

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
DECEMBER 15, 2015
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for December 15, 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, Joe Zerwas and Lisa Iverson

ABSENT: Claire Luger

Also Present: Mark Vierling-Eckberg Lammers, Craig Mattson-City Administrator, Robb Linwood-Assistant City Administrator, Mark Erichson-WSB, and Paul Hoppe - Public Safety Director.

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 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”.

Mark Oknich 5524 279th St – *Has seen city maintenance workers trucks driving across the walking trail to get to the public works facility. Questioned if they should be doing this.*

City Administrator Mattson – *The Public Works Department has been notified not to cross the walking path with any vehicles to gain access to the public works maintenance building.*

APPROVAL OF MINUTES:

- 1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for December 1, 2015.**

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR DECEMBER 15, 2015

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

Voting Nay: None

Abstain: None

SCHEDULED BID LETTINGS:

SCHEDULED PUBLIC HEARINGS:

- 2. To consider adopting Resolution 15-12-92 a resolution approving the Vacation portions of a drainage easement and relocation for property located at 25253 W. Comfort Dr., Wyoming, MN**

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO OPEN THE PUBLIC HEARING FOR THE VACATION PORTIONS OF A DRAINAGE EASEMENT AND RELOCATION FOR PROPERTY LOCATED AT 25253 W. COMFORT DRIVE, WYOMING, MN AT 7:04PM

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

Voting Nay: None

Abstain: None

Marlin Bergeson 25271 West Comfort Drive– *They are next door neighbors to the property and have no issue with the vacation.*

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO CLOSE THE PUBLIC HEARING FOR THE VACATION PORTIONS OF A DRAINAGE EASEMENT AND RELOCATION FOR PROPERTY LOCATED AT 25253 W. COMFORT DRIVE, WYOMING, MN AT 7:05PM

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

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO CONSIDER ADOPTING RESOLUTION 15-12-92 A RESOLUTION APPROVING THE VACATION OF A DRAINAGE EASEMENT AND RELOCATION FOR PROPERTY LOCATED AT 25253 W. COMFORT DRIVE, WYOMING, MN

Voting Aye: Zerwas, Peterson, Nanko/Yeager 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.*

3. To consider approving contributing **\$5,600.00** from the Fire Pension Contribution Fund (General Fund) into the **Wyoming Fire Department Relief Association**.
4. To consider authorizing staff to hire John Peka at \$10.00/hr. and advertise for a second attendant at \$9.00/hr. to be temporary Rink Attendants for the 2015-2016 season.
5. To consider adopting **Resolution 15-12-93** a resolution approving the issuance of various On-Sale and Off-Sale Liquor Licenses in the City of Wyoming for the year 2016.
6. To consider adopting **Resolution 15-12-94** a resolution approving the issuance of various Tobacco, Waste Haulers and Massage Occupancy Licenses in the City of Wyoming for the year 2016.

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

7. Report of the Public Safety Director, Paul Hoppe for December 7th, 2015
8. Report of City Building Official, Fred Weck for December 10th, 2015
9. Report of City Attorney Mark Vierling for December 10th, 2015
10. Report of City Engineer Mark Erichson for December 9, 2015

COUNCIL MEMBER IVERSON PULLS CONSENT AGENDA ITEMS #3 AND #10

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

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

Voting Nay: None

Abstain: None

Consent Agenda Item #3 - To consider approving contributing \$5,600.00 from the Fire Pension Contribution Fund (General Fund) into the Wyoming Fire Department Relief Association.

Council Member Iverson – Questioned how we determine the amount for the relief association.

City Administrator Mattson – said the number is based on the number of fire fighters the City has

Consent Agenda Item #10 Report of City Engineer Mark Erichson for December 9, 2015

Council Member Iverson – Asked about the update for the lights on the poles for the city hall parking lot and the trail near 273rd street

City Engineer Erichson – Discussed that Xcel has suggested we could increase the wattages on the poles by city hall and on 273rd street from 100w to 250w. The only cost associated with this would be the increased use in electricity costs.

