

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
SEPTEMBER 20, 2016
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for September 20, 2016 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: Mayor Eric Peterson, Councilmembers Linda Nanko/Yeager, Claire Luger, Joe Zerwas and Lisa Iverson.

Absent: NONE

Also Present: Mark Erichson WSB, Mark Vierling, City Attorney, Eckberg Lammers, Paul Hoppe, Public Safety Director, Marty Powers, Public Works Superintendent, Fred Weck, Building Official/Zoning Administrator, Tina Meyer, Comptroller, Robb Linwood, Assistant City Administrator and Craig J. Mattson, City Administrator.

DETERMINATION OF A QUORUM:

The Mayor determined a Quorum was present.

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".

Dan Babbitt 26200 Glen Oak Dr. – Expressed concerns about his interpretation of the use of exercising free speech in a public forum.

APPROVAL OF MINUTES:

1. **Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for September 6, 2016.**

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR SEPTEMBER 6, 2016 AS PRESENTED

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

Voting Nay: None

Abstain: None

SCHEDULED BID LETTINGS:

2. To Consider approving **Resolution 16-09-79** a resolution awarding the sale of \$1,125,000 General Obligation Improvement Bonds, Series 2016A fixing their form and specifications; Directing their execution and delivery; and providing for their payment

Brenda Krueger – Springsted – The winning bid of 1.54% was submitted by United Bankers Bank. Our original estimate was 1.83%. We were able to reduce the price of the bonds by \$10,000 to \$1,125,000. We did receive an A-1 Rating from Moody's Investor service. They indicated the reason for this is the cities above average fund balances and the resident income.

Council Member Nanko/Yeager – Asked about the estimated levy a year for these bond payments.

Brenda Krueger – About \$100,000.00 per year.

Council Member Iverson – In the Moody's report, it referenced the city's current borrowing plan

City Administrator Mattson – Based on the cities pavement management study, the street projects that we anticipate in the future, and the future borrowing needed to support them.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS APPROVE RESOLUTION 16-09-79 A RESOLUTION AWARDDING THE SALE OF \$1,125,000 GENERAL OBLIGATION STREET IMPROVEMENT BONDS , SERIES 2016A FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

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

Voting Nay: None

Absent: 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.

3. To consider approving the 2017 City of Wyoming Insurance coverage renewal through the League of Minnesota Cities Insurance Trust for a total cost of \$78,062
4. To consider authorizing payment of annual dues to the League of Minnesota Cities in the amount of \$7,824.00 For September 1, 2016 to August 31, 2017 and Membership in the Minnesota Mayors Association for same fiscal year for \$30.00.
5. To consider **Resolution 16-09-80** a resolution declaring the public works department items surplus property and authorizing the public works department to dispose of items through public auction or disposal process.

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

6. Report of the Public Safety Director, Paul Hoppe for September 15, 2016
7. Report of City Building Official, Fred Weck, IV for September 15, 2016
8. Report of City Attorney Mark Vierling for September 14, 2016
9. Report of City Engineer Mark Erichson, for September 15, 2016

10. Report of Public Works Superintendent, Marty Powers for September 14, 2016

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER IVERSON APPROVE CONSENT AGENDA ITEMS #3 THROUGH #10 AS PRESENTED

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

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS:

11. To consider **Financial Management Policy 16-01** a policy adopting a balanced budget policy

Comptroller Meyer – The policies help staff and council know the proper financial decisions to make. These policies are a tool that allow everyone to work off the same information.

Council Member Nanko/Yeager – Would this plan allow departments to save up for equipment, instead of using up all funds in fiscal year?

Comptroller Meyer – It would allow us to plan for future purchases.

Council Member Nanko/Yeager - Transfers of appropriations - can department heads only do these in their departments or can the city administrator make these as well or just in his department of administration? Asked what councils role was in this process

Comptroller Meyer – Each department has control on their own budget and line item spending. Council's role is the approval of the budget so department heads can use funds appropriately.

Council Member Iverson – Wanted to make sure that department heads can spend only so much and had limits unless authorized by council

Comptroller Meyer – The purchasing policy would make sure that council still has approval on budgeted items \$5,000 or greater.

Council member Iverson – Would like to see a budget calendar established for every year.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER APPROVE FINANCIAL MANAGEMENT POLICY 16-01 AS PRESENTED

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

12. To consider **Financial Management Policy 16-02** a policy adopting a fund balance/reserve policy

Comptroller Meyer – This is a more extensive Fund Balance/reserve policy, we have a target for our reserve fund balances.

Council Member Nanko/Yeager - #5 in the policy Monitoring and Reporting – it explains that you can increase certain levels on a short-term basis, can we use reserve for ongoing services like shoring up the general fund.

Comptroller Meyer – That would be a short-term use, but you do not want to make a habit of it.

Council Member Nanko/Yeager – Council procedure and approval to spend down the reserves. Should that be written into the policy?

