

**APPROVED MINUTES  
CITY COUNCIL  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
JULY 21, 2015  
7:00 PM**

**CALL TO ORDER:**

*Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for July 21, 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, Mark Erichson, WSB, Paul Hoppe, Public Safety Director, Fred Weck, Building Official, and Jason Windingstad, Public Works Superintendent*

**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 July 7, 2015.**

**A MOTION WAS MADE BY ZERWAS SECONDED BY COUNCILMEMBER IVERSON TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR JULY 7, 2015.**

*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 the application for a Temporary ON-SALE Liquor License for the Wyoming Fire Relief Association on August 1, 2015 for The Dirty Girl Run located at 28186 Kettle River Blvd., Wyoming, MN 55092**
- 3. To Consider Approving the Agreement Between The City of Wyoming and U.S. Bank National**

Association as Paying Agent and Bond Registrar

4. To consider adopting **Resolution No. 15-07-45** 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:**

5. Report of the Public Safety Director, Paul Hoppe for July 15, 2015
6. Report of City Building Official, Fred Weck, IV for July 15, 2015.
7. Report of City Attorney Mark Vierling for July 15, 2015.
8. Report of City Engineer Mark Erichson, WSB for July 16, 2015.
9. Report of Wyoming Public Works Supt., Jason Windingstad for July 15, 2015.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER, TO APPROVE CONSENT AGENDA ITEMS 4 THROUGH #9 AS PRESENTED.**

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

*Voting Nay: None*

*Abstain: None*

**Item #2 the application for a Temporary ON-SALE Liquor License for the Wyoming Fire Relief Association was pulled by Council Member Iverson**

**Council Member Iverson** – *Thanked for the changes on the application and would like to see the Fire Relief do fundraisers other than alcohol, perhaps an obstacle course or something outside the box.*

**A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE CONSENT AGENDA ITEM #2 AS PRESENTED.**

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

*Voting Nay: None*

*Abstain: None*

**Item #3 the Agreement Between The City of Wyoming and U.S. Bank National Association as Paying Agent and Bond Registrar was pulled by Council Member Nanko/Yeager**

**Council Member Nanko/Yeager** – *Wanted to know why we are reviewing this when everything has already been executed.*

**City Administrator Mattson** – *We have already selected US Bank as the paying agent being more cost effective than Wells Fargo. We did not receive the documentation until last Thursday to authorize the official signatures to the council until now. The city's bond counsel has reviewed the document.*

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE CONSENT AGENDA ITEM #3 AS PRESENTED.**

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

Voting Nay: None

Abstain: None

## **OLD BUSINESS: NONE**

## **NEW BUSINESS:**

10. To consider adopting **Resolution 15-07-46** a Resolution Approving a variance from section 40-460, (4), (b), to allow an impervious surface area of 80.6% instead of the maximum allowed of 50% at 5321 Wyoming Trail, Wyoming

**Building Official Weck** – Addition to Casey's General Store. The building addition will not increase impervious area but the pump area will.

**Council Member Nanko/Yeager** – With the installation of the underground storage system should that be a condition?

**Building Official Weck** - That is part of the condition of the site plan

**Council Member Iverson** – Asked if planning commission will be reviewing the impervious area?

**Building Official Weck** - We will be reviewing this under a comp plan change and some ordinance change at the next meeting

**Council Member Iverson** – How many pumps will they have after the addition?

**Building Official Weck** - They will be going from 3 to 4 pumps

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADOPT RESOLUTION 15-07-46 A RESOLUTION APPROVING A VARIANCE FROM SECTION 40-460, (4), (B), TO ALLOW AN IMPERVIOUS SURFACE AREA OF 80.6% INSTEAD OF THE MAXIMUM ALLOWED OF 50% AT 5321 WYOMING TRAIL, WYOMING**

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

Voting Nay: None

Abstain: None

11. To consider adopting **Resolution 15-07-47** a Resolution approving a site plan application to allow the construction of 16' x 36' addition to the store and a 30' X 30' addition to the gas pump island at Casey's General Store at 5321 Wyoming Trail, Wyoming, MN

**Council Member Nanko/Yeager** – Talked about the question in regards to access to Casey's on Hwy 61 as stated in the Friday Memo.

