

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
APRIL 7, 2020
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for April 7, 2020 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 Lisa Iverson, Linda Nanko Yeager, Joe Zerwas, Dennis Schilling, and Claire Luger

ABSENT: None

Also Present: Tom Loonan, Eckberg Lammers, Robb Linwood, City Administrator, Kelly Dumais, Assistant City Administrator, Mark Erichson-WSB, Paul Hoppe - Public Safety Director, Fred Weck, Zoning Administrator/Building Official and Chuck Almhjeld, Public Works Superintendent

Mayor Iverson – Read a statement explaining that the Council is meeting via teleconference format due to the COVID-19 pandemic. She explained that tonight’s meeting would be held according to State Statute 13D.021 due to the COVID-19 pandemic. She stated that the meeting would be live streamed on the City’s YouTube page and the meeting will be recorded as part of the public record on the City’s website. She reviewed the protocol for how the meeting would proceed and how votes would be taken.

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

Mayor Iverson – Read aloud comments and questions that were sent in via e-mail from residents.

Public Works Superintendent – Gave an overview of what the City has done and is planning to do to address some of the questions.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for March 17, 2020

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 17, 2020 AS SUBMITTED.

Roll Call Vote:

<i>Councilmember Schilling</i>	<i>Aye</i>
<i>Councilmember Nanko Yeager</i>	<i>Aye</i>
<i>Councilmember Luger</i>	<i>Aye</i>
<i>Councilmember Zerwas</i>	<i>Aye</i>
<i>Mayor Iverson</i>	<i>Aye</i>

SCHEDULED BID LETTINGS:

2. To consider **Resolution 20-04-37** receiving bids and awarding a contract for the 300,000 Gallon Water Tower Rehabilitation (City Project 20-02)

City Engineer Erichson – Stated that this is something that the City has been long budgeting for and bids were recently opened. He stated that thankfully, the new electronic procedure for bid opening was in place prior to the COVID-19 pandemic. He gave an overview of the bids received for this project including the possible alternate of the project being completed in 2021 rather than 2020. He noted that staff is recommending awarding the contract to Classic Protective Coatings in the amount of \$596,958.00 with the understanding that there will be an immediate change order that eliminates \$76,500 of the proposed project. He explained that this would bring the price down to \$520,548.00.

Mayor Iverson – Asked how many businesses do this type of rehabilitation for water towers and the age of the water tower

City Engineer Erichson – Stated that there are not a lot and noted that they are becoming fewer and fewer. He stated that the bids received were from reputable firms. He noted that the firms that bid on the contract are not local because there are not many local companies that provide this type of service.

City Administrator Linwood – Stated that it was constructed in 1991.

Mayor Iverson – Asked how long the City expected the water tower to be able to stay on-line with this rehabilitation.

City Engineer Erichson – Stated that they anticipate the coating to last 20+ years.

Council Member Zerwas – Asked when this project would start and when it will finish.

City Engineer Erichson – Stated the expectation is that it will be completed before the end of the upcoming construction season in 2020. He noted that because of the painting, he expects the project to be completed by September.

Council Member Luger – Asked about the potential impact to the community while this work is being done.

City Engineer Erichson – Stated that if the City hadn't constructed the new water tower, the impact would have been much greater. He stated that he believes there will be little to no impact because of the new tower.

Council Member Nanko Yeager – Asked about the eliminated line items and whether they were items that would be desired in the future and would have to be re-bid.

City Engineer Erichson – Stated that they are all non-essential for the structure and use of the tower. He stated that it may be possible for Public Works Superintendent Almhjeld to be able to undertake them in the future, but believes that most of them are not something that will be needed. He explained that they would always be undertaken at a future rehabilitation.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 20-04-37 RECEIVING BIDS AND AWARDING A CONTRACT FOR THE 300,000 GALLON WATER TOWER REHABILITATION (CITY PROJECT 20-02)

Roll Call Vote:

Councilmember Schilling	Aye
Councilmember Nanko Yeager	Aye
Councilmember Luger	Aye
Councilmember Zerwas	Aye
Mayor Iverson	Aye

3. To consider **Resolution 20-04-38** receiving bids and awarding a contract for the 2020 street improvement project (City Project No. 20-01)

City Engineer Erichson – Stated that the City received six electronic bids for this project and noted that the low bidder was Dresel Contracting Inc. in the amount of \$2,816,368.03 which does include the alternate of the parking lot and a portion of the trail at Lion’s Park. He stated that staff would like to have a conversation about the alternate.

