

**UNAPPROVED MINUTES  
CITY COUNCIL  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
DECEMBER 17, 2013  
7:00 PM**

**CALL TO ORDER:**

*Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for December 17, 2013 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, Roger Elmore, Steve Zerwas and Joe Zerwas*

*ABSENT: NONE*

*Also Present: Mark Vierling - Eckberg Lammers, Mark Erichson-City Engineer-WSB, Jason Windingstad, Public works Superintendent, Robb Linwood-Assistant City Administrator, Craig Mattson-City Administrator, Fred Weck, Building Official, 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 may be 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 To consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for December 3, 2013.**

**A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR DECEMBER 3, 2013.**

*Voting Aye: Nanko/Yeager, Peterson, Elmore, S. Zerwas and J. Zerwas  
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 approving **Resolution 13-12-75** a resolution appointing Wyoming Volunteer Firefighter to probationary status
- 3 To consider adopting **Resolution 13-12-76** a resolution approving the issuance of Liquor Licenses in the City of Wyoming for the year 2014.
- 4 To consider adopting **Resolution 13-12-77** a resolution approving the issuance of various Tobacco, Waste Haulers and Massage Occupancy Licenses in the City of Wyoming for the year 2014.
- 5 To consider approving **Resolution 13-12-78** 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:**

- 6 Report of the Director of Public Safety, Paul Hoppe December 11, 2013
- 7 Report of City Building Official, Fred Weck, IV for December 12, 2013
- 8 Report of City Attorney Mark Vierling for December 11, 2013
- 9 Report of the Wyoming Public Works Supt., Jason Windingstad for December 11, 2013
- 10 Report of City Engineer Mark Erichson, WSB for December 12, 2013

### **A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE CONSENT AGENDA ITEMS NUMBER #2 AND #10 AS PRESENTED.**

*Voting Aye: Nanko/Yeager, Peterson, Elmore S. Zerwas and J. Zerwas,*

*Voting Nay: None*

*Abstain: None*

### **COMMUNICATIONS:**

- 11 Sales and Use Tax Audit Communication/Memo

### **OLD BUSINESS: NONE**

### **NEW BUSINESS:**

- 12 To consider adopting **Resolution 13-12-79** a resolution a rezoning and comprehensive plan amendment from the Commercial ( C ) district to the Industrial (I) district at 5311 264<sup>th</sup> Street

***Zoning Administrator Weck - Planning commission did have public hearing last week and***

approved the rezoning 5-0

**Council Member Steve Zerwas** – How it would look from HWY 61 –is supposed to be some sort of barrier?

**Zoning Administrator Weck** – there could be trees, berm, or a fence

**Mayor Peterson** – Entrance into the City of Wyoming – How will that affect our ability to attract other businesses? Are we opening that possible problem up by rezoning it to Industrial?

**Council Member Elmore** – Comp plan was designed with Highway business for that very reason.

**Council Member Joe Zerwas** – The city rezoned that commercial years ago

**Council Member Nanko/Yeager** – We did want that commercial, there is adequate zoning north in the industrial park – would like to see it remain commercial.

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER NANKO/YEAGER ADOPTING RESOLUTION 13-12-79B A RESOLUTION DENYING A REZONING AND COMPREHENSIVE PLAN AMENDMENT FROM THE COMMERCIAL ( C ) DISTRICT TO THE INDUSTRIAL (I) DISTRICT AT 5311 264<sup>TH</sup> STREET**

*Voting Aye: Nanko/Yeager, Peterson, Elmore S. Zerwas and J. Zerwas,*

*Voting Nay: None*

*Abstain: None*

- 13 To consider approving **Resolution 13-12-80** a resolution approving the site plan located at 5311 264<sup>th</sup> St. Wyoming, MN

**A MOTION WAS MADE BY COUNCILMEMBER \_\_\_\_\_ SECONDED BY COUNCILMEMBER \_\_\_\_\_ ADOPTING RESOLUTION 13-12-80 A RESOLUTION APPROVING THE SITE PLAN LOCATED AT 5311 264TH ST. WYOMING, MN**

*Voting Aye: None*

*Voting Nay: None*

*Abstain: None*

**\*\*NO ACTION TAKEN ON THIS ITEM DUE TO DENIAL OF REZONE\*\***

- 14 To consider authorizing staff to advertise for the Administrative Assistant position for the Administration department, with a pay range of \$19.79 to 24.36 per hour

