

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
OCTOBER 18, 2016
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for October 18, 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, and Lisa Iverson.

Absent: Claire Luger and Joe Zerwas

Also Present: Mark Erichson WSB, Mark Vierling, City Attorney, Eckberg Lammers, Paul Hoppe, Public Safety Director, JJ Hastings, Fire Chief, 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".

APPROVAL OF MINUTES:

1. Consider approving the minutes of the "Work Session Meeting" of the Wyoming, Minnesota City Council for September 28, 2016.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE THE "WORK SESSION MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR SEPTEMBER 28, 2016 AS PRESENTED

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Abstain: None

2. Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for October 4, 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 OCTOBER 4, 2016 AS PRESENTED

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Abstain: None

3. Consider approving the minutes of the “Work Session Meeting” of the Wyoming, Minnesota City Council for October 12, 2016.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE THE “WORK SESSION MEETING” MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR OCTOBER 12, 2016 AS PRESENTED

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Abstain: None

SCHEDULED BID LETTINGS:

SCHEDULED PUBLIC HEARINGS:

4. To consider a competitive franchise application from Frontier Communications

Scott Bohler and Tom Murn – Frontier Communications – Mr. Bohler and Mr. Murn were present to provide information about Frontier’s new video system, (Vantage TV) and background of why they want to come to Wyoming. Frontier communications has approximately doubled in size in the last 2 years and have been doing significant fiber upgrades and infrastructure work in Wyoming. They are excited about the opportunity to have a franchise in Wyoming and would be a good strong partner in the community. At this time, the Vantage TV system currently serves about 16 to 17 million homes in 29 States.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO OPEN THE PUBLIC HEARING FOR THE COMPETITIVE FRANCHISE APPLICATION AT 7:10PM

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Abstain: None

***NO PUBLIC COMMENT WAS RECIEVED**

Mayor Peterson – Asked if this is a streaming video product?

Scott Bohler - Frontier - Correct

Council Member Nanko/Yeager – Asked if Frontier would be able to provide service to all residents in Wyoming and how long the infrastructure build out would take to be completed?

Tom Murn – The intent would be to reach the entire city however, this may require some build out. They anticipate the build out they are doing right now will be completed by the end of the year.

Mayor Peterson – Asked if Frontier was bringing their service into other areas in addition to Wyoming?

Tom Murn - Frontier– He explained they would be bringing service to Lindstrom, Chisago City and Scandia.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY

COUNCILMEMBER IVERSON TO CLOSE THE PUBLIC HEARING FOR THE COMPETITIVE FRANCHISE APPLICATION AT 7:12PM

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

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO DIRECT STAFF AND LEGAL COUNSEL TO NEGOTIATE PROPOSED FRANCHISE TERMS AND PROVIDE A REPORT CONCERNING THE APPLICATION.

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

5. To consider **Resolution 16-10-95** 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 October 14, 2016
7. Report of City Building Official, Fred Weck, IV for October 12, 2016
8. Report of City Attorney Mark Vierling for October 12, 2016
9. Report of City Engineer Mark Erichson, for October 13, 2016
10. Report of Public Works Superintendent, Marty Powers for October 12, 2016

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER APPROVE CONSENT AGENDA ITEMS #5 THROUGH #10 AS PRESENTED

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

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS:

11. To consider **Resolution 16-10-96** a resolution approving a zoning ordinance amendment for Temporary Family Health Care Dwellings

Building Official/Zoning Administrator Weck – Have changed the items on the ordinance the council requested. Costs have been provided to install a temporary home however, no cost to remove. The costs associated to install the home would be similar to the costs to remove a home.

Council Member Nanko/Yeager – If installation and removal will be the same costs maybe a bit less, average installation is over \$10,000. Concerned that the bond cost becomes a deterrent for a resident to use this option but does not want the city to have to pay the costs for removal.

Council Member Iverson – asked how many dwelling applications dwellings there are in the county and how they came up with a \$5,000 amount for the surety bond to remove the structure.

Building Official/Zoning Administrator Weck – Was not sure of the amount of applications the county had received at this time. The surety bond at the amount of \$5,000 would cost the applicant approximately \$250 annually.

Assistant Administrator Linwood – Spoke with the County regarding the \$5,000 dollar amount and they did not give a breakdown of why but felt this amount was adequate to remove a temporary structure.

Building Official/Zoning Administrator Weck – The dwellings that had existed in the former township had \$2000.00 cash escrows.

Council Member Nanko/Yeager – Could they do a \$5,000 cash escrow or \$5,000 bond?

Building Official/Zoning Administrator Weck - Yes

Council Member Iverson – Asked how many applications or inquiries has the city had regarding temporary dwellings?

Building Official/Zoning Administrator Weck - No applications since 2007 and no inquiries, we have not seen any activity until the state brought up the new legislation. We do have an ordinance in place regulating these temporary dwellings. This ordinance simply updates it.

