

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
OCTOBER 4, 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, 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".

John Haider 24505 Holm Oak Ave. – Liberty Ponds Park – Expressed concerns about the clean-up and development of Liberty Ponds Park currently and in the future.

Blue Cross Presentation of Award: Presented the Wyoming Police Department for collecting 25 units of Blood during the August blood drive.

APPROVAL OF MINUTES:

- 1. Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for September 20, 2016.**

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR SEPTEMBER 20, 2016 AS PRESENTED

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

Voting Nay: None

Abstain: None

SCHEDULED BID LETTINGS:

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. Consider approving **Resolution 16-10-87** a resolution appointing Election Judges for the City of Wyoming for the General Election November 8, 2016
3. To consider approving **Resolution 16-10-88** a resolution declaring the decommissioning of the Wyoming Fire Department's used turnout gear and hose for donation.
4. To consider the 2016 Massage Therapist License Application for Charles Bachman of His and Hers Hair Company located at 26699 Faxton Ave., Wyoming, MN 55092

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

5. Report of the Public Safety Director, Paul Hoppe for September 29th, 2016
6. Report of City Building Official, Fred Weck, IV for September 28th, 2016
7. Report of City Attorney Mark Vierling for September 29th, 2016
8. Report of City Engineer Mark Erichson, for September 29th, 2016
9. Report of Public Works Superintendent, Marty Powers for September 27, 2016

Council Member Iverson pulls #5 Report of Public Safety Director

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS APPROVE CONSENT AGENDA ITEMS #3,4, 6 THROUGH #9 AS PRESENTED

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

Voting Nay: None

Absent: None

Council Member Iverson – Had questions regarding the police department switching to city provided cell phones in regards the number transitioned, the cost, type of phone, data privacy on the old phones, reimbursements employees were receiving for using their own phone, how data or evidence is kept private on phones.

Public Safety Director Hoppe – 10 officer cell phones, a family plan that costs approximately \$480.00 a month and has large amounts of data and minutes. The phones that were purchased were iPhone 6S's that were free with the new state contract service. We use an application for evidence collection on the phones that is then stored permanently on a server database.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER APPROVE CONSENT AGENDA ITEM #5 AS PRESENTED

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

Voting Nay: None

Absent: None

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS:

10. Presentation and Overview of Part 2 MS4 General Stormwater Permit – Paul Johnson – WSB

Paul Johnson - WSB – Gave Report on MS4 standards and plans for the City of Wyoming

City Engineer Erichson – We will be strengthening ordinances for MS4 standards and MPCA. We will be working with the Public Works and the Building Department for MS4 standards.

Council Member Nanko/Yeager – Questioned why this had not been looked at sooner than now what requirements have changed.

City Engineer Erichson – Explained that the city has now met both the population requirement and our load limit that put the city into a criterion for our MS4 standing.

Council Member Nanko/Yeager – Asked if being a MS4 city and the new tasks the city faces if we would have new expenses for WSB?

City Engineer Erichson – The public works staff will complete Most of the work for the MS4 standing. They would be handling the necessary documentation and programs that will be put in place

11. To consider Financial Management Policy 16-05 a policy adopting a purchasing policy

City Administrator Mattson – Explained that the Policy 16-05 Purchase Policy that follows state statute. This allows for a uniform policy and provides clarity under one document.

Council Member Nanko/Yeager – Questioned if items like public improvement projects for example pay vouchers would no longer need approval at a council meeting.

City Administrator Mattson – Finance will process the check, put on the claims register, and then still go to the council agenda for approval.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS APPROVE FINANCIAL MANAGEMENT POLICY 16-05 A POLICY ADOPTING A PURCHASING POLICY

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

Voting Nay: None

Absent: None

12. To consider Resolution 16-10-89 a resolution accepting the donation to the City for benches at the Skate Park from the Wyoming – SK8 Community in the amount of \$1,571.13

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION 16-10-89 A RESOLUTION ACCEPTING THE DONATION TO THE CITY FOR BENCHES AT THE SKATE PARK FROM THE WYOMING – SK8

