

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
MAY 20, 2014
4:30 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for May 20,, 2014 to order at 4:30 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, Robb Linwood-Assistant City Administrator, Craig Mattson-City Administrator, Jason Windingstad, Public Works Superintendent, City Engineer, Mark Erichson, and Public Safety Director, Paul Hoppe.

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 “Regular Meeting” of the Wyoming, Minnesota City Council for May 6, 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 MAY 6, 2014.

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

- 2 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 17th, 2014
- 3 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:

- 4 Report of the Public Safety Director, Paul Hoppe for May 14, 2014
- 5 Report of City Building Official, Fred Weck, IV for May 15, 2014.
- 6 Report of City Attorney Mark Vierling for May 14, 2014
- 7 Report of City Engineer Mark Erichson, WSB for May 15, 2014
- 8 Report of Wyoming Public Works Supt., Jason Windingstad for May 14, 2014

A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS SECONDED BY COUNCILMEMBER ELMORE TO APPROVE CONSENT AGENDA ITEMS #2 THROUGH #8 AS PRESENTED.

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

Voting Nay: None

Abstain: None

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

- 9 To consider the 2013 Annual Audit of Funds – Wyoming Audit Management Letter, Wyoming Financial Report for fiscal year 2013 and Compliance Reports. (Brad Falteysek, CPA – Abdo, Eick & Meyers LLP)

Brad Falteysek – *Gave overview of 2013 Management Letter and 2013 Audit.*

Council Member Nanko/Yeager – *Stated that Public Safety seems to go over budget often and went over budget in 2013.*

Public Safety Director Hoppe – *The overages were due to the retirement of Sergeant Scott Dexter, Robb Linwood moving from public safety to administration and having to use a part time officer in an administrative role and fill patrol shifts. The other anomalies from 2013 was due to*

the pay change for fire department and a work comp for a firefighter that was brought in for office work.

Council Member Nanko/Yeager – Fallbrook Ave, deficit, how will we address it?

Brad Faltese – It will be a part of your 2014 budget

Council Member Nanko/Yeager – Why the deficit for the 2009 257th St. Project?

City Administrator Mattson – Some of the assessments have been differed by green acres.

A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER J. ZERWAS TO APPROVE THE 2013 ANNUAL AUDIT OF FUNDS – WYOMING AUDIT MANAGEMENT LETTER, WYOMING FINANCIAL REPORT FOR FISCAL YEAR 2013 AND COMPLIANCE REPORTS

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

Voting Nay:

Abstain: None

- 10** To consider **Resolution 14-05-32** a resolution adopting and approving ordinance 2014-2, an ordinance amending, Chapter 36, Article II Water, Section 32, Permit applications; Section 48 Property Assessments. Chapter 36, Article III Sewer, Section 104 Connection Permits and Fees; Section 105 Property Assessments before connection of the Wyoming City Code.

Assistant City Administrator Linwood - This item is in regards to the Trunk fees for WAC/SAC that were discussed in a prior work session. Staff along with consultants determined that the best way to implement this would to address it in the development agreement and by a case by case basis that would offer the city best flexibility in their financial interests.

Council Member Nanko/Yeager – Has no issues with the cleaning up of the ordinances but would like to see policy in regards to how much WAC/SAC will be paid.

City Attorney Mark Vierling – No issues on the fees, the city council controls that. In some respects you can dissuade a development by having a fixed amount. The City may have more flexibility looking at the developments by a case by case basis. This is dependent on where these developments are located in your community and the costs for infrastructure may change significantly. The council controls the development agreement and how much the developments infrastructure will cost and how the developer will pay the costs and not have the city play the role of banker.

Council Member Elmore – Guidelines or policy for this is not necessarily the correct way to go, you can look at each development individually and decided costs.

Mayor Peterson – It will be under the council's discretion.

A MOTION WAS MADE BY COUNCILMEMBER, J. ZERWAS SECONDED BY COUNCILMEMBER S. ZERWAS ADOPTING AND APPROVING ORDINANCE 2014-2, AN ORDINANCE AMENDING, CHAPTER 36, ARTICLE II WATER, SECTION 32, PERMIT APPLICATIONS; SECTION 48 PROPERTY

ASSESSMENTS. CHAPTER 36, ARTICLE III SEWER, SECTION 104 CONNECTION PERMITS AND FEES; SECTION 105 PROPERTY ASSESSMENTS BEFORE CONNECTION OF THE WYOMING CITY CODE.