**A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS SECONDED BY COUNCILMEMBER ELMORE AUTHORIZING STAFF TO ADVERTISE FOR THE ADMINISTRATIVE ASSISTANT POSITION FOR THE ADMINISTRATION DEPARTMENT, WITH A PAY RANGE OF \$19.79 TO 24.36 PER HOUR**

*Voting Aye: Peterson, Elmore S. Zerwas and J. Zerwas,*

*Voting Nay: Nanko/Yeager*

*Abstain: None*

15 To consider approving **Resolution 13-12-81** a resolution establishing water and sewer rates for 2014-2018 and fees for 2014-2018 Based on the rate study completed by Progressive Consulting Engineering Inc.

**City Administrator Mattson** - Earlier in 2013 the city council contracted with progressive consultant engineer to do a rate study. When we went with progressive we wanted to look at our capital improvements and also identify our sewer rates with CLJST treatment plant. We do need a new water tower to be built on the other side of the freeway based on current usage and future demands. The difference in the two options is based on the sewer rates. The idea is to increase water and sewer rates and create adequate reserve balances to fund our capital improvements and our operation costs in the future.

**Council Member Nanko/Yeager** – Option 1 has a large increase up front then 5% increase in between years.

**Administrator Mattson** – In our previous water study was based on volume. Everyone paid a base rate on gallons 15,000. This study is based on what you actually use. The people who use less water and the people who use higher volumes of water will be impacted more. People conserve much more, shower heads, faucets, appliances and other conservation methods.

**Council Member Nanko/Yeager** – Part of the justification would be to sell revenue bonds. How critical is the need for the water tower?

**City Administrator Mattson** – Everyone read about the fire here in Wyoming, our public works department needed to go out and run pumps to keep pressure up in the system. We do need another water tower of a sizeable nature, 500,000 gallons will meet that need. The next summer we will have another potential development of 30 homes and the possibility of another one as well, that will add to the existing demand.

**City Engineer Erichson** – There are areas in our communities that have deficient areas for fire protection. There are certain standards where are water storage is and we are right at them or below them. We do have some development coming in and we have held off as long as we can. We need to be prepared for that growth.

**Council Member Nanko/Yeager** – How would we finance the construction of the water tower?

**Administrator Mattson** – Revenue Bonds – we need adequate funds in the water and sewer fund reserve and show cash flow to support the bonds.

**A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS SECONDED BY COUNCILMEMBER ELMORE ADOPTING RESOLUTION 13-12-81 OPTION 1 A RESOLUTION ESTABLISHING WATER AND SEWER RATES FOR 2014-2018 AND FEES FOR 2014-2018 BASED ON THE RATE STUDY COMPLETED BY PROGRESSIVE CONSULTING ENGINEERING INC.**

*Voting Aye: Nanko/Yeager, Peterson, Elmore S. Zerwas and J. Zerwas,*

*Voting Nay: None*

*Abstain: None*

16 To consider approving **Resolution 13-12-82** a resolution granting municipal consent for the reconstruction of County State Highway 30 within the limits of the City of Wyoming.

**City Engineer Erichson** – This will be concrete road construction along with concrete sidewalk. Everything that was presented to the council has been submitted to the state as well. The county is asking for municipal consent at this point and staff is comfortable with plans this far with a few comments.

**Mayor Peterson** – This is being paid by the county and county state aid funds?

**City Engineer Erichson** – Yes, and the state and county are working with property owners to create temporary easements.

**Council Member Joe Zerwas** – any utility work involved?

**City Engineer Erichson** – No new utility work that I am aware of but some relocates.

**Mayor Peterson** – Do we have a potential time frame?

**City Engineer Erichson** – scheduled for 2014 and it will be about 2 months of work – they will communicate more time details as the project gets closer.

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER NANKO/YEAGER ADOPTING RESOLUTION 13-12-82 A RESOLUTION A RESOLUTION GRANTING MUNICIPAL CONSENT FOR THE RECONSTRUCTION OF COUNTY STATE HIGHWAY 30 WITHIN THE LIMITS OF THE CITY OF WYOMING.**

*Voting Aye: Nanko/Yeager, Peterson, Elmore S. Zerwas and J. Zerwas,*

*Voting Nay: None*

*Abstain: None*

- 17 To consider approving **Resolution 13-12-83** a resolution adjusting the Wyoming Fire Departments paid on call firefighter payroll structure for 2014

**Fire Chief Hastings** – right now our pay structure is based on an hourly rate based on rank and we are moving to change from a stipend structure and paid on the work they do. They will be paid on performance. Most firefighters would not see a significant increase or decrease to their pay check or will it affect the city.