COMMUNITY IN THE AMOUNT OF \$1,571.13

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

13. To consider **Resolution 16-10-90** a resolution accepting the donation to the Park Board for improvements to the City Parks from Jacqueline Shanda in memory of Paul Raduenz in the amount of \$150.00

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION 16-10-90 A RESOLUTION ACCEPTING THE DONATION TO THE PARK BOARD FOR IMPROVEMENTS TO THE CITY PARKS FROM JACQUELINE SHANDA IN MEMORY OF PAUL RADUENZ IN THE AMOUNT OF \$150.00

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

14. To consider **Resolution 16-10-91** a resolution calling for a call a public hearing on behalf of the City of Wyoming of their intent to consider issuance of competitive franchise

Assistant City Administrator Linwood – Explained that this is part of the process for the issuance of a competitive franchise. The City entered into an agreement with Bob Vose of Kennedy and Graven in August and he has provided the necessary documents to fulfill state statute and allow for franchises to submit applications at a public hearing for the October 18th, 2016 City Council Meeting.

Council Member Nanko/Yeager – Had a question on the timing of the submission of application and the public hearing.

Assistant City Administrator – In conversations with Mr. Vose he stated that this would not be an issue, due to the only application we should receive is from Frontier and if we did receive others they could still be considered.

City Attorney Vierling – As long as you are meeting all the statutory requirements, you can still allow for multiple franchise applications if received.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION 16-10-91 A RESOLUTION CALLING FOR A CALL A PUBLIC HEARING ON BEHALF OF THE CITY OF WYOMING OF THEIR INTENT TO CONSIDER ISSUANCE OF COMPETITIVE FRANCHISE

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

15. To consider **Resolution 16-10-92** a resolution approving an Ordinance mending the City of Wyoming code of ordinances, chapter 12, Article II, Division 1, revising Saunas and Massage Section 12-31 policy (b), Section 12-59 certificate application (5) (a), (b), (c), Section 12-65 restrictions and regulations (k) Gender requirements, (m) Photograph and fingerprint requirements

Assistant City Administrator Linwood – Explained that the changes on this ordinance were due to an application that submitted by a new massage business. The current ordinance only allows for two massage licenses in the commercial/retail area, we would like to change that to five. As we reviewed, the ordinance staff omitted some of the requirements since they were not applicable anymore.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 16-10-92 A RESOLUTION APPROVING AN ORDINANCE MENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 12, ARTICLE II, DIVISION 1, REVISING SAUNAS AND MASSAGE SECTION 12-31 POLICY (B), SECTION 12-59 CERTIFICATE APPLICATION (5) (A), (B), (C), SECTION 12-65 RESTRICTIONS AND REGULATIONS (K) GENDER REQUIREMENTS, (M) PHOTOGRAPH AND FINGERPRINT REQUIREMENTS

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

Voting Nay: None

Absent: None

16. To consider the 2016 Massage Therapist License Application for Robyn Kielsa of Balance Community Acupuncture and Massage LLC. located at 5321 East Viking Blvd., Wyoming, MN 55092

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER LUGER TO APPROVE THE 2016 MASSAGE THERAPIST LICENSE APPLICATION FOR ROBYN KIELSA OF BALANCE COMMUNITY ACUPUNCTURE AND MASSAGE LLC. LOCATED AT 5321 EAST VIKING BLVD., WYOMING, MN 55092

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

Voting Nay: None

Absent: None

17. To consider **Resolution 16-10-93** a resolution approving “Payment Pay Voucher #2” to Dresel Contracting, Inc. for the 2016 street improvement project (WSB project 2591-32) City project 16-01) in the amount of \$309,581.83

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 16-10-93 A RESOLUTION APPROVING “PAYMENT PAY VOUCHER #2” TO DRESEL CONTRACTING, INC. FOR THE 2016 STREET IMPROVEMENT PROJECT (WSB PROJECT 2591-32) CITY PROJECT 16-01) IN THE AMOUNT OF \$309,581.83

