

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
DECEMBER 15, 2020
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for December 15, 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

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

Mayor Iverson – Read aloud a statement explaining that the Council is meeting via teleconference due to the COVID-19 pandemic. She explained that tonight's meeting would be held according to State Statute 13D.021, will be live streamed on the City's YouTube page, and will be recorded as part of the public record on the City's website.

OPEN FORUM: NONE

APPROVAL OF MINUTES:

1. **Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for December 1, 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 DECEMBER 1, 2020 AS SUBMITTED.

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: None

Absent: None

2. **Consider approving the minutes of the "Special Meeting" of the Wyoming, Minnesota City Council for December 2, 2020**

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR DECEMBER 2, 2020 AS SUBMITTED.

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: 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.

3. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of December 2, 2020 through December 15, 2020
4. To consider **Resolution 20-12-117** a resolution designating the polling place for the 2021 primary and general elections
5. To consider **Resolution 20-12-118** a resolution approving payment for pay voucher #3 to Dresel Contracting, Inc. for the 2020 Street Improvement Project (WSB Project 013882-000) (City Project 20-01) in the amount of \$615,764.10
6. To consider **Resolution 20-12-119** a resolution approving payment to Dresel Contracting, Inc. for maintenance and repair of a sewer main line in the amount of \$36,532.55
7. To consider the resignation of Brett Ohnstad from the Park Advisory Commission
8. To consider the recommendation to appoint Heather Vandenheuvell to the Park Advisory Commission
9. To consider the recommendation to appoint Angie Schilling to the Park Advisory Commission

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE #3, #4, #5, #6, #7, #8, and #9 OF THE WYOMING CITY COUNCIL CONSENT AGENDA.

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: None

Absent: None

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

10. Report of the Public Safety Director, Paul Hoppe for December 9, 2020
11. Report of City Building Official, Fred Weck, IV for December 10, 2020
12. Report of City Attorney Tom Loonan for December 10, 2020
13. Report of City Engineer Mark Erichson, WSB for December 11, 2020
14. Report of Public Works Superintendent Chuck Almhjeld for December 9, 2020

COMMUNICATIONS:

15. December 4, 2020 City of Wyoming 2021 Street Improvement Project Communication Letter for 1st Neighborhood Meeting
16. Recap of Wyoming Food Drive No Hunger November, Anonymous Santa Toy Drive and

Assistant City Administrator Dumais – Gave an overview of the Wyoming Food Drive - No Hunger November efforts. She stated that the City collected approximately 3,000 pounds of food for donation for the Family Pathways food shelf. She noted that the Fire Department Santa Claus event had five of “Santa’s Helpers” who traveled around the City, which meant they were able to hit every single street within the City and the City collected more toy donations than they have had in the past. She gave a brief overview of the Virtual Tree Lighting Event.

OLD BUSINESS: NONE

NEW BUSINESS

17. To consider **Resolution 20-12-120** a resolution approving the purchase of a 2021 Fire Grass Rig from Rosenbauer America for the amount of \$135,317.00

Public Safety Director Hoppe – Explained the request to purchase a new Fire Grass Rig and explained some of the new features and components of this truck compared to the current truck which is 20 years old.

Mayor Iverson – Asked if this truck would be larger than the current truck and questioned what would happen with the current vehicle.

Public Safety Director Hoppe – Noted that it is very similar in size to the existing truck and will fit in the current spot that is allocated for the grass rig. He explained that the current vehicle will be auctioned off.

Council Member Nanko Yeager – Asked questions about how many off-road grass fires there have been since the Carlos Avery fire, how often the vehicle will be used, how many support vehicles there are in the City and how much wild land the City has remaining.

Public Safety Director Hoppe – Answered the questions raised by the Council. He noted that the primary function of the truck will be for wild land fires, but its secondary functions will be to support medical response, haul the trailer, and transport staff. The current truck has been around for 20 years and has about 50,000 miles on it. He gave an overview of the other support vehicles that are in the City and what they are used for. He explained that this expense had been included in the 2021 budget.

The Council discussed the existing fire rig, the capabilities of the proposed new rig, the difference between a structure fire and a wild land fire, and the risk to potentially under-sizing this type of vehicle.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 20-12-120 A RESOLUTION APPROVING THE PURCHASE OF A 2021 FIRE GRASS RIG FROM ROSENBAUER AMERICA IN THE AMOUNT OF \$135,317.00

Roll Call Vote:

Voting Aye: Schilling, Luger, Zerwas, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

18. To consider **Policy 20-02** an Emergency Sick Leave Policy for City of Wyoming employees

City Administrator Linwood – Presented a proposed sick leave policy and explained that the policy allows for an employee to take a negative sick leave if they have exhausted all of their

existing sick leave, comp. time, or vacation hours at the discretion of City staff. Staff recommends approval and noted that many other cities are adopting similar policies.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE POLICY 20-02 AN EMERGENCY SICK LEAVE POLICY FOR CITY OF WYOMING EMPLOYEES