City Administrator Mattson - Council has the ability to use reserve funds, staff does not.

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER ZERWAS APPROVE FINANCIAL MANAGEMENT POLICY 16-02 AS PRESENTED

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

Voting Nay: None

Absent: None

13. To consider **Financial Management Policy 16-03** a policy adopting a debt management policy

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER ZERWAS APPROVE FINANCIAL MANAGEMENT POLICY 16-03 AS PRESENTED

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

Voting Nay: None

Absent: None

14. To consider **Financial Management Policy 16-04** a policy adopting a cash and investments policy

Council Member Nanko/Yeager – Asked about investment safety – Wanted to know if the city would stop investing in B, C, and D securities and if we can liquidate them.

Comptroller Meyer – As soon as tomorrow, once the new policy is passed. We would like to move those to a different kind of investment, which is more stable within the statutory guidelines

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER APPROVE FINANCIAL MANAGEMENT POLICY 16-04 AS PRESENTED

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

Voting Nay: None

Absent: None

15. To consider **Resolution 16-09-81** a resolution adopting the “Not to Exceed Tax Levy” proposed 2016 Tax Levy Payable in 2017

City Administrator Mattson – Explained that in 2016 Capital Improvements were not included in the Levy. There was no budget allowed for capital improvements. When we met in December 2015 we cut \$200,000 from the adopted final levy. When budget process started for 2017, it was discovered by Tina Meyer that the 2016 Capital was not included in the budget. What we are proposing is to use some of our reserve budget to bring down our 2017 not to exceed budget and have work sessions to determine our final budget we adopt in December.

Comptroller Meyer – Explained work sheet handed out to staff and council. Looked at our increase in fund balance at the end of the last three budget cycles to determine and average, our LGA we received in 2016 and 2017 that we will receive and new debt for the water tower.

Council Member Nanko/Yeager – Asked about the water tower debt being supported by some of our water fund balances and not LGA

Comptroller Meyer – We would be looking to use the reserves in the water fund instead of LGA.

Council Member Iverson – Questioned if we still will receive our strong rating for future bond issues with this change.

Brenda Krueger - Springsted – Credit rating is determined by a number of factors. You would want to make sure you are maintaining your reserve balance based off your fund policies. If you had a year, where there was a use reserves as long as you had a reason and a plan to bring them back in a normal range it will not affect your credit rating.

Council Member Iverson – Questioned why we still have Mr. Mattson’s salary in the 2017 budget.

Comptroller Meyer – We plan as if the staff level will remain the same until told otherwise during the budget process. The admin/fin office is currently funded to maintain five positions for 2017.

Assistant City Administrator Linwood – Discussed that the operating portion for departments has increased about \$150,000 for 2017. We will be able to look at these numbers more closely in future budget workshops.

City Councils Work Session Set for September 28th, 2016 to discuss 2017 Budget.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER APPROVE RESOLUTION 16-09-81 A RESOLUTION ADOPTING THE “NOT TO EXCEED TAX LEVY” PROPOSED 2016 TAX LEVY PAYABLE IN 2017

Voting Aye: Peterson, Luger, and Zerwas

Voting Nay: Nanko/Yeager and Iverson

Absent: None

16. To consider **Resolution 16-09-82** a resolution approving the Preliminary Plat “Pineda Woods” Koski Property, R21.10124.00, 5662 287th Street

Building Official/Zoning Administrator Weck – Discussed the Planning Commission approved the Preliminary and Final plat with some contingencies listed on the staff report.

Council Member Nanko/Yeager – Spoke with a few residents near the plat. Was asked that it was a 5-acre lot, and one acre would be buildable.

Building Official/Zoning Administrator Weck – Did not receive any letters or people from the public during the public hearing with any concerns. That is correct on the 5-acre lot and one buildable acre

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER APPROVE RESOLUTION 16-09-82 A RESOLUTION APPROVING THE PRELIMINARY PLAT “PINEDA WOODS” KOSKI PROPERTY, R21.10124.00, 5662 287TH STREET

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

Voting Nay: None

Absent: None

17. To consider **Resolution 16-09-83** a resolution approving the Final Plat “Pineda Woods” Koski Property, R21.10124.00, 5662 287th Street

Council Member Iverson - Asked for clarification on park and trail \$1,500 and \$300 amounts on the application.

Building Official/Zoning Administrator Weck - \$300 for the Trail \$1,500 for Park for a total of \$1,800

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS APPROVE RESOLUTION 16-09-83 A RESOLUTION APPROVING THE FINAL PLAT “PINEDA WOODS” KOSKI PROPERTY, R21.10124.00, 5662 287TH STREET

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

Voting Nay: None

Absent: None

18. To consider **Resolution 16-09-84** a resolution receiving bids and awarding a contract for the 2016 pavement preservation project to Seal Tech Inc. in the amount of \$19,007.18

Council Member Nanko/Yeager – Asked if it was just a crack filling and asked about numbers on map what they meant, if all areas would be completed.