City Administrator Linwood – Gave an overview of the current balance in the Park Development Funds and possible upcoming projects. He stated that parking lots are often inclusionary in street projects and it is rare that these are put on the backs of the Park Funds. He stated that he feels the City should consider using the street fund to cover the parking lot costs and asked for feedback from the Council on that idea.

After discussion, there was a Consensus of the Council to support using the Street Funds to pay for paving the parking lot of Lion’s Park.

City Engineer Erichson – Noted that the low bid came in fairly close the feasibility study so he expects the assessments to be close to what was projected as part of this study, as well.

City Administrator Linwood – Stated that this project will be bonded for and the process will begin soon. He stated that he expects this to be on the second meeting in May and the project to be starting in June.

Mayor Iverson – Stated that Dresel has completed a number of projects in the City and asked City Engineer Erichson to list a few of them.

City Engineer Erichson – Stated that of the last 4 or 5 City projects, Dresel has been awarded the projects, such as Greenwood Avenue and Pioneer Road.

Mayor Iverson - Asked if Dresel Contracting was considered an essential business in light of the COVID-19 pandemic.

City Engineer Erichson – Stated that they were an essential business, but will follow best practices and CDC guidelines when working with staff and on the project.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 20-04-38 RECEIVING BIDS AND AWARDING A CONTRACT FOR THE 2020 STREET IMPROVEMENT PROJECT (CITY PROJECT NO. 20-01), WITH ALTERNATE A TO BE TAKEN OUT OF THE STREET FUND RATHER THAN THE PARK DEVELOPMENT FUNDS.

Roll Call Vote:

Councilmember Schilling	Aye
Councilmember Nanko Yeager	Aye
Councilmember Luger	Aye
Councilmember Zerwas	Aye
Mayor Iverson	Aye

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.

4. Consider authorizing payment of the recommended bills, payroll and Journal Entries for the period of March 18, 2020 through April 7, 2020
5. To consider **Resolution 20-04-39** declaring a certain vehicle as surplus property for disposal and authorizing the police department to dispose of the vehicle through on-line auction.
6. To consider the hiring of David Fisher for the Seasonal Public Works Maintenance position at a starting rate of \$13.00/HR

Council Member Nanko Yeager – Asked to pull item #6 for further discussion.

Mayor Iverson – Asked to pull items #4 and #5 for further discussion.

#6 - To consider the hiring of David Fisher for the Seasonal Public Works Maintenance position at a starting rate of \$13.00/HR

Council Member Nanko Yeager – Noted that the stay at home order stated that lawn care and landscaping were considered non-essential businesses. She stated that the main function of this position is taking care of the parks and asked if this position would be considered essential under the stay at home order.

Public Works Superintendent Almhjeld – Explained that Public Works Employees, even those that are part-time, are considered essential workers. He stated that the City is only hiring one part-time individual this year, rather than two and they will be able to assist with other duties such as filling pot holes. He reiterated that he believes this individual would be considered essential because he will be working for Public Works.

Council Member Nanko Yeager – Asked if this was just an assumption.

City Attorney Loonan – Stated that an employee of Public Works will be considered essential and noted that the stay at home order is set to expire on April 10, 2020. He noted that there is a possibility that the Governor may extend the order with some modifications to allow people like lawn care workers to work.

