

**MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
NOVEMBER 15, 2011
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for November 15, 2011 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, Roger Elmore, Linda Nanko/Yeager, Joe Zerwas and Steve Zerwas.
Absent: None*

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”.

None

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for November 1, 2011.**

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR NOVEMBER 1, 2011.

*Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. Zerwas
Voting Nay: 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 adopting Resolution No. 11-11-59 a resolution concurring with the Economic Development Authority of the City of Wyoming, Minnesota authorizing the execution of that certain Third Amendment to Statutory Mortgage.**

The Economic Development Authority tabled this item because they had unanswered questions at the meeting. Administrator Mattson stated this is the 4th time this item has been on the agenda and in recent years has been passed three (3) times. The due date on this item was November 1, 2011. The mortgage rate will be 5 1/2%

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER J. ZERWAS TO APPROVE RESOLUTION NO. 11-11-59 A RESOLUTION CONCURRING WITH THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF WYOMING, MINNESOTA AUTHORIZING THE EXECUTION OF THAT CERTAIN THIRD AMENDMENT TO STATORY MORTGAGE.

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

Voting Nay: Nanko/Yeager

Abstain: None

- 3 To consider adopting Resolution No. 11-11-60 a resolution accepting the work and approving Final Payment for the 259th Street Lift Station Rehabilitation and Appurtenant Work.**

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

4 Report of the Wyoming Police Chief, Paul Hoppe for November 9, 2011

Councilmember Nanko/Yeager questioned if the Reserve Officers could manually enter the information into the RMS database. Police Chief Hoppe stated the Reserve Officers do not have the training to enter in the material needed. They have to enter determining codes, procedures and build in VCR crime reporting codes and disposition codes which the Reserve Officers are not familiar with. Council questioned if Officer Cockburn could return to Wyoming as a part-time officer after his probation period. Police Chief Hoppe said he could but does not want to have the part-time position empty for a year. Police Chief Hoppe has started back grounding the candidates on their eligibility list to replace the vacancy.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER J. ZERWAS, TO APPROVE THE POLICE REPORT AS PRESENTED.

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

Voting Nay: None

Abstain: None

5 Report of City Building Official, Fred Weck, IV for November 9, 2011

6 Report of City Attorney Mark Vierling for November 9, 2011

7 Report of City Engineer Mark Erichson, WSB for November 9, 2011

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER S. ZERWAS, TO APPROVE CONSENT AGENDA ITEMS #3, #5 THROUGH #7 AS PRESENTED AND PULLING # 2 AND #4 FOR DISCUSSION.

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

Voting Nay: None

Abstain: None

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

8 To consider authorizing the **“Assignment of Rights Under Contract”** to the CLJSTC (Chisago Lakes Joint Sewer Treatment Commission) as amended by the Wyoming City Attorney for S.R. Weidema, Incorporated contractor of the Joint Sewer line from Wyoming to Treatment Facility.

Administrator Mattson stated S.R. Weidema completed the Joint Sewer line in 2005. After the initial last payment S.R. Weidema billed us an additional amount for spinning manholes and for the failure to have more complete construction plans of where the utilities were located, because they cut a lot of the utilities during construction.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER S. ZERWASS, TO APPROVE AUTHORIZING THE “ASSIGNMENT OF RIGHTS UNDER CONTRACT” TO THE CLJSTC (CHISAGO LAKES JOINT SEWER TREATMENT COMMISSION) AS AMENDED BY THE WYOMING CITY ATTORNEY FOR S.R. WEIDEMA, INCORPORATED CONTRACTOR OF THE JOINT SEWER LINE FROM WYOMING TO TREATMENT FACILITY WITH THE PENDING ADDITION OF THE INDEMDITY CLAUSE ADDED BY ATTORNEY VIERLING.

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

Voting Nay: None

Abstain: None

9 To consider **adopting Resolution 11-11-61** a resolution approving a CUP (Conditional Use Permit) to allow a Motor Vehicle Dealership located at 6671 Lake Boulevard.

This Conditional Use Permit was applied for by Todd Hegstad to open a motor vehicle dealership at 6671 Lake Boulevard. On November 8, 2011 the Planning Commission held a public hearing where the Planning Commission approved the permit. Vehicles will be in the parking lot for sale and some will be serviced within the building. Hegstad will be leasing the front half of the building.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER S. ZERWAS, TO ADOPT RESOLUTION 11-11-61 A RESOLUTION APPROVING A CUP (CONDITIONAL USE PERMIT) TO ALLOW A MOTOR VEHICLE DEALERSHIP LOCATED AT 6671 LAKE BOULEVARD.

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

Voting Nay: None

Abstain: None

CLAIMS:

10 Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of November 2, 2011 through November 15, 2011.

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF NOVEMBER 2, 2011 THROUGH NOVEMBER 15, 2011.

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER – Attended the Budget Workshop and the Economic Development Authority meeting. At the EDA they discussed the proposed sign for the businesses on 260th Street. Although none of the businesses attended the meeting. Ted Phillips is looking into a vendor for building the sign. Thanked the audience for attending the meeting.

COUNCILMEMBER J. ZERWAS – Attended the Budget Workshop

COUNCILMEMBER ELMORE – No report at this time

COUNCILMEMBER S. ZERWAS – Attended the Budget Workshop.

MAYOR PETERSON – Attended the Economic Development Authority, Budget Workshop and the Forest Lake Chamber of Commerce lunch at the Polaris Facility.

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, TO ADJOURN THE NOVEMBER 15, 2011 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL AT _____ P.M.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. 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
DECEMBER 6, 2011
7:00 PM

_____, Deputy Clerk