

**MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
DECEMBER 20, 2011
7:00 PM**

CALL TO ORDER:

Mayor Eric Peterson called the Regular Meeting of the Wyoming City Council for December 20, 2011 to order at 7:00 PM.

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".

"Colleen Eddy, President, forest Lake Area Chamber of Commerce"

Colleen Eddy (Forest Lake Area Chamber of Commerce) was present to discuss what the Commerce can do for the City of Wyoming if the City were to renew their membership. Eddy stated there are 196 members in the Chamber including 10 from the City of Wyoming. The Chamber of Commerce is dedicated in building the community and business partnership. The cost of the renewal is \$300.00 annually.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO TAKE THE CHAMBER OF COMMERCE OFF THE TABLE.

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

A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO RENEW THE CITY'S MEMBERSHIP WITH THE CHAMBER OF COMMERCE AND APOINT A CITY OF WYOMING REPRESENTATIVE TO ATTEND THE MEETINGS.

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

Voting Nay: None

Absent: None

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for December 6, 2011.**

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER J. ZERWAS, TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR NOVEMBER 15, 2011.

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

Voting Nay: None

Absent: 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. 11-12-68 a resolution approving the issuance of various Tobacco, Waste Haulers, Entertainment Machines & Massage Occupancy Licenses in the City of Wyoming for the year 2012.**
- 3 To consider adopting Resolution No. 11-12-69 a resolution approving the proposed 2012 Expenditures Budget by Department.**

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

- 4 Report of the Wyoming Police Chief, Paul Hoppe for December 14, 2011**
- 5 Report of City Building Official, Fred Weck, IV for December 14, 2011**
- 6 Report of City Attorney Mark Vierling for December 14, 2011**
- 7 Report of the Wyoming Public Works Supt., Jason Windingstad for December 14, 2011**

8 Report of City Engineer Mark Erichson, WSB for December 14, 2011

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER S. ZERWAS, TO APPROVE CONSENT AGENDA ITEMS #2 THROUGH #8 AS PRESENTED.

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

Voting Nay: Nanko/Yeager

Abstain: None

COMMUNICATIONS:

OLD BUSINESS: NONE

NEW BUSINESS:

9 To consider the appointment of Samantha Roeder as a Part-Time Police Officer in the Wyoming Police Department at an hourly rate of \$18.00 per hour.

Police Chief Hoppe stated Officer Cockburn resigned and is taking a job offer in Forest Lake. At this time Police Hoppe is recommending Samantha Roeder as a Part-Time Police Officer in the Wyoming Police Department. Roeder has passed the background check but, also must pass the psychological before she is approved. Roeder will receive P.E.R.A. benefits but no other benefits.

A MOTION WAS MADE BY COUNCILMEMBER J. ZERWAS, SECONDED BY COUNCILMEMBER S. ZERWAS, TO APPROVE THE APPOINTMENT OF SAMANTHA ROEDER AS A PART-TIME POLICE OFFICER IN THE WYOMING POLICE DEPARTMENT AT AN HOURLY RATE OF \$18.00 PER HOUR.

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

Voting Nay: None

Abstain: None

10 To consider adopting Resolution No. 11-12-70 a resolution approving the six-month probationary period of Brenda Frechette as the Wyoming Accountant/Bookkeeper effective November 21, 2011.

Administrator Mattson stated Frechette has been employed by the City of Wyoming over 6 months. In that time she has implemented a new cell phone policy. She has also saved the City of Wyoming funds by implementing a new health plan.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO ADOPT RESOLUTION NO. 11-12-70 A RESOLUTION APPROVING THE SIX-MONTH PROBATIONARY PERIOD OF BRENDA FRECHETTE AS THE WYOMING ACCOUNTANT/BOOKKEEPER EFFECTIVE NOVEMBER 21, 2011.

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

Voting Nay: None

Abstain: None

11 To consider authorizing the increased expenditure of \$6,000 from the Water Utility Funds for the Wellhead and Source Water Protection Plan Part 1 as recommended by the City Engineer, Mark Erichson in his report dated December 20, 2011.

Engineer Erichson stated the Wellhead and Source Water Protection Plan Part 1 has to be completed by December 2013. Engineer Erichson recommends approval of the out of scope work and associated increase in budget of \$6,000 for the completion of the City of Wyoming Wellhead and Source Water Protection Plan Part 1. The City of Wyoming must also prepare a new hydrogeologic conceptual model and the new single layer porous media groundwater flow model are beyond the scope of work in the previous proposal. The estimated project cost for the scope of work presented in our December 3, 2010 proposal was \$19,825. The cost associated with the out of scope work identified above is estimated at \$6,000. Thus, we request an increase in the approval project budget to \$25,825.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER J. ZERWAS, TO APPROVE AUTHORIZING THE INCREASED EXPENDITURE OF \$6,000 FROM THE WATER UTILITY FUNDS FOR THE WELLHEAD AND SOURCE WATER PROTECTION PLAN PART 1 AS RECOMMENDED BY THE CITY ENGINEER, MARK ERICHSON IN HIS REPORT DATED DECEMBER 20, 2011.

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

Voting Nay: None

Abstain: None

12 To review the 2012 Street Reconstruction Improvements (Fallbrook Avenue) via a brief PowerPoint Presentation to include design features, schedule, costs, funding options and next steps.

Engineer Erichson presented a brief PowerPoint presentation which included various components of the project, design features, potential schedule, costs, funding options, and next steps. Accumulated State Aid funds can be used for this expenditure. After meeting with City Council and affected property owners, a feasibility study will be brought to the City Council for consideration in early 2012. No formal action was taken at this time.

13 To consider adopting the Governmental Accounting Standards Boards Statement Number 54 (GASB 54) Fund Balance Policy as recommended by City Auditor Abdo Eick & Meyers.