Consensus on the council to have city engineer Erichson contact Xcel Energy and authorize the upgrade of the bulbs

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE CONSENT AGENDA ITEMS #3 AND #10 AS PRESENTED.

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

Voting Nay: None

Abstain: None

OLD BUSINESS: NONE

NEW BUSINESS

11. To consider **Resolution 15-12-95** approving 2016 Enterprise Funds Budget of Water, Sewer and Surface Water

City Administrator Mattson – We need to adopt a water and sewer budget because we have a water and sewer bond.

Council Members Iverson and Nanko/Yeager – Both had numerous questions on the enterprise budget regarding funds that had not been used in prior years and transfers in and out in certain accounts. They were not comfortable to pass the budget as it was presented.

City Administrator Mattson – Many of these questions require the expertise of Brenda Frechette or Jason Windingstad, neither whom are still with the city.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER NANKO/YEAGER TO TABLE RESOLUTION 15-12-95 APPROVING 2016 ENTERPRISE FUNDS BUDGET OF WATER, SEWER AND SURFACE WATER

Voting Aye: Nanko/Yeager and Iverson

Voting Nay: Peterson and Zerwas

Abstain: None

MOTION DOES NOT PASS DUE TO LACK OF MAJORITY

A MOTION WAS MADE BY COUNCILMEMBER PETERSON SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 15-12-95 A RESOLUTION APPROVING THE 2016 ENTERPRISE FUNDS BUDGET OF WATER, SEWER AND SURFACE WATER

Voting Aye: Peterson and Zerwas

Voting Nay: Nanko/Yeager and Iverson

Abstain: None

MOTION DOES NOT PASS DUE TO LACK OF MAJORITY

City Attorney Vierling – Stated that this could possibly affect the city's bond rating and could affect the city's audit or be a flagged item as well.

The City Council asked if this item could be brought back for a special meeting yet this calendar year

City Administrator Mattson – We do not have the financial personnel to do changes to this item before the end of the year.

A MOTION WAS MADE BY COUNCILMEMBER _____ SECONDED BY COUNCILMEMBER _____ TO APPROVE RESOLUTION 15-12-95 APPROVING 2016 ENTERPRISE FUNDS BUDGET OF WATER, SEWER AND SURFACE WATER

Voting Aye: None

Voting Nay: None

Abstain: None

NO ACTION WAS TAKE ON THIS ITEM BY THE CITY COUNCIL

12. To consider Resolution 15-12-96 authorizing the purchase of a server for the City of Wyoming City Hall in the amount of \$22,697.00

Assistant City Administrator Linwood – Spoke about the city's needs for a new server. The useful life of the server is 5 to 6 years and we are reaching that stage. The warranty on the server expires on July 24, 2016. The City server is also experiencing hard drive capacity issues.

Council Member Iverson – asked if we could explore alternative software or possibly look at another brand like Dell

Assistant City Administrator Linwood – We have chosen to continue to use HP products at this time. HP products can be worked on by 3rd parties such as our IT consultants. Dell has high service fees and does not allow 3rd parties to work on their hardware.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 15-12-96 FOR THE PURCHASE OF A SERVER FOR THE CITY OF WYOMING CITY HALL IN THE AMOUNT OF \$22,697.00

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

Voting Nay: None

Abstain: None

13. To consider **Resolution 15-12-97** authorizing the purchase of a server for the Wyoming Police Department in the amount of \$13,151.00

Assistant City Administrator Linwood – Explained that the server at the police department was not to be replaced until the beginning of 2017. After further review the warranty on the police server expires in early 2016, it would be helpful to have the two servers on the same rotation schedule and would allow for continuity by replacing it at the same time as the city's server. The funds for the police server will be used from remaining 2015 LGA funds.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER IVERSON TO APPROVE RESOLUTION 15-12-97 TO AUTHORIZE THE PURCHASE OF A SERVER FOR THE WYOMING POLICE DEPARTMENT IN THE AMOUNT OF \$13,151.00

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

Voting Nay: None

Abstain: None

14. To consider **Resolution 15-12-98** a resolution approving "Payment Total Control Systems, Inc. Invoice 7343" for the 2015 Street and Utility Improvement Project (WSB Project 1688-90) (City Project 15-01) In the amount of \$4,000.00