Mayor Iverson – Noted that she had misspoke when she pulled the other two consent agenda items.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER IVERSON, TO APPROVE #4, #5, and #6 OF THE WYOMING CITY COUNCIL CONSENT AGENDA

Roll Call Vote:

<i>Councilmember Schilling</i>	<i>Aye</i>
<i>Councilmember Nanko Yeager</i>	<i>Aye</i>
<i>Councilmember Luger</i>	<i>Aye</i>
<i>Councilmember Zerwas</i>	<i>Aye</i>
<i>Mayor Iverson</i>	<i>Aye</i>

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

7. Report of the Public Safety Director, Paul Hoppe for April 2, 2020
8. Report of City Building Official, Fred Weck, IV for April 1, 2020

9. Report of City Attorney Tom Loonan for April 3, 2020

10. Report of City Engineer Mark Erichson, WSB for April 3, 2020

11. Report of Public Works Superintendent Chuck Almhjeld for April 1, 2020

Mayor Iverson – Stated that she would like to pull reports #7 and #11 for further discussion. She stated that regarding item #11, she would like more details regarding the amount of road salt the City was ordering. She stated that it appears as though the amount has gone down about 100 tons from previous years which will save the City about \$10,000 out of the General Fund.

Public Works Superintendent Almhjeld – Confirmed that the budget will be reduced by about \$10,000. He explained that because the Council allowed Public Works to purchase the brining equipment last year, it has helped with the quantity needed for the road salt. He stated that he thinks they will be able to reduce the amount of road salt used even more in the future after the employees learn more about the brining process and equipment. He stated that the Public Works Employees deserve all the recognition for this change and involved a great team effort.

Mayor Iverson – Asked about the pot hole work and asked for a brief report on how Public Works is planning to take care of some of the holes around the City.

Public Works Superintendent Almhjeld – Gave a brief overview of what has been happening with filling pot holes. He explained that there been troubles with some laminate areas where the blacktop won't stick. He stated that they are looking to purchase a bobcat that will have a planer and they will plane out a square and fill it with blacktop. He stated that this will work much better than just the patching that has been done in the past. He explained that the new approach with the planer will allow them to get it right the first time and they will not have to keep revisiting the same area and repatching.

Mayor Iverson – Suggested that this information be communicated with residents via Facebook or some other means.

Council Member Nanko Yeager – Stated that she had received an e-mail from a resident asking about pot hole filling during the COVID-19 pandemic. She stated that before she responded to the resident, she wanted to confirm that Public Works is filling pot holes that can cause vehicle damage as stated in the pandemic plan.

Public Works Superintendent Almhjeld – Stated that this was correct and noted that the employees working on the pot holes are also practicing social distancing.

COMMUNICATIONS:

12. Board of Equalization April 14, 2020 Meeting Update

City Administrator Linwood – Explained that the County has determined that the Board of Equalization Hearing scheduled for April 14, 2020 will not take place. He stated that the County is asking residents to simply call the Assessor's office regarding their assessments if they have questions. He stated that there will be communications going out to residents explaining this change in process.

Mayor Iverson – Noted that she had accidentally skipped her questions regarding #7 and asked if the Council could go back to that item.

City Attorney Loonan – Stated that because there were no votes taken, the Council can go back and discuss that report.

Mayor Iverson – Stated that she feels City employees and Public Safety employees have all done a great job with emergency planning and managing the COVID-19 pandemic. She asked for an update on how things are going and asked Public Safety Director Hoppe to touch on anything the Council may need to know.

Public Safety Director Hoppe – Stated that they try to keep the employees well informed about the changing situation and the policies and noted that sometimes there is very little lead time so employees need to be quick to adjust when needed. He stated that their first concerns are for the residents and ways to reduce ways that they can be a transmittal conduit of the virus while they are working. He stated that they have set up strategies that isolate the employees as much as possible and still focus on sustainable services for the community. He stated that, if necessary, there are neighboring partners and services that can step in and help.

13. Local Emergency Declaration Update

Council Member Nanko Yeager – Stated that the original stay at home order will run out on April 10, 2020 and noted that there is no indication of whether this order will be modified or extended.

City Administrator Linwood – Stated that currently the City is going off the understanding that the Governor will be modifying or extending the stay at home order.

