

**UNAPPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
SEPTEMBER 15, 2009**

CALL TO ORDER:

Mayor Sheldon Anderson called the Regular Meeting of the Wyoming City Council for September 15, 2009 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: Mayor Sheldon Anderson, Councilmembers Roger Elmore, Russ Goudge, Linda Nanko/Yeager and Joe Zerwas.

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".

Sheree Vincent announced the Installation of the "Rain Garden" at the Giese Library will be on Saturday, September 19, 2009 – Volunteers are Welcome!

Ted Phillips expressed concern regarding the installation/implementation of the Semaphore Light at 257th Street and HGWY 61; asking that some form of warning, notice break-in period should occur to allow people to get used to the idea of a light being located at that intersection.

APPROVAL OF MINUTES:

1 To consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for September 1st, 2009.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA CITY COUNCIL FOR SEPTEMBER 1ST, 2009 AS PRESENTED.

Voting Aye: Elmore, Goudge, Nanko/Yeager and Zerwas.

Voting Nay: None

Abstain: Anderson

SCHEDULED PUBLIC HEARINGS: None

SCHEDULED BID LETTING: 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. 09-09-79 a Authorizing Pay Voucher #2 for Pay period 8/01/2009 – 9/08/2009 on City of Wyoming 257th Street Improvement Project (City Project 2008-01 – WSB Project 1688-25) to R. L. Larson Excavating, Inc. in amount of \$294,015.82.
- 3 To consider adopting Resolution No. 09-09-80 a resolution issuing On-Sale Liquor License to Joe's Pizza & Deli for the balance of the year 2009.
- 4 To consider approving the transfer of the Off-Sale Liquor License of "Liquor Works" to Houle Liquor Ltd. To continue DBA Liquor Works at 26713 Faxton Avenue, Wyoming.
- 5 To consider adopting Resolution No 09-09-81 a resolution changing the status of Police Officer Matthew Paavola from Probationary Employee to Regular Fulltime Employee effective September 15, 2009.
- 6 To consider approving the hiring of Jason Van Tassel, 27415 Finland Avenue, Wyoming, MN 55092 as a Probationary Firefighter
- 7 To authorize payment of Membership Dues to the League of Minnesota Cities for 2010 in the amount of \$5,742.
- 8 To approve the auditing and related services engagement letter for the year ending December 31, 2009 for the City of Wyoming with HLB Tautges Redpath Ltd and authorize the Mayor and City Administrator to sign on behalf of the City.

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

- 9 Report of the Wyoming Volunteer Fire Dept Dennis Berry for September 9, 2009
- 10 Report of the Public Works Supt. Jason Windingstad for September 10, 2009
- 11 Report of the City Engineer, Mark Erichson for September 10, 2009
- 12 Report of the City Attorney, Mark J. Vierling for September 10, 2009.
- 13 Report of the Wyoming Police Chief, Paul Hoppe for September 10, 2009
- 14 Report of City Building Official, Fred Weck, IV for September 10, 2009

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ELMORE, TO APPROVE CONSENT AGENDA MOTIONS #2 - #14 AS PRESENTED.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.

Voting Nay: None

Abstain: None

COMMUNICATIONS: None

OLD BUSINESS: None

NEW BUSINESS:

15 Presentation by Forest Lake Cable Commission – LATV Channel 10 – Lakes Area Community Television

Gail Moore, LATV Access Coordinator, indicated that LATV has had inquiries regarding the broadcast of the Wyoming City Council Meetings and Community Events over their local access cable channel “LATV Channel 10” and that they would be willing to provide the service to the City of Wyoming for a negotiated share of the Cities Franchise fees from US cable TV. Currently the City of Wyoming receives about \$33,636 annually in franchise fees. LATV normally receive 88% of the franchise fee with 12 % of the franchise fee remaining with the host city for the service. The City has 2,346 households but not all of the households are served by US cable TV. Ms Moore indicated that a lesser amount could be negotiated (e.g. \$20,000 to LATV & \$13,636 to Wyoming) for the service. The City Council asked Ms. Moore to confirm the number of households being served by US Cable before we consider further negotiations for broadcast services.

16 Wyoming Park & Rec Commission Presentation on Park Development Priorities and Goals (Tim Patterson, Commission Chair)

Tim Patterson provided a Power Point presentation on the Wyoming parks, and the Capital Improvement Plan for their development from 2009-2018; focusing on the priorities planned and funded for 2009 and 2010. Tim included the Park Commissions Strategic Plan along with the 10 year Capital request Fund Plan and the current Swenson Park Paving project for 2009. Tim also promoted the 5k run/walk of the Stagecoach Days.

Sheree Vincent was concerned about the location of the Swenson Park Parking Lot in relation to the adjacent homestead and Tennis Courts and asked:

1. Has Neighbor been contacted regarding the improvement to discuss impact of runoff on their property
2. How will rain water run-off of the new impervious surface be handled

Councilmember Goudge expressed concern about process of developing the CIP and desired a better plan/clarification of where the Park Commission is going in the future

Councilmember Nanko/Yeager thought the CIP should demonstrate Parks designed for an aging population (Maturing Adults).

