

**MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
JANUARY 17, 2012
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for January 17, 2012 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".

A representative of the Skateboard Park Committee was present to sell spaghetti dinner tickets. The dinner will be January 21, 2012, at the Methodist Church; tickets will also be sold at the door.

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for January 3, 2012 as submitted.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR JANUARY 3, 2012.

Voting Aye: Elmore, Nanko/Yeager, Peterson, J. Zerwas and S. 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 adopting Resolution No. 12-01-08 a resolution Adopting Wyoming Volunteer Firefighter to Probationary Status for 2012. (Nathan Ennis)
- 3 To consider adopting Resolution 12-01-09 a resolution Awarding a contract for the mowing/lawn and property maintenance services of the City of Wyoming to Swenson's Lawn Care and Snow Plowing.
- 4 To consider the file transfer of the S.R. Weidema file from the Ekberg, Lammers Law Firm to Dave Snyder for resolution and closure.

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

- 5 Report of the Wyoming Police Chief, Paul Hoppe for January 11, 2012
- 6 Report of the Wyoming Public Works Supt., Jason Windingstad for January 11, 2012
- 7 Report of City Building Official, Fred Weck, IV for January 11, 2012
- 8 Report of City Attorney Mark Vierling for January 11, 2012
- 9 Report of City Engineer Mark Erichson, WSB for January 11, 2012

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS, SECONDED BY COUNCILMEMBER S. ZERWAS, TO APPROVE ITEMS #1 THROUGH #9 AS PRESENTED.

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

Voting Nay: None

Abstain: None

OLD BUSINESS: NONE

NEW BUSINESS:

- 10 To consider issuing a Solicitation Permit to Samuel Steven Rutherford, 2544 Radisson Woods Drive NE, Blaine, MN 55449 to market Edward Jones Investments, 255 Highway 97, Unit 7A, Forest Lake, MN 55025.

Samuel Steven Rutherford from Edward Jones Investments located in Forest Lake applied for a solicitation permit. The fee of \$150.00 was received and the Police Department did a background check on Rutherford; which came back clean. The hours for solicitation will be from 9:00 am through 7:00 pm, Monday through Saturday. The time frame for the solicitation will be from January 17, 2012 through April 30, 2012.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER J. ZERWAS WITH THE FOLLOWING FRIENDLY AMMENDMENT TO CHANGE THE LENGH OF SOLICITATION UNTIL JUNE 30, 2012. THE SILICITATION PERMIT WAS APPROVED FOR SAMUEL STEVEN RUTHERFORD.

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

Voting Nay: None

Abstain: None

- 11 To consider issuing an Annual Solid Waste Hauler Contractor License to Gene Wegleitner, 5923 Oneka Lake Blvd. N., Hugo, MN 55038 DBA Gene's Disposal Service Inc. 5661 152nd Street North, Hugo, MN 55038.

Gene Wegleitner was present to discuss his application for annual solid waste hauler contractor license. His company is located in Hugo. Minnesota. The applicant has paid the permit fee and has also received a background check from the Wyoming Police Department; which came back clean. The hours of business will be from 6:00 am through 5:00 pm. When the time comes when he begins hauling in the City he will apply for a \$150.00 yearly haulers permit.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE ISSUEING A WASTE HAULER LICENSE TO GENE WEGEITNER OWNER OF GENE'S DISPOSAL SERVICE INC.

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

Voting Nay: None

Abstain: None

- 12 To consider adopting Resolution No 12-01-07 accepting the feasibility study for Fallbrook Avenue North of 264th Street and set a Public Hearing for February 7, 2012 at 7:00 P.M.

Justin Messner (WSB & Associates) was present to review the feasibility study for the reconstruction of the section of Fallbrook Avenue North of 264th Street which was ordered by

the Wyoming City Council in 2011. The proposed street and utility reconstruction project includes reconstructing approximately 1,700 feet of Fallbrook Avenue to a 26-foot wide urban section roadway with bituminous pavement, concrete curb and gutter, and drainage improvements which include the construction of a storm sewer system. The proposed improvement costs are estimated to be \$817,730. Funding the project will come from the City's Water Utility Fund, Storm Water Utility Fund, Sanitary Sewer Utility Fund, Municipal State Aid Funds (MSAS), and Special Assessments to benefiting properties. Bonding for the proposed improvements is also a possibility.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER J. ZERWAS, TO ADOPT RESOLUTION NO 120-01-07 ACCEPTING THE FEASIBILITY STUDY FOR FALLBROOK AVENUE NORTH OF 264TH STREET AND SETTING A PUBLIC HEARING FOR FEBRUARY 7, 2012 AT 7:00 P.M. AT THE WYOMING MUNICIPAL BUILDING.

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

CLAIMS:

13 Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of January 4, 2012 through January 17, 2012.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER J. ZERWAS, AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF JANUARY 3, 2012 THROUGH JANUARY 15, 2012.

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

COUNCIL REPORTS:

Linda Nanko/Yeager – Attended the EDA (Economic Development Authority) where they discussed mission, vision and goals which will be continued. Nanko/Yeager also thanked everyone for attending the meeting.

Joe Zerwas – Attended the Joint Sewer Commission meeting where they discussed the budget. The Joint Sewer Commission closed 2011 on shaky ground. The Budget Committee will look into raising the Surcharge fees in 2012. Because of lack of rain and snow it is costing more to operate the system.

Roger Elmore – Mentioned the Skateboard Committee's Spaghetti Dinner on Saturday, January 21, 2012, at the Wyoming Methodist Church from 5:00 through 7:00 pm. All proceeds go to the

proposed Skateboard Park.

Steve Zerwas – Attended the Joint Sewer Commission Personnel meeting. Also attended the Regular Joint Sewer Commission meeting. The Xcel Energy study did not come back favorable. The flowage use is down so the City of Wyoming went from a level C discount to a level B discount which is not in the City's favor. The cost for operating the same sewage will be much higher. County Road 19 force main that was put in five (5) years ago could be moved or the bridge could be relocated to a different site. They will look at the cost and take the lesser route. Also the Joint Sewer Commission appointed the new Commissioners and Board members.

Eric Peterson – No report at this time.

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER S. ZERWAS, TO ADJOURN THE JANUARY 17, 2012 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AT 7:40 P.M.

_____, Deputy Clerk

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.