**Council Member Nanko/Yeager** – How do you keep track of hours?

**Fire Chief Hastings** – They will be kept track of on timecard in the beginning

**Public Safety Director Hoppe** – We do have an electronic time card system that we are in the process of implementing.

**Council Member Nanko/Yeager** – When do you hope to have that in place?

**Public Safety Director Hoppe** – We would like to have it place in the 1<sup>st</sup> quarter 2014

**Council Member Steve Zerwas** – Likes the idea of paying for each event instead of what has been done, how we regulate the number of people that come in?

**Public Safety Director Hoppe** – this will be a the 1<sup>st</sup> of 3 rings of changes, 1st is pay, phase

2 is to implement a duty crew system so we schedule on duty people and phase 3 will be EMT only responders. Traditionally we have some people that do not want to invest as much time doing all the fire training and we can transition them into EMS personnel and they are not paid as much.

**Council Member Steve Zerwas** – Will there be no on call pay?

**Public Safety Director Hoppe** – No

**Fire Chief Hastings** – the individuals would only be paid if they respond.

**Public Safety Director Hoppe** – Responders would only be paid once they are here, which is what is in place now. We are asking 3 to 4 shifts a month now, when you look at phase 3 which are EMS responders only, it should increase EMS responders capable of filling that schedule. Firefighters have had a lot of input in these changes

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER J. ZERWAS ADOPTING RESOLUTION 13-12-83 A RESOLUTION ADJUSTING THE WYOMING FIRE DEPARTMENTS PAID ON CALL FIREFIGHTER PAYROLL STRUCTURE FOR 2014**

*Voting Aye: Nanko/Yeager, Peterson, Elmore S. Zerwas and J. Zerwas,  
Voting Nay: None  
Abstain: None*

- 18 To consider approving **Resolution 13-12-84** a resolution mandating direct deposit for all city employees

**Administrator Mattson** – We only have two employees that do not currently use direct deposit. This is just a cleanup of accounting services and we can put funds in any account the employee wants.

**A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER ADOPTING RESOLUTION 13-12-84 A RESOLUTION MANDATING DIRECT DEPOSIT FOR ALL CITY EMPLOYEES**

*Voting Aye: Nanko/Yeager, Peterson, Elmore S. Zerwas and J. Zerwas,  
Voting Nay: None  
Abstain: None*

## **CLAIMS:**

- 19 To consider **authorizing payment of recommended bills, payroll and Journal Entries for the period of December 4, 2013 through December 17, 2013.**

**A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS SECONDED BY COUNCILMEMBER ELMORE TO AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF DECEMBER 4, 2013 THROUGH DECEMBER 17, 2013.**

*Voting Aye: Nanko/Yeager, Peterson, Elmore, S. Zerwas and J. Zerwas  
Voting Nay: None  
Abstain: None*

## **COUNCIL REPORTS:**

### **COUNCILMEMBER NANKO/YEAGER**

*EDA Meeting last week - We reviewed marketing materials, discussed potential industries to try to attract to the city and gave a plaque to Ted Phillips for his resignation from the EDA. We currently have an open seat for the EDA. Merry Christmas*

### **COUNCILMEMBER J.ZERWAS**

*Attended Joint Sewer Commission yesterday and its 2014 budget is 1.2 million about \$27,000 less than 2013. One of the employees resigned. No increase in sewer rates for 2014. Attended afternoon meeting, we authorized a cycle bar steer mount \$8,180 dollars*

### **COUNCILMEMBER ELMORE**

*No Report*

### **COUNCILMEMBER S.ZERWAS**

*No report*

### **MAYOR PETERSON**

*No Report*

**A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER NANKO/YEAGER TO ADJOURN THE DECEMBER 17, 2013 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AT 7:37pm**

*Voting Aye: Nanko/Yeager, Peterson, Elmore, S. Zerwas and J. Zerwas*

*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 7, 2013**