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

Voting Nay: None

Absent: None

18. To consider **Resolution 16-10-94** a resolution approving “Payment Pay Voucher #9” to Phoenix Fabricators and Erectors, Inc. for the Water Tower no. 3 project (WSB project 2591-07) (City project 15-03) in the amount of \$76,845.12

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION 16-10-94 A RESOLUTION APPROVING “PAYMENT PAY VOUCHER #9” TO PHOENIX FABRICATORS AND ERECTORS, INC. FOR THE WATER TOWER NO. 3 PROJECT (WSB PROJECT 2591-07) (CITY PROJECT 15-03) IN THE AMOUNT OF \$76,845.1

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

Voting Nay: None

Absent: None

19. To consider the Joint Powers Agreement Governing the Chisago Lakes Joint Sewage Treatment Commission so as to allow the South Center Sanitary District as a Voting Member

City Administrator Mattson – Stated that he received a call from Bruce Messelt, County Administrator asking the city council take a formal vote if the South Center Sanitary District should be allowed to join the CLJSTC. This would not be a normal practice allowing an unincorporated entity to join the JPA and receive the benefits. It makes no incentive for future annexation, it is important for incorporated areas to maintain the integrity of their system. You may have some municipal policies that may only be able to be maintained with incorporated entities.

Council Member Nanko/Yeager – They did come to the last commission meeting and asked for a request, but the commission thought the county and the south center sanitary district should work on this. Asked if the SCSD were allowed into the agreement what would have to happen.

Assistant City Administrator Linwood – Any changes in the JPA on the language of the agreement or adding new members requires unanimous votes. Chisago City has already voted against the South Center Sanitary joining making it a non-issue, but the county has asked all cities for a formal vote.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO NOT APPROVE THE JOINT POWERS AGREEMENT GOVERNING THE CHISAGO LAKES JOINT SEWAGE TREATMENT COMMISSION SO AS TO ALLOW THE SOUTH CENTER SANITARY DISTRICT AS A VOTING MEMBER

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

Voting Nay: None

Absent: None

CLAIMS:

20. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of September 21, 2016 through October 4, 2016.

Council Member Iverson – Questioned what services were provided from Columbus Truck and Auto and if the business was related to a city police officer.

Public Works Superintendent Powers – This new vendor is providing our MN/DOT roadway certifications for our truck and snowplows, the previous one is no longer providing that service.

Council Member Iverson – Asked about the increase in tow costs and number of tows.

Public Safety Director Hoppe – We have been busy with arrests, forfeitures, it depends on how busy we are.

Council Member Iverson – Asked about the costs of a volleyball net for \$354 from Grainger

Public Works Superintendent Powers – That was for a volleyball court in one of our parks.

Council Member Iverson – Asked about a bill from MNCOR for a task chair \$500, believes that we have spent a large amount of money on chairs in 2016.

Public Safety Director Hoppe – We buy chairs like this for the needs of our employees and the life of the chairs like this can be 10-15 years.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF SEPTMEBER 21, 2016 THROUGH OCTOBER 4, 2016

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER – On September 27 the Rush line Policy advisory committee met in Forest Lake – Purpose was for two alternatives for Forest Lake and for White Bear. Ranks low in cost effectiveness, especially when you are competing for federal funds. Staff presented new alternatives. Modified alternative, that existing bus service on I35 would remain, end in White Bear and new feeder Buss would be sent to Forest Lake. Forest Lake would like a circular bus that goes to Wyoming Fairview. Looked at establishing a hookup with Heartland express. One alternative that would be to have services Forest Lake to Maplewood Mall. We will continue to review this at the meeting this month.

Attended Goodview and 250th Open House

Attended Budget Meeting

Thanked everyone for coming

COUNCILMEMBER ZERWAS – No Report

COUNCILMEMBER LUGER – Attended Park Board Meeting – Toured the Xccent building to brainstorm ideas for Parks

COUNCILMEMBER IVERSON – Attended Budget Meeting, Goodview Open House and Rush Line meeting

MAYOR PETERSON – Attended Goodview Open House and City Council Budget Work Session

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER TO ADJOURN THE OCTOBER 4, 2016 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT 8:30PM

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 18, 2016
7:00 PM