Public Safety Director Hoppe – Discussed storage costs if the dwelling was in the impound lot and was there the maximum 45 days before it could be auctioned. Storage cost could be around \$3,000.

Mayor Peterson – Believed the \$5,000 surety bond was a reasonable amount.

Council Member Iverson – Asked how long other temporary dwellings have been in place and the duration average of the dwellings in place

Building Official/Zoning Administrator Weck– Some have lasted as long as 9 or 10 years, we had one in 2007 that was gone in 3 years.

Council Member Nanko/Yeager – Asked if a unit would affect property taxes.

City Attorney Vierling – It would not increase property taxes.

Council Member Iverson – Suggested that \$5,000 was too high and suggested \$3,000

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE RESOLUTION 16-10-96 A RESOLUTION WITH THE AMENDMENT TO SECTION 40-802 SUBSECTION 2-E CHANGING THE \$5,000 PERFORMANCE BOND TO \$3,000 APPROVING A ZONING ORDINANCE AMENDMENT FOR TEMPORARY FAMILY HEALTH CARE DWELLINGS

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

12. To consider **Resolution 16-10-97** a resolution approving a variance for a salt storage building setback from the centerline of County Road 22/Wyoming Trail

Building Official/Zoning Administrator Weck – Planning Commission recommended this item for approval

Bob Dahlager - 7733 Wyoming Trail – Not opposed to the setback or salt shed, just would like to see some screening of the salt shed.

Mayor Peterson – Asked if the structure would be Beige?

Public Works Superintendent Powers - Yes

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE RESOLUTION 16-10-97 A RESOLUTION APPROVING A VARIANCE FOR A SALT STORAGE BUILDING SETBACK FROM THE CENTERLINE OF COUNTY ROAD 22/WYOMING TRAIL WITH THE CHANGE UNDER CONDITIONS: SCREENING OF THE SHED MUST BE 6 FOOT SPRUCE TREES OR EQUIVALENT EVERY 15 FEET ON THE NORTH SIDE AND 6 FOOT SPRUCE TREES OR EQUIVALENT ON THE EAST SIDE TO FILL IN WHERE NECESSARY

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

13. To consider **Resolution 16-10-98** a resolution approving a variance for a salt storage building architectural standards

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE RESOLUTION 16-10-98 A RESOLUTION APPROVING A VARIANCE FOR A SALT STORAGE BUILDING ARCHITECTURAL STANDARDS WITH THE CHANGE UNDER CONDITIONS: SCREENING OF THE SHED MUST BE 6 FOOT SPRUCE TREES OR EQUIVALENT EVERY 15 FEET ON THE NORTH SIDE AND 6 FOOT SPRUCE TREES OR EQUIVALENT ON THE EAST SIDE TO FILL IN WHERE NECESSARY

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

14. To consider **Resolution 16-10-99** a resolution approving a site plan for a salt storage building for

Wyoming Public Works located at 7665 Wyoming Trail.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE RESOLUTION 16-10-99 A RESOLUTION APPROVING A SITE PLAN FOR A SALT STORAGE BUILDING FOR WYOMING PUBLIC WORKS LOCATED AT 7665 WYOMING TRL. WITH THE CHANGE UNDER CONDITIONS: SCREENING OF THE SHED MUST BE 6 FOOT SPRUCE TREES OR EQUIVALENT EVERY 15 FEET ON THE NORTH SIDE AND 6 FOOT SPRUCE TREES OR EQUIVALENT ON THE EAST SIDE TO FILL IN WHERE NECESSARY

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Absent: None

15. To consider **Resolution 16-10-100** a resolution authorizing membership in the 4m Fund

A MOTION WAS MADE BY COUNCILMEMBER PETERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE RESOLUTION 16-10-100 A RESOLUTION AUTHORIZING MEMBERSHIP IN THE 4M FUND

Assistant City Administrator Linwood – Explained that the 4M allows the city to take Bond proceeds and investment them in a short-term manner to try to earn the maximum allowed amount by statute. Currently bond money is placed in an account at our bank and receives minimal return on interest.

Council Member Iverson – Asked if there is a cost associated with the service.

Assistant City Administrator Linwood – A small percentage of the interest earned is the cost associated with this fund. (In further discussion with staff after the council meeting, there is no cost associated with the 4M FUND to the city of Wyoming)

Council Member Nanko/Yeager – Could the interest proceeds from the investments be used to buy down the bonds?

City Administrator Mattson – Yes, if the city council chose to do so.