Council Member Nanko Yeager – Asked if this meant that the next Council meeting would also be conducted electronically.

City Administrator Linwood – Stated that he believes that is a fair assessment based on where things are right now.

Council Member Nanko Yeager – Asked if there would be a way to dedicate a number through Zoom for the public be to be able to call in and allow for participation in Open Forum.

City Administrator Linwood – Stated that he can look at some different options to allow that and see if there is a way to have better access to the public for future meetings.

OLD BUSINESS: NONE

NEW BUSINESS

14. To consider **Resolution 20-04-40** a resolution granting a Conditional Use Permit and Site Plan Review of a data center to be operated as an essential service at PIN 21.00204.00

Zoning Administrator/Building Official Weck – Explained that the Planning Commission held a public hearing and added one additional condition to add vegetative screening to the area around the outdoor area that contains the air conditioning units and generators. He stated that the Planning Commission recommends approval of both the site plan and the CUP.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 20-04-40 A RESOLUTION GRANTING A CONDITIONAL USE PERMIT AND SITE PLAN REVIEW OF A DATA CENTER TO BE OPERATED AS AN ESSENTIAL SERVICE AT PIN 21.00204.00

Roll Call Vote:

<i>Councilmember Schilling</i>	<i>Aye</i>
<i>Councilmember Nanko Yeager</i>	<i>Aye</i>
<i>Councilmember Luger</i>	<i>Aye</i>
<i>Councilmember Zerwas</i>	<i>Aye</i>
<i>Mayor Iverson</i>	<i>Aye</i>

15. To consider **Resolution 20-04-41** approving a final plat for the preserve at Comfort Lakes

Zoning Administrator/Building Official Weck – Explained that this was originally approved as Shore View Two, but for marketing reasons, they have changed the name to Comfort Lakes. He stated that road construction should begin in early June and noted that the Planning Commission recommends approval with the conditions, as listed.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 20-04-41 APPROVING A FINAL PLAT FOR THE PRESERVE AT COMFORT LAKE

Roll Call Vote:

<i>Councilmember Schilling</i>	<i>Aye</i>
<i>Councilmember Nanko Yeager</i>	<i>Aye</i>
<i>Councilmember Luger</i>	<i>Aye</i>
<i>Councilmember Zerwas</i>	<i>Aye</i>
<i>Mayor Iverson</i>	<i>Aye</i>

16. To consider **Resolution 20-04-42** authorizing a lease agreement between Willscot Inc. and the City of Wyoming for a 12 x 60 portable office building

Public Works Superintendent Almhjeld– Explained that Public Works had been looking for a portable office building even before the COVID-19 pandemic because their space is inadequate. He noted that some of the employees are currently working out of the Township building that is connected to the police department. He explained that the building is essentially a garage that is in need of repairs including new garage doors and repairs to the walls which would be around \$53,000. He stated that instead of continuing to utilize this space, they would like to lease a portable office that would be installed behind the current Public Works facility. He noted that the City had budgeted \$10,000 for the repairs of the Township building and staff would like to use those funds to lease the portable office space for a monthly fee of \$419.40 and sign a 2-year lease.

Council Member Nanko Yeager – Asked if request is unbudgeted.

Public Works Superintendent Almhjeld – Stated that it has not been budgeted, but they would like to use the \$10,000 that was budgeted for the Township building repair towards this purpose and then would budget for 2021 for the second year of the lease.

Council Member Nanko Yeager – Asked about additional expenses on top of the lease such as furniture or heating and whether the Public Works employees could simply work from home.

Public Works Superintendent Almhjeld – Stated that the utility costs will increase but does not know the amount. He stated that he was not planning to purchase any furniture. He reiterated that the Public Works Department was already looking at the possibility of a portable office space prior to the COVID-19 pandemic because the space is just way too small for their needs. He stated that this will allow them to have adequate office space with the larger space issue is being addressed by the City. He stated that he is personally able to work from home occasionally, but a Public Works employee cannot work from home.