Public Works Superintendent Powers– Yes, just crack filling, the numbers on the map were made to indicate priority of the area and stated that the bids were excellent.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON APPROVE RESOLUTION 16-09-84 A RESOLUTION RECEIVING BIDS AND AWARDING A CONTRACT FOR THE 2016 PAVEMENT PRESERVATION PROJECT TO SEAL TECH INC. IN THE AMOUNT OF \$19,007.18

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

Voting Nay: None

Absent: None

19. To consider **Resolution 16-09-85** a resolution approving the purchase of a Civil Defense Warning Siren from Frontline Warning Systems, Inc. in the amount of \$17,425.00

Public Safety Director Hoppe – We evaluate all of the sirens in the city every year. We are looking at replacing this system this year. It is an old siren, does not have a battery backup and the pole it rests on has been weakened by animals. We are recommending purchase of the civil defense siren.

Council Member Nanko/Yeager – asked about that status of a prior report from Public Safety Director Hoppe and that they would be submitting a grant application

Public Safety Director Hoppe– We did apply along with the county for an emergency management grant and we did not receive it.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER APPROVE RESOLUTION 16-09-85 A RESOLUTION APPROVING THE PURCHASE OF A CIVIL DEFENSE WARNING SIREN FROM FRONTLINE WARNING SYSTEMS, INC. IN THE AMOUNT OF \$17,425.00

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

- 20.** To consider **Resolution 16-09-86** resolution approving an application by a governmental subdivision for conveyance of tax forfeited lands for an authorized public use of parcels 21.00374.37, 21.00374.38, and 21.10631.00

Assistant City Administrator Linwood – Explained that staff is recommending conveyance of all parcels for public use for the city including future street improvement, property access for residents, and surface water drainage

Council Member Nanko/Yeager – Asked if we could keep the parcels indefinitely?

Assistant City Administrator Linwood – Indefinably as long as it is a public use.

Council Member Nanko/Yeager – asked if the city would maintain the property off Glen Oak Dr. and Wyoming Trail.

Public Works Superintendent Powers – We would be trimming back the brush on that property.

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER ZERWAS APPROVE RESOLUTION 16-09-86 RESOLUTION APPROVING AN APPLICATION BY A GOVERNMENTAL SUBDIVISION FOR CONVEYANCE OF TAX FORFEITED LANDS FOR AN AUTHORIZED PUBLIC USE OF PARCELS 21.00374.37, 21.00374.38, AND 21.10631.00

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

CLAIMS:

- 21.** Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of **September 7, 2016** through **September 20, 2016**.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER IVERSON AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF SEPTMEBER 7, 2016 THROUGH SEPTMEBER 20, 2016

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

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER –

Attended Rush line policy advisory committee meeting – Received a presentation on light rail technology options and future trends. Public engagement update – Had discussions on equity, that they had reached about 4,600 people, but would like to reach out to low income areas and people of color. Downtown Routing - three routes downtown were eliminated and one redefined. We approved technical advisory recommendation of Diesel trains. Discussed the North/South alternatives, White Bear and Forest Lake were the options. Going to Forest Lake would cost \$400,000,000 for about 700 riders, there is some chance in regards to economic development increasing and will not make any decisions until that impact is presented. The northern representatives will convene in Forest Lake, Tuesday September 27 at 5:30 PM at Forest Lake City Hall.

Sewer Commission – Overview from Bruce Messelt on solar panels Minnesota and the reducing costs of energy, have seen up to 12% savings. Long Discussion south central sanitary district wanting representation of their own on the commission, currently represented by the Chisago County. Lengthy discussion on sewer hookup for a resident on East Viking. City revisions were sent to staff and some sticking points are over check valves and manholes.

Mayor Peterson – Asked Superintendent Powers about his prior experience with this issue.

Public Works Superintendent Powers – Attended the sewer commission meeting and is trying to look out for the best interests of the city. We still need to discuss with the commission some responsibilities on the hookup and who accesses the infrastructure for maintenance.

COUNCILMEMBER ZERWAS – Attended Sewer Commission Budget meeting, possibility of rate increases for 2017. The commission will be scheduling a negotiating committee meeting.

COUNCILMEMBER LUGER – Attended The EDA Meeting. Reviewed the Colliers worksheet on inquiries about the Bingham property the city owns. We talked about BRE Surveys to businesses within in the city. Attended Park Board Meeting, Jason Lumsden from public works gave updates on park projects. Discussed Fireside Park and other smaller improvements to be made at additional parks

COUNCILMEMBER IVERSON – No report

MAYOR PETERSON – Attended EDA Meeting and Planning Commission Meeting. Engineer from WSB came in and discussed growth of city and presented growth statistics.

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER TO ADJOURN THE SEPTEMBER 20, 2016 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT 8:18PM

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

OCTOBER 4, 2016

7:00 PM