE FIRE DEPARTMENT FOR COUNCIL AUTHORIZATION TO EXTEND A PROMOTION TO CAPTAIN JESSE MILLIGAN TO THE POSITION OF DEPUTY CHIEF

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

Voting Nay:

Abstain:

THE CITY COUNCIL DECIDED TO COMPLETE THE MEETING BEFORE THIS ITEM WAS DISCUSSED SINCE IT WOULD BE IN CLOSED SESSION

10. To consider **approving the Labor Agreements for 2015-2017 for LELS Police** (Law Enforcement Labor Services). (This item will be discussed in closed session if necessary)

11. Greenway Ave Surmountable Curb and Driveway Costs –

City Engineer Erichson - We have looked at re-doing these curbs and the costs for these curbs are about \$55,000

Council Member Iverson – Would like to see the businesses pay 25% for the driveways.

Council Member Luger – Feels for the business, but understands there are needs throughout the community.

Council Member Nanko/Yeager – Stated that the city could use some reserves or possibly could use LGA.

A MOTION WAS MADE BY COUNCIL MEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER UPON CONSENT OF AFFECTED PROPERTY OWNERS WILLING TO PARTICIPATE IN THE PROGRAM TO HAVE THE CITY SUBSIDIZE AND FIX DRIVEWAYS AT 33% COST TO THE PROPERTY OWNERS BE COMMITTED ON OR BEFORE ON JUNE 19th, 2015 IN WRITING.

Voting Aye: Luger, Nanko/Yeager, Peterson,

Voting Nay: Iverson and Zerwas

Abstain:

A MOTION NANKO/YEAGER SECONDED BY LUGER TO ALLOW AFFECTED PROPERTY OWNERS THE OPTION OF PREPAYMENT OR PAYING THE 33% BACK OVER A PERIOD OF 3 YEARS WITH AN INTEREST RATE OF 5% WITH NO PENALTY FOR PREPAYMENT

Voting Aye: Luger, Nanko/Yeager, Peterson,

Voting Nay: Iverson and Zerwas

Abstain:

A MOTION BY NANKO/YEAGER SECONDED BY LUGER TO HAVE THE CITY PORTION OR EXPENSE 66% TO BE PAID OUT OF UNSPENT BALANCE OF THE 2014 BUDGET AND THE REST TO GO TO THE SURFACE WATER MANAGEMENT FUND.

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

Voting Nay:

Abstain:

CLAIMS:

12. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of May 6 2015 through May 19, 2015.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO CONSIDER AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF MAY 6, 2015 THROUGH MAY 19, 2015.

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER- *Attended the sewer commission meeting a solar panel presentation by Apex, they would like to put a solar garden on the property that would require a \$15,000 engineering study. We discussed the flushable wipes lawsuit. We talked about the Andrews lift station – it is on the school district land and they will be doing a land transfer. Request from Sanitary District to join the sewer commission and will be explored at a County Level. The Lindstrom lift station needs landscaping to help with an erosion problem. We still have too much ammonia coming from the plant and are not meeting standards. Their permit at the end of April has expired and it will be renewed by the end of May or June. We are working on a sewer hookup policy. We received an update from the long range planning committee. We received an Audit, reviewed and will be adopted at next meeting*

Hwy 8 Task force – *Updates on road project; One notable US 61 from Forest Lake to Wyoming will be seal coated late this summer. Bridge replacement on County Road 36 and would like to have Rick Nolan and Bob Barrett come to meetings. They have been doing a safety audit that includes speed studies and Hwy 8 and interchange lighting on Hwy 35 and Hwy 8. Some restriping in Lindstrom and adding a pedestrian cross walk*

COUNCILMEMBER J.ZERWAS – *No Report*

COUNCILMEMBER LUGER – *Attended the EDA Meeting Last meeting, the EDA is looking at two agencies for a Hotel Feasibility Study*

COUNCILMEMBER IVERSON – *No community reports – Thanked Planning Commission for all their work on the planning commission. Stated its city councils job to ask questions and it is important*

MAYOR PETERSON – *Reviewed possibilities for Grants for East Viking Blvd and the state for grants and with Polaris. Thanked Council Member Joe Zerwas for going and talking to neighbors on Viking. Attended Planning Commission meeting, and they have worked very hard on the snowmobile ordinance and the solar ordinance.*

MOTION WAS MADE BY NANKO/YEAGER SECONDED BY IVERSON TO ENTER CLOSED SESSION TO DISCUSS LELS POLICE CONTRACT AT 8:14PM

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

MOTION WAS MADE BY NANKO/YEAGER SECONDED BY IVERSON TO END THE CLOSED SESSION TO DISCUSS LELS POLICE CONTRACT AND RE-ENTER THE REGULAR MEETING AT 8:49

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

WYOMING CITY COUNCIL DID RETURN FROM CLOSE SESSSION DISCUSSED WERE THE NEGOTIATIONS BETWEEN THE UNION AND CITY, NO VOTES WERE TAKEN IN THE CLOSED SESSION. THE WYOMING CITY COUNCIL, THE CITY ADMINISTRATOR, ASSISTANT CITY ADMINISTRATOR, PUBLIC SAFETY DIRECTOR AND CITY ATTORNEY WERE PRESENT IN THE CLOSED SESSION.

To consider approving the Labor Agreements for 2015-2017 for LELS Police (Law Enforcement Labor Services). *(This item will be discussed in closed session if necessary)*

A MOTION WAS MADE BY LUGER SECONDED BY COUNCILMEMBER ZERWAS APPROVING THE LABOR AGREEMENTS FOR 2015-2017 FOR LELS POLICE (LAW ENFORCEMENT LABOR SERVICES).

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

Voting Nay: Nanko/Yeager

Abstain:

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER ADJOURN THE MAY 19, 2015 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR SESSION AT **8:50PM**

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
JUNE 2, 2015
7:00 PM