

**APPROVED MINUTES  
CITY COUNCIL  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
FEBRUARY 19, 2019  
7:00PM**

**CALL TO ORDER:**

*Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for February 19, 2019 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*

*Also Present: Tom Loonan, Eckberg Lammers, Robb Linwood, City Administrator, Mark Erichson-WSB, Paul Hoppe - Public Safety Director, Fred Weck, Zoning Administrator/Building Official and Marty Powers, Public Works Superintendent*

**DETERMINATION OF A QUORUM:**

**PLEDGE OF ALLEGIANCE:**

**OPEN FORUM: NONE**

**APPROVAL OF MINUTES:**

1. Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for February 5, 2019

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR FEBRUARY 5, 2019 AS SUBMITTED.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson  
Voting Nay: None  
Abstain: None  
Absent: None*

2. Consider approving the minutes of the "Work Session Meeting" of the Wyoming, Minnesota City Council for February 13, 2019

**A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE THE MINUTES OF THE "WORK SESSION MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR FEBRUARY 13, 2019 AS SUBMITTED.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and 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. To consider authorizing payment of recommended bills, payroll and Journal Entries for the period of February 6, 2019 through February 19, 2019.
4. To consider approving the issuance of a Temporary Liquor License for Wyoming Creative Arts located at 5521 East Viking Boulevard for March 21, 2019

Council Member Nanko/Yeager asked to pull Item #4

**A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE #3 OF THE WYOMING CITY COUNCIL CONSENT AGENDA.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

Item #4 - To consider approving the issuance of a Temporary Liquor License for Wyoming Creative Arts located at 5521 East Viking Boulevard for March 21, 2019

**Council Member Nanko/Yeager** – Noted that this is the second event for the same business, in a short period of time, that the Council is being asked to approve a Temporary Liquor License. She asked if there was a way to streamline the process since it appears this will be a regular occurrence.

**City Administrator Linwood** – Explained that there needs to be at least 30 days between events and they are allowed up to 12, one-day permits. He stated that he expects the Council will be seeing this regularly on the Consent Agenda. He stated that he does not think the process can be streamlined much more than it is.

**Mayor Iverson** – Stated that if Wyoming Creative Arts is going to continue having events once a month or so, she would like to see them take some Safe Serve courses.

**City Administrator Linwood** – Stated that he will pass along Safe Serve information to them.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE CONSENT AGENDA ITEM #4 APPROVING THE ISSUANCE OF A TEMPORARY LIQUOR LICENSE FOR WYOMING CREATIVE ARTS LOCATED AT 5521 EAST VIKING BOULEVARD FOR MARCH 21, 2019.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

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

5. Report of the Public Safety Director, Paul Hoppe for February 14, 2019
6. Report of City Building Official, Fred Weck, IV for February 13, 2019
7. Report of City Attorney Tom Loonan for February 15, 2019
8. Report of City Engineer Mark Erichson, WSB for February 14, 2019

**COMMUNICATIONS:**

10. Communication from Chisago County Assessor announcing Board of Equalization date for the City of Wyoming on April 15, 2019 at 6:00 PM at Wyoming City Hall

**City Administrator Linwood** – Explained that this is a normal annual event that gives taxpayers a chance to ask questions