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: None

Absent: None

19. To consider Policy 20-04 a First Responders Exposure to Covid-19

Assistant City Administrator Dumais – Gave an overview of Policy 20-04 and noted that it is specifically targeted towards First Responders.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE POLICY 20-04 A FIRST RESPONDERS EXPOSURE TO COVID-19

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: None

Absent: None

20. To consider Policy 20-05 a Tablet Computer Use Policy for City of Wyoming Council Members

City Administrator Linwood – Explained the proposed policy for Council tablet computer use and answered Council questions about details in the policy.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE POLICY 20-05 A TABLET COMPUTER USE POLICY FOR CITY OF WYOMING COUNCIL MEMBERS

Roll Call Vote:

Voting Aye: Schilling, Luger, Zerwas, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

21. To consider Policy 20-06 a Virtual Meeting Policy for Wyoming City Council Members in Correlation Under In-person Meeting or a Meeting Conducted is Not Practical or Prudent Because of a Health Pandemic or an Emergency Declaration

City Administrator Linwood – Explained the proposed policy regarding virtual meetings and answered questions about the legality of the policy.

City Attorney Loonan – Clarified some legal aspects of State Statute 13D.02 and 13D.021 and the teleconferencing technology that exists. He noted that the Council can set more stringent policies that the State Statute requires, for example to require the Councilmembers to be on video conferencing.

Council Member Nanko Yeager – Asked if Council Members could be forced to accept the tablet and sign the agreement and if a Council Member could refuse to accept the tablet.

City Attorney Loonan – Explained that if a Council Member did not want to adhere to the technology policy, then they would not be permitted to have a tablet. He stated that he would have to review the policy for details but the Council Member would not be forced to take property, however, the policy that is being considered notes that the technology is available and if a person chooses not to take the technology, then they are choosing not to be able to participate in the meeting unless they can find other means to adhere to the video conferencing policy.

Council Member Nanko Yeager - Stated that it appears as though a Council Member would be forced to accept the equipment and sign the agreement, or have a working camera on their laptop. She asked if a Council Member could be denied meeting materials or participation due to not signing the tablet agreement if they have a working camera on their laptop.

City Attorney Loonan – Explained that the materials can be supplied electronically and if the Council Member requested, it could be arranged with City staff to have them printed. He stated that they would be able to participate, as long as they are able to adhere to the City’s meeting policy.

The Council asked questions about the Code of Conduct in relation to this policy, discussed the number of tablets purchased, their cost, and the importance of transparency.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE POLICY 20-06 A VIRTUAL MEETING POLICY FOR WYOMING CITY COUNCIL MEMBERS IN CORRELATION UNDER IN-PERSON MEETING OR A MEETING CONDUCTED IS NOT PRACTICAL OR PRUDENT BECAUSE OF A HEALTH PANDEMIC OR AN EMERGENCY DECLARATION

Voting Aye: Schilling, Luger, Zerwas, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

Mayor Iverson – Asked City Attorney Loonan to take a look at the Council Code of Conduct policy.

22. To consider a Refund on 2020 On-Sale Liquor Licenses due to the Covid-19 pandemic and the closing of restaurants by Governor’s order

Assistant City Administrator Dumais – Explained the request from a restaurant that holds an On-Sale Liquor License to consider a refund due to the Governor’s orders that have restricted their ability to conduct on-sale liquor sales this year. She explained that thus, far, on-sale liquor establishments have not been able to sell for a total of 96 days, which is 26% of the year. There are two establishments in the City that have an On-Sale liquor license and if a refund was given it would cost the City \$1,656.99. She gave an overview of what other cities have done in this situation.

The Council discussed other licenses in the City and noted that this same request could be made by other businesses in the City. The Council discussed alternatives to assist businesses without giving a refund and other assistance that may be available for area businesses.

There was Consensus by the Council to not give a refund on the 2020 On-Sale Liquor Licenses due to the COVID-19 pandemic and the closing of restaurants by Governor’s Order.

23. Railroad Park Design Plan Public Engagement Review

Assistant City Administrator Dumais– Explained the public engagement process surrounding the Railroad Park design. She stated that the Park Advisory Commission considered the public feedback and recommended that the draft plan be brought back to the Council, as is, with the

note that they were interested in adding picnic tables into the green areas on the plan.

The Council discussed possible fundraising efforts to cover the cost of the park improvements and noted that this is just the first step in moving towards these improvements.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE MASTER PLAN DESIGN FOR RAILROAD PARK, AS PRESENTED.