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

Voting Nay:

Abstain: None

- 11** To consider **Resolution 14-05-33** a resolution adopting and approving the Park & Recreation Board Bylaws

Council Member Nanko/Yeager – *Would like to change “term limits” to just “terms”*

Council Member Nanko/Yeager - *Under attendance, wants to know if council is in charge of that based on bylaws or if that is something the park board will take care of. In the past it appears the park board has dismissed, but looking at the bylaws it appears the council should be doing this.*

Council Joe Zerwas – *Does not care for unexcused or excused for 3 meetings.*

Mayor Peterson – *Feels that the board should handle it internally and notify the Council.*

A MOTION WAS MADE BY COUNCILMEMBER, ELMORE SECONDED BY COUNCILMEMBER S. ZERWAS A RESOLUTION ADOPTING AND APPROVING THE PARK & RECREATION BOARD BYLAWS WITH AMMENDMENTS AS FOLLOWS: CHANGE “TERM LIMITS” TO “TERMS” AND AMMEND SECTION (6) ATTENDANCE: CITY STAFF SHALL INFORM THE CITY COUNCIL IF A MEMBER OF THE PARK BOARD WAS IN VIOLATION OF THE ATTENDANCE POLICY AND THE PARK BOARD MADE A DETERMINATION TO REMOVE THE MEMBER FROM THE BOARD

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

Voting Nay:

Abstain: None

- 12** To consider **Resolution 14-05-34** a resolution adopting and approving the Park & Recreation Board Mission Statement

A MOTION WAS MADE BY COUNCILMEMBER, S. ZERWAS SECONDED BY COUNCILMEMBER J. ZERWAS A RESOLUTION ADOPTING THE PARK & RECREATION BOARD MISSION STATEMENT WITH THE AMMENDMENT OF CHANGING “TRIAL” TO “TRAIL” ON THE 3RD BULLET POINT

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

Voting Nay:

Abstain: None

- 13** To consider **Resolution 14-05-35** a resolution receiving quotes and awarding a contract for the 2014 crack fill and seal coating improvement

City Engineer Erichson – *Took quotes for the 2014 crack and seal coating improvement*

projects. Received 3 bids from vendors and would recommend Allied Blacktop at \$39,881.80

A MOTION WAS MADE BY COUNCILMEMBER, NANKO/YEAGER SECONDED BY COUNCILMEMBER J. ZERWAS A RESOLUTION RECEIVING QUOTES AND AWARDING A CONTRACT FOR THE 2014 CRACK FILL AND SEAL COATING IMPROVEMENT TO ALLIED BLACKTOP NOT TO EXCEED \$39,881.80

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

Voting Nay:

Abstain: None

- 14** To consider the Hiring of Jason Lumsden for the Maintenance Worker I Position with a starting wage of \$20.91/HR and a starting employment date to be June 2, 2014

***Public Works Superintendent Windingstad** – In April the city council gave authorization to start the hiring process for the vacancy left by the retirement of Jerry Headley. The Candidates were interviewed and went through a field test. Mr. Lumsden stood out in the process, his main focus will be in parks with qualifications in turf management and would like him to come in at a Step 2 for wage.*

***Council Member Joe Zerwas** – where did he work before?*

***Public Works Superintendent Windingstad** – K-Corp, has experience with turf and snow and is extremely mechanically inclined.*

A MOTION WAS MADE BY COUNCILMEMBER, S. ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER APPROVING THE HIRING OF JASON LUMSDEN FOR THE MAINTENANCE WORKER I POSITION WITH A STARTING WAGE OF \$20.91 AND A STARTING EMPLOYMENT DATE TO BE JUNE 2, 2014

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

Voting Nay:

Abstain: None

- 15** To discuss the drainage and utility easements needs for the Greenway Avenue project

STAFF RECOMMENDS THAT COUNCIL GOES INTO CLOSED SESSION

CLAIMS:

- 16** Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of May 6, 2014 through May 20, 2014.

A MOTION WAS MADE BY COUNCILMEMBER, ELMORE SECONDED BY COUNCILMEMBER J. ZERWAS AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF MAY 6, 2014 THROUGH MAY 20, 2014.

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER – Went to the EDA – Will be a recommendation coming from EDA to have Colliers international to market Bingham, discussed the Chisago County Lodging Study and presented Cornerstone EDA's Quarterly Business Award.

COUNCILMEMBER J.ZERWAS – Attended Sewer commission – 2013 Audit came back well and will continue with the audit firm of Abdo Eick and Meyers for 2014. Commission approved a midi loan for \$159,000 of the 2013 Bond that was issued. Commission approved a 4% labor increase for cities in Labor contracts.

COUNCILMEMBER ELMORE – Planning commission is working on Cell Tower ordinance and social host ordinance. On May 30th the Fire Relief will be having an appreciation lunch for the businesses that helped at Stagecoach Days.

COUNCILMEMBER S.ZERWAS – Attended Sewer Commission meeting – They will be looking at different proposals from outside consultants for running the plant. Attended Highway Task force meeting. Next Tuesday the 27th concrete Paving will commence on County Road 30. Highway 8 and Broadway will be doing lighting improvements.

MAYOR PETERSON – Attended EDA Meeting.

MOTION TO GO TO CLOSE SESSION:

A MOTION WAS MADE BY COUNCILMEMBER PETERSON SECONDED BY COUNCILMEMBER ELMORE TO ADJOURN THE MAY 20, 2014 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AND ENTER A CLOSED SESSION AT 5:43pm

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

CLOSED SESSION – City Council went into closed session to discuss confidential real estate negotiations in regards to the Greenway Ave. Road Construction Project.

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS SECONDED BY COUNCILMEMBER S. ZERWAS TO ADJOURN THE MAY 20, 2014 "CLOSED SESSION MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AND ENTER A CLOSED SESSION AT 5:59pm

*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
JUNE 3, 2014 at 7:00 PM**