**City Administrator Mattson** – The question was brought up about a traffic study being conducted and if completed MNDOT may request an entrance that is right turn in and right turn out only.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON, TO ADOPT RESOLUTION 15-07-47 A RESOLUTION APPROVING A SITE PLAN APPLICATION TO ALLOW THE CONSTRUCTION OF 16' X 36' ADDITION TO THE STORE AND A 30' X 30' ADDITION TO THE GAS PUMP ISLAND AT CASEY'S GENERAL STORE AT 5321 WYOMING TRAIL, WYOMING, MN**

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

Voting Nay: None

Abstain: None

12. To Consider adopting **Resolution 15-07-48** a resolution approving a rezoning from the rural residential I (RI) District to the Office and Health Care (OHC) District at Property Identification Numbers 21.11124.00 and 21.11125.00

**Building Official Weck**– Preliminary Plat for the Heims Lake Villas development will be at the next planning commission meeting. We will move forward with the actual rezoning of the property tonight. The comprehensive plan has this listed as Office Health Care (OHC) district.

**Council Member Nanko/Yeager** – On page 3, under zoning requirements under #1 – Impact on Parks and School – is what you mean is there should be no excessive impact to parks?

**Building Official Weck** - Correct

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS, TO ADOPT RESOLUTION 15-07-48 A RESOLUTION APPROVING A REZONING FROM THE RURAL RESIDENTIAL I (RI) DISTRICT TO THE OFFICE AND HEALTH CARE (OHC) DISTRICT AT PROPERTY IDENTIFICATION NUMBERS 21.11124.00 AND 21.11125.00**

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

Voting Nay: None

Abstain: None

13. To Consider adopting **Resolution 15-07-49** a resolution approving “Payment Total Control Systems, Inc. Invoice 7313” for the 2015 Street and Utility Improvement Project (WSB Project 1688-90) (City Project 15-01) in the amount of \$38,039.00

**City Engineer Erichson** – We directly purchased components for the lift station, the pumps, the lifts station panels and controls. We wanted to have consistent products, maintain that continuity and keep our current vendors. We requested authorization to purchase directly. We are seeking authorization for payment since it is a dollar amount exceeding \$5,000

**A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER IVERSON, TO ADOPT RESOLUTION 15-07-49 A RESOLUTION APPROVING “PAYMENT TOTAL CONTROL SYSTEMS, INC. INVOICE 7313” FOR THE 2015 STREET AND UTILITY IMPROVEMENT PROJECT (WSB PROJECT 1688-90) (CITY PROJECT 15-01) IN THE AMOUNT OF \$38,039.00**

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

Voting Nay: None

Abstain: None

14. To consider changing the meeting time for the August 4, 2015 Wyoming City Council meeting to 4:30 PM due to National Night Out

**Council Member Nanko/Yeager** – Suggested the possibility of another night to accommodate business instead of an early meeting or not have one.

**City Administrator Mattson** – Suggested a meeting is necessary to keep up on city business.

**Council Member Iverson** – Would like to see the meeting possibly moved to a different day instead of an early meeting.

**Council Member Zerwas** – Tuesday is the only day he can meet that week.

**A MOTION WAS MADE BY COUNCILMEMBER PETERSON SECONDED BY COUNCILMEMBER ZERWAS TO CHANGE THE MEETING TIME FOR THE AUGUST 4, 2015 WYOMING CITY COUNCIL MEETING TO 4:30 PM DUE TO NATIONAL NIGHT OUT**

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

*Voting Nay: Iverson*

*Abstain: None*

#### **CLAIMS:**

**15. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of July 8, 2015 through July 21, 2015.**

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGERTO TO CONSIDER AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF JULY 8, 2015 THROUGH JULY 21, 2015.**

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

*Voting Nay: None*

*Abstain: None*

#### **COUNCIL REPORTS:**

**COUNCILMEMBER NANKO/YEAGER**- *Ben Winnick from the City of Forest Lake was in attendance at the sewer commission meeting and asked if Forest Lake could possibly gain access to the treatment plant for sewer capacity. Studies need to be completed. The commission reviewed draft state permits for the plant and we sent comments back. Reviewed the Minnesota Pollution control compliance report, we did approve a response letter due to the ammonia problem that we have. Even though the ammonia limits are above standards they are not polluting water.*

**COUNCILMEMBER J.ZERWAS** – *Lindstrom lift station is completed and the final payment was authorized. The Board voted unanimously to join in the flushable wipes lawsuit and Apex solar panels will be meeting with the budget committee at treatment plant.*

**COUNCILMEMBER LUGER** – *Attended EDA Meeting last Monday and received the Wetland Delineation on the Bingham Property.*

**COUNCILMEMBER IVERSON** – *No Report*

**MAYOR PETERSON** – *Attended Planning Commission meeting and EDA. Wyoming Creative Arts is closing on the Hallberg Center for the Arts. First Show will be this Thursday.*

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS ADJOURN THE JULY 21, 2015 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:26PM**

*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**  
**AUGUST 4, 2015 - 7:00 PM**