City Engineer Erichson – This pay voucher is for the remaining portion of the work that was completed on the railroad lift station

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 15-12-98 A RESOLUTION APPROVING "PAYMENT TOTAL CONTROL SYSTEMS, INC. INVOICE 7343" FOR THE 2015 STREET AND UTILITY IMPROVEMENT PROJECT (WSB PROJECT 1688-90)(CITY PROJECT 15-01) IN THE AMOUNT OF \$4,000.00

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

Voting Nay: None

Abstain: None

15. To consider **Resolution 15-12-99** a resolution approving "Payment Pay Voucher #2" to Phoenix Fabricators and Erectors, Inc. for the City of Wyoming Water Tower Project (WSB Project 2591-07) (City Project 15-03) in the amount of \$153,690.24

City Engineer Erichson – The Pay Voucher is for work completed to date on the Water Tower Project. The remaining work and construction on the tower will begin in the spring of 2016

A MOTION WAS MADE BY COUNCILMEMBER PETERSON SECONDED BY COUNCILMEMBER ZERWAS TO APPROVE RESOLUTION 15-12-99 A RESOLUTION APPROVING "PAYMENT PAY VOUCHER #2" TO PHOENIX FABRICATORS AND ERECTORS, INC. FOR THE CITY OF WYOMING WATER TOWER PROJECT (WSB PROJECT 2591-07) (CITY PROJECT 15-03) IN THE AMOUNT OF \$153,690.24

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

Voting Nay: None

Abstain: None

16. **(Tentative)** To consider approving the Labor Agreement for 2015 – 2017 between the City of Wyoming and the International Union of Operating Engineers Local No. 49 *(This item will be discussed in closed session if necessary)*

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER IVERSON TO ENTER INTO CLOSED SESSION

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

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO OPEN THE REGULAR MEETING

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

Voting Nay: None

Abstain: None

City Attorney Vierling – *The City Council entered into closed session: Council Member Luger was absent, all other city council members were present: Peterson, Zerwas, Iverson and Nanko/Yeager. City Staff that was present were City Attorney, Mark Vierling, City Administrator Craig Mattson and Robb Linwood, Assistant City Administrator. The City council did not make any formal motions but gave strategy to staff towards union negotiations.*

A MOTION WAS MADE BY COUNCILMEMBER _____ SECONDED BY COUNCILMEMBER _____ TO CONSIDER APPROVING THE LABOR AGREEMENT FOR 2015 – 2017 BETWEEN THE CITY OF WYOMING AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL NO. 49 (THIS ITEM WILL BE DISCUSSED IN CLOSED SESSION IF NECESSARY)

Voting Aye: None

Voting Nay: None

Abstain: None

COUNCIL TOOK NO ACTION ON THIS ITEM

17. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of DECEMBER 1, 2015 through DECEMBER 15, 2015

A MOTION WAS MADE BY COUNCIL MEMBER ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF DECEMBER 1, 2015 THROUGH DECEMBER 15, 2015.

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER - *No Report, thanked everyone for coming and wished everyone a Merry Christmas*

COUNCILMEMBER J. ZERWAS – *Wished everyone a Merry Christmas and Happy New Year*

COUNCILMEMBER LUGER – *Absent*

COUNCILMEMBER IVERSON – *Thanked everyone for coming*

MAYOR PETERSON – *Attended EDA Meeting, we received a hotel study that states the City of Wyoming can support a 70 unit Hotel. Asked if the council could come to a consensus if we could do a feasibility study for an estimate on the construction on East Viking Blvd. The estimate would be used towards potential state and federal grants.*

City Engineer Erichson – *Explained that there should not be any water infrastructure work necessary on that street, but could need a sewer upgrade. Will speak with DEED and the Chisago County HRA/EDA to see what level of detail they require for the grants and bring the information to the City Council.*

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS TO ADJOURN THE DECEMBER 15, 2015 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:20PM

Voting Aye: Nanko/Yeager, Peterson, 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: JANUARY 5, 2016 - 7:00PM