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: None

Absent: None

- 24.** To consider a Special Meeting on December 22, 2020 at 5:30 PM to Review Bargaining Proposals from Law Enforcement Legal Services (LELS), the International Union of Operator Engineers Local No. 49 and the Review of Employment Agreements of the Police Sergeants and the City Administrator

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE A SPECIAL MEETING ON DECEMBER 22, 2020 AT 5:30 PM TO REVIEW AND POTENTIALLY APPROVE BARGAINING PROPOSALS FROM LAW ENFORCEMENT LEGAL SERVICES (LELS), THE INTERNATIONAL UNION OF OPERATOR ENGINEERS LOCAL NO. 49 AND THE REVIEW OF EMPLOYMENT AGREEMENTS OF THE POLICE SERGEANTS AND THE CITY ADMINISTRATOR

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: None

Absent: None

- 25.** To Recognize Councilmember Joe Zerwas for his Sixteen Years of Service to the City of Wyoming

Council Member Luger – Expressed her gratitude to Councilmember Zerwas for his years of service to the City. Councilmember Zerwas supported and guided many of the Councilmembers and stated that it had been an honor to work alongside him.

Council Member Schilling – Stated that Councilmember Zerwas has been a huge help to him as someone who had never served on a Council before. It has been an honor to work with him and loves that Councilmember Zerwas has always been honest, spoken his mind, and didn't hold things back. He is sad to see him go and will miss him on the Sewer Commission, as well as the Council.

Council Member Nanko Yeager – Stated that she will miss working with Councilmember Zerwas.

City Administrator Linwood – Stated that it has been a pleasure to work with Councilmember Zerwas. He has always been extremely fair and has represented the City and always having the best interests of the residents at heart. He has been an asset to the City and his years of experience will be missed by everyone.

Public Service Director Hoppe – Congratulated Councilmember Zerwas for his commitment to community service and noted that he goes far beyond what he has done serving on the Council. He served as a Police Chief and serving communities long before his time in the City. He stated

that it is a commitment that many people do not realize how much can consume you. He stated that the guidance, leadership, and advice he gave him when he came in as the new Police Chief was greatly appreciated. He stated that he will miss having him be part of the Council.

Assistant City Administrator Dumais – Stated that sixteen years serving a community is an incredible contribution. She thanked him for the time, commitment, and care that he has offered to the City.

Public Works Director Almhjeld – Thanked Councilmember Zerwas for always being a “yes” vote for Public Works.

City Attorney Loonan – Stated that it has been a pleasure to work with Councilmember Zerwas. He stated that Councilmember Zerwas has passion for the City, willingness to ask questions, and to put the interests of the citizens ahead of his own personal interests, which is respectable. Wyoming is very lucky to have had Councilmember Zerwas serve for sixteen years.

City Engineer Erichson – Thanked Councilmember Zerwas for everything and reminded him that they had worked together since 2006. Councilmember Zerwas has been a great supporter of the engineering projects throughout the City. His dedication and support of the community and residents has always been unwavering.

Mayor Iverson – Shared that Councilmember Zerwas attended over 400 Council meetings in his time serving the City and has served under 3 mayors. She stated that she has been fortunate to have worked alongside Councilmember Zerwas for the last 6 years. She stated that he has had many words of wisdom. She stated that they may not have always agreed on issues or voted the same, but when the meeting was over, they were still able to be friends and there no hard feelings or bad words said about each other. She stated that makes him a class act and she appreciates everything he has done for the City, the residents, his family, and friends. She stated that Councilmember Zerwas' whole life has pretty much been dedicated to public service which says a lot about who he really is and speaks to his character. She stated that she will miss him both personally and professionally. She stated that she is looking forward to the time when they can get together in person and hold a proper retirement party for him. She read aloud the inscription on the plaque that will be presented to Councilmember Zerwas.

Council Member Zerwas – Stated that he has worked with a lot of good Councilmembers and mayors in his time with the City. He stated that it has been a long, but good journey. He stated that City Administrator Linwood is an excellent leader for the City and Public Works Director Almhjeld has done a great job. He commended the leadership of Fire Chief Mulligan and Public Safety Director Hoppe who have been excellent leaders and are dedicated to the City which makes the Council's job much easier. He thanked everyone for the kind words said about him and wished everyone a Merry Christmas and Happy Holidays.

COUNCIL REPORTS:

Council Member Zerwas – No report.

Council Member Nanko Yeager – Attended the Special Council meeting. She wished everyone a Merry Christmas, Happy Hannukah, Happy Kwanza, Happy Solstice, and any other holiday she may have missed in addition to a prosperous and Happy New Year.

Council Member Luger – Attended the Park Advisory Commission meeting and extended a welcome the newest members.

Council Member Schilling – Attended the Council Work Session and the EDA meeting.

Mayor Iverson – Attended the Special Council meeting, the EDA, the Park Advisory Commission, the Planning Commission, the Minnesota Mayor's Association Meeting, the Toy Drive, the Food

Drive, and the Tree Lighting Ceremony.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO ADJOURN THE DECEMBER 15, 2020 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:57 PM

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, Iverson

Voting Nay: None

Abstain: None

Absent: 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 5, 2020
7:00PM