A MOTION WAS MADE BY COUNCILMEMBER ELMORE SECONDED BY COUNCILMEMBER ANDERSON TO TAKE THE SWENSON PARK PARKING LOT PROJECT OFF THE TABLE FOR DISCUSSION AND ACTION THIS DURING THIS SEPTEMBER 15, 2009 REGULAR MEETING.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER GOUDGE, TO APPROVE SWENSON PARK PARKING LOT AT A COST OF \$8,107.50 TO NORTH VALLEY CONSTRUCTION, NOWTHEN, MN CONTINGENT UPON GRADING PLAN RECOMMENDATION BY CITY ENGINEER MARK ERICHSON (FUNDED WITH \$6,000 FROM SWENSON PARK FUNDS \$2,107.50 FROM SKATEBOARD PARK FUNDS – TOTAL \$8,107.50).

Councilmember Nanko/Yeager inquired whether the motion should contain a provision to delay

construction pending Council review of the City Engineers report on drainage of the parking lot. It was determined further delays would prohibit timely construction of the project this construction season and a vote on the motion was requested.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.

Voting Nay: None

Abstain: None

17 To consider adopting Resolution No. 09-09-82 approving a variance from the industrial zone requirement of a maximum impervious surface area of 60% to allow an impervious surface area of 80% for General Safety at 5201 260th Street, Wyoming as recommended by the Wyoming Planning Commission.

Sheree Vincent expressed concern about the area of impervious surface being allowed and asked the City Council to consider requiring more pervious surface in the area to allow for adequate run-off/drainage.

A MOTION WAS MADE BY COUNCILMEMBER ELMORE, SECONDED BY COUNCILMEMBER ZERWAS, TO ADOPT RESOLUTION NO. 09-09-82 APPROVING A VARIANCE FROM THE INDUSTRIAL ZONE REQUIREMENT OF A MAXIMUM IMPERVIOUS SURFACE AREA OF 60% TO ALLOW AN IMPERVIOUS SURFACE AREA OF 80% FOR GENERAL SAFETY AT 5201 260TH STREET, WYOMING AS RECOMMENDED BY THE WYOMING PLANNING COMMISSION.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.

Voting Nay: None

Abstain: None

18 To consider approving addition to an accessory building to test fire engine pumps and the building design for General Safety at 5181 260th Street, Wyoming as recommended by the Wyoming Planning Commission.

A MOTION WAS MADE BY COUNCILMEMBER GOUDGE, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE ADDITION TO AN ACCESSORY BUILDING TO TEST FIRE ENGINE PUMPS AND THE BUILDING DESIGN FOR GENERAL SAFETY AT 5181 260TH STREET, WYOMING AS RECOMMENDED BY THE WYOMING PLANNING COMMISSION.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.

Voting Nay: None

Abstain: None

19 To consider the recommendation of the Public Works Superintendent, Jason Windingstad, to accept the Resignation of Lee Cartier effective September 4, 2009 and fill the vacant position in the Public Works department created by the resignation of Lee Cartier.

Councilmember Nanko/Yeager inquired as to whether this position could be filled by utilizing contract for service or part-time employees.

Public Works Superintendent Jason Windingstad stated the intent was to fill this position was a skilled position and that the attempt would be to fill the position with a person as qualified if not more qualified than then incumbent in order to strengthen the workforce of the Public Works Department.

A MOTION WAS MADE BY COUNCILMEMBER GOUDGE, SECONDED BY COUNCILMEMBER ANDERSON, TO APPROVE THE RECOMMENDATION OF THE PUBLIC WORKS SUPERINTENDANT, JASON WINDINGSTAD, TO ACCEPT THE RESIGNATION OF LEE CARTIER EFFECTIVE SEPTEMBER 4, 2009 AND FILL THE VACANT POSITION IN THE PUBLIC WORKS DEPARTMENT CREATED BY THE RESIGNATION OF LEE CARTIER.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas.

Voting Nay: None

Abstain: None

20 To establish the times and dates for a work session of the City Council to discuss the Pavement management Plan and to conduct a retreat to discuss City Mission Statement, Goals and Vision statement.

The City Council established the following dates and times to discuss the Pavement Management Plan and the 2010 Operating Budget:

- ✓ October 12, 2009 – 6:00 P.M. Council Work Session – Pavement Management Plan
2010 Public Works Budget
- ✓ October 26, 2009 – 5:00 P.M. Council Work Session – 2010 Police Budget
2010 Building Official Budget

CLAIMS:

21 Consider authorizing payment of recommended bills and payroll for the period of September 2, 2009 through September 15, 2009.

A MOTION WAS MADE BY COUNCILMEMBER GOUDGE, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO AUTHORIZING PAYMENT OF RECOMMENDED BILLS AND PAYROLL FOR THE PERIOD OF SEPTEMBER 2, 2009 THROUGH SEPTEMBER 15, 2009.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas

Voting Nay: None

Abstain: None

Absent: None

COUNCIL REPORTS:

COUNCILMEMBER GOUDGE

No Report

COUNCILMEMBER ZERWAS

No Report

COUNCILMEMBER ELMORE

Planning Commission continuing to work on revising and updating Land Use & Zoning Ordinances.

COUNCILMEMBER NANKO/YEAGER

Thank everyone for being here!

MAYOR ANDERSON

No Report

ADJOURN

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO ADJOURN THE SEPTEMBER 15, 2009 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL AT 8:37 P.M.

Voting Aye: Anderson, Elmore, Goudge, Nanko/Yeager and Zerwas

Voting Nay: None

Abstain: None

Respectfully Submitted

Craig J. Mattson, City Administrator/Clerk