Council Member Nanko Yeager – Stated that she has some concerns about this and doesn't understand why it couldn't wait until the building assessment has been completed. She noted that she also has concerns about using the CIP funds that would be used to repair the Township building for this purpose.

Public Works Superintendent Almhjeld – Stated that he feels it would be a bad choice for the City to spend over \$50,000 to repair the Township building. He explained that the Township building is a pole shed that was built in the 70s and pole sheds have a life span of about 20 years.

Mayor Iverson – Asked City Administrator Linwood to address some of Council Member Nanko Yeager’s concerns.

City Administrator Linwood – Stated that he agrees with Public Works Superintendent Almhjeld that spending the money on the Township building would be spending good money after bad. He explained that when the dollar amount for the repairs came back so high, staff took a step back and asked if this was a worthy amount to spend for this purpose. He stated that the portable office space is a stop gap to help the City function while the needs assessment and plans are moving forward.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 20-04-42 AUTHORIZING A LEASE AGREEMENT BETWEEN WILLSCOT INC. AND THE CITY OF WYOMING FOR A 12 X 60 PORTABLE OFFICE BUILDING.

Roll Call Vote:

<i>Councilmember Schilling</i>	<i>Aye</i>
<i>Councilmember Nanko Yeager</i>	<i>Nay</i>
<i>Councilmember Luger</i>	<i>Aye</i>
<i>Councilmember Zerwas</i>	<i>Aye</i>
<i>Mayor Iverson</i>	<i>Aye</i>

17. To consider **Resolution 20-04-43** a resolution by the City Council of the City of Wyoming outlining policies for utility billing to assist in economic recovery following the Covid-19 outbreak

City Administrator Linwood – Stated that staff is asking the Council to consider a policy that would remove late charges on utility billings for 1st, 2nd and 3rd quarters of 2020.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 20-04-43 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WYOMING OUTLINING POLICIES FOR UTILITY BILLING TO ASSIST IN ECONOMIC RECOVERY FOLLOWING THE COVID-19 OUTBREAK

Roll Call Vote:

<i>Councilmember Schilling</i>	<i>Aye</i>
<i>Councilmember Nanko Yeager</i>	<i>Aye</i>
<i>Councilmember Luger</i>	<i>Aye</i>
<i>Councilmember Zerwas</i>	<i>Aye</i>
<i>Mayor Iverson</i>	<i>Aye</i>

18. To consider rescinding the unpaid leave policy 20-02

Assistant City Administrator Dumais – Stated that the Council had passed an emergency unpaid leave policy at their previous meeting. She explained that after this policy was adopted, the Federal Government signed a new policy called Families First Coronavirus Response Act which supersedes the policy approved by the Council.

Council Member Nanko Yeager – Asked for a copy of the new Federal policy.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER SCHILLING, TO RESCIND THE UNPAID LEAVE POLICY 20-02.

Roll Call Vote:

Councilmember Schilling	Aye
Councilmember Nanko Yeager	Aye
Councilmember Luger	Aye
Councilmember Zerwas	Aye
Mayor Iverson	Aye

COUNCIL REPORTS:

Council Member Zerwas – No report.

Council Member Nanko Yeager – No report and welcomed Assistant City Administrator Dumais.

Council Member Luger – Attended the Park Advisory Commission meeting.

Council Member Schilling – No report.

Mayor Iverson – Attended the Planning Commission and the Park Advisory Commission meetings. She expressed her appreciation for the doctors, nurses and other medical personnel as well as support people like day care workers that are providing help so they can work to take care of the people's medical needs. She expressed her condolences to the family of the area residents who have passed away due to COVID-19.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER IVERSON, TO ADJOURN THE APRIL 7, 2020 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:24 PM

Roll Call Vote:

Councilmember Schilling	Aye
Councilmember Nanko Yeager	Aye
Councilmember Luger	Aye
Councilmember Zerwas	Aye
Mayor Iverson	Aye

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:
APRIL 21, 2020
7:00PM