The purpose of this policy is to establish specific guidelines the City will use to maintain an adequate level of fund balance for cash flow requirements and contingency needs because major revenues, including property taxes and other government aids are received in the second half of the City's fiscal year. Also to establish specific guidelines the City will use to classify fund balances into a categories based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in these funds can be spent.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADOPT THE GOVERNMENTAL ACCOUNTING STANDARDS BOARDS STATEMENT NUMBER 54 (GASB 54) FUND BALANCE POLICY AS RECOMMENDED BY CITY AUDITOR ABDO EICK & MEYERS.

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

Voting Nay: None

Abstain: None

14 To consider adopting Resolution No. 11-12-71 a resolution closing certain funds for compliance with GASB 54 requirements.

Administrator Mattson stated this resolution will close the following funds; City wide Celebration, Revolving Loan Fund and Emergency Management Fund. GASB 54 defines special revenue funds as funds that are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The City Council must act on these closers before year-end to formally close the funds that are not in compliance with GASB 54.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER S. ZERWAS, TO ADOPT RESOLUTION NO. 11-12-71 A RESOLUTION CLOSING CERTAIN FUNDS FOR COMPLIANCE WITH GASB 54 REQUIREMENTS.

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

Voting Nay: None

Abstain: None

15 To consider adopting Resolutions No. 11-12-72 a resolution committing specific revenue sources and confirming restrictions for specified purposes in special revenue funds to conform to the requirement of GASB 54.

Administrator Mattson stated this resolution is committing specific revenue sources and confirming restrictions for specified purposes in special revenue funds. The Governmental Accounting Standards Board's Statement Number 54 (GASB 54) defines special revenue funds as funds that are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. These funds are as follows; Police Impounds (Charges for service, Law Enforcement Programs), Economic Development (Tax Levy, Promotion of Economic Development), Xccent (Loan payments, Grant Repayment) and Gambling (Charitable Gambling, Park/Trail/Open Space Development).

A MOTION WAS MADE BY COUNCILMEMBER S. ZERWAS, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADOPT RESOLUTIONS NO. 11-12-72 A RESOLUTION COMMITTING SPECIFIC REVENUE SOURCES AND CONFIRMING RESTRICTIONS FOR SPECIFIED PURPOSES IN SPECIAL REVENUE FUNDS TO CONFORM WITH THE REQUIREMENT OF GASB 54.

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

Voting Nay: None

Abstain: None

CLAIMS:

16 To consider authorizing payment of recommended bills, payroll and Journal Entries for the period of December 7, 2011 through December 20, 2011.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER J. ZERWAS, TO AUTHORIZE PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF DECEMBER 7, 2011 THROUGH DECEMBER 20, 2011.

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

Voting Nay: None

Abstain: None

COUNCIL REPORTS:

COUNCILMEMBER NANKO/YEAGER

Attended the Forest Lake Business Retention Commencement; looking to see if program could be adapted for use by our EDA.

Attended EDA meeting

1. Passed revised resolution for the refinancing of the Bingham property.
2. Received an update on the billboard; idea was dropped due to price.
3. Tabled mission/vision/goals discussion until Chuck Jerrick could attend.

COUNCILMEMBER JOE ZERWAS

Attended the Joint Sewer Commission meeting – The Budget Committee has come up with the final numbers for the budget which are \$1,051,199.00. There are approximately twenty (20) doors frames that are rusty and corroded. They have replaced six (6) of the frames at the plant and will work at replacing the rest of them. Attorney Pete Grunhouffer has been working with the contractor and they have extended the warranty until July 2013. The odor control problem is complete and everything is done. The Joint Sewer has also fixed the damage to the floor where the plumbing was hooked up wrong. They had to replace some of the floor and fix most of the plumbing. Mark Nelson stated he needs a stand alone computer for his office. This would protect the main computer from any viruses and prevent the computer system from going down. The Joint Sewer Board also moved their meeting up one day in January and February because of Martin Luther King Day and President's Day. The County Road 19 bridge replacement has come up with a problem due to the force main that would be right under the bridge. They are giving this to the Chisago County Engineer and the Joint Sewer Commission Engineer to work out the problem. Also wished everyone a Merry Christmas.

COUNCILMEMBER ELMORE

Reported there are two (2) open Park Board positions.

COUNCILMEMBER STEVE ZERWAS

Attended the personnel committee meeting. Also, attended the regular Joint Sewer Commission meeting where they discussed H.R. Weidema and apparently they have found the contract agreements and there will be no litigation. There is a study going on Xcel Energy at the plant to minimize the amount of power being used. Also, there is a study being done on the well and septic, they should have solid numbers in January.

MAYOR PETERSON

Attended the Economic Development Authority meeting and the Forest Lake Business Expansion and retention.

17 To consider closing the Regular Meeting to discuss Pending Litigation before the Wyoming City Council as per MN State Statute 13D, 01-.05.

Attorney Vierling stated for the benefit of the public and the record the Wyoming City Council will be going into a closed session to discuss a matter of S. R. Weidema and possible litigation. The closed session will be discussed at the next regular Wyoming City Council meeting.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE CLOSING THE REGULAR MEETING TO DISCUSS PENDING LITIGATION BEFORE THE WYOMING CITY COUNCIL AS PER MN STATE STATUTE 13D, 01-.05 AT 8:15 PM.

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

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER J. ZERWAS, TO ADJOURN THE CLOSED SESSION AT 8:55 PM.

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

Voting Nay: None

Abstain: None

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO ADJOURN THE DECEMBER 20, 2011 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AT 8:55 P.M.

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

Voting Nay: None

Abstain: None

, 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.

NEXT
REGULAR MEETING
JANUARY 3, 2012
7:00 PM