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Absent: None

16. To consider **Agreement 16-10-02** to authorize the agreement by and between the city of Wyoming, Minnesota, and the Chisago lakes joint sewage treatment commission, a joint powers entity

A MOTION WAS MADE BY COUNCILMEMBER _____ SECONDED BY COUNCILMEMBER _____ TO TABLE AGREEMENT 16-10-02 TO AUTHORIZE THE AGREEMENT BY AND BETWEEN THE CITY OF WYOMING, MINNESOTA, AND THE CHISAGO LAKES JOINT SEWAGE TREATMENT COMMISSION, A JOINT POWERS ENTITY

NO ACTION TAKEN BY COUNCIL ON THIS ITEM – CITY COUNCIL WILL WAIT FOR THE CHISAGO LAKES JOINT SEWAGE TREATMENT COMMISSION TO PROVIDE A UNIVERSAL AGREEMENT

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

17. To consider **Resolution 16-10-101** a resolution to authorize purchase of extrication and stabilization equipment at a cost of \$7,093.94

Fire Chief Hastings – We continually evaluate equipment that needs to be replaced or augmented. We have had some incidents where this equipment would allow lifting of larger vehicles and would be able to change the angle of the lift. We currently have air bags that are good for flat areas and we receive 4 to 6 inches. The new lift would allow us to lift a car off a passenger car if necessary.

Council Member Nanko/Yeager – How much is in the special project fund currently?

Public Safety Director Hoppe – Approximately \$8,400.00

Council Member Iverson – asked if the weight of 20,000 is equivalent to a vehicle and asked about warranty on the product

Fire Chief Hastings – A full size pickup is 15,000 to 16,000 pounds. The product has no date for a warranty date as long as we do not overexert the product and break them.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE RESOLUTION 16-10-101 A RESOLUTION TO AUTHORIZE PURCHASE OF EXTRICATION AND STABILIZATION EQUIPMENT AT A COST OF \$7,093.94

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

18. To consider **Resolution 16-10-102** a resolution calling a public hearing on assessments for the 2016 street and utility improvement project (City Project No. 16-01)

City Engineer Erichson – Project for 2016 is nearing completion. Very positive bid results. During construction, we did experience some cost savings. The assessable amounts on project and the 20% of improvements \$197,000 and an assessment \$6161.31. Due to bid results, the amounts are considerably lower than originally anticipated.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO APPROVE RESOLUTION 16-10-102 A RESOLUTION CALLING A PUBLIC HEARING ON ASSESSMENTS FOR THE 2016 STREET AND UTILITY IMPROVEMENT PROJECT (CITY PROJECT NO. 16-01)

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

19. To consider **Resolution 16-10-103** a resolution declaring the cost to be assessed and ordering preparation of proposed assessment roll for the 2016 street and utility improvement project (city project no. 16-01)

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY

COUNCILMEMBER IVERSON TO APPROVE RESOLUTION 16-10-103 A RESOLUTION DECLARING THE COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT ROLL FOR THE 2016 STREET AND UTILITY IMPROVEMENT PROJECT (CITY PROJECT NO. 16-01)

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Absent: None

- 20.** To consider approving the Kennedy Estates Watermain oversizing costs in the amount of \$46,555.00

City Engineer Erichson – With the development of Kennedy Estates, we have identified the importance of upsizing the water system as part of our infrastructure. We are essentially paying for the oversizing costs of the pipe we do not have to pay for the excavation or connection.

A MOTION WAS MADE BY COUNCILMEMBER PETERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE THE KENNEDY ESTATES WATERMAIN OVERSIZING COSTS IN THE AMOUNT OF \$46,555.00

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Absent: None

CLAIMS:

- 21.** Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of October 5, 2016 through October 18, 2016.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF OCTOBER 5, 2016 THROUGH OCTOBER 18, 2016

Voting Aye: Nanko/Yeager, Peterson, and Iverson

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER – *Sewer Commission* – Moment of silence for commission member Joe Wishey. Plant is prepping for winter, shed has been completed for the chemical addition and a test run was completed. New pumps were installed and the commission moved to extend sludge piping to be put directly into a sewer pond. The union contract was approved and non-union salaries. In regards to adding the sanitary district, Center City was the only entity-voting yes, Wyoming, Chisago City and Stacy voted No, Chisago County and Lindstrom had not yet voted.

Hwy 8 Task Force – Taylors Falls work will be completed in November. Most of Chisago County's projects have been completed. Wheelage tax is creating around \$500,000 and the new sales tax is financing projects. Talked about the safety audit on Highway 8 and we reviewed letters from cities. Currently no funding for Hwy 8 but there is possibly \$9 million available for a preservation

project to be completed between 2020 to 2025 and we may be able to add turn lanes to some of the streets on Hwy 8. Task Force has asked for another letter to identify these areas. MNDOT did acquire a small portion of land for the Hwy 8 Bridge to I-35 but no project for a northbound ramp has been approved at this time. Continued discussion about hiring a lobbyist to try to acquire funding for Hwy 8.

COUNCILMEMBER ZERWAS – Absent

COUNCILMEMBER LUGER – Absent

COUNCILMEMBER IVERSON – Candidate forum WABA will be held at 7:00pm on Thursday October 27th, at Split Rocks

MAYOR PETERSON – Attended Planning Commission and EDA meeting presented award to Pine Haven and Haunted Hay Ride

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO ADJOURN THE OCTOBER 18, 2016 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT 8:12PM

Voting Aye: Nanko/Yeager, Peterson, 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:
NOVEMBER 1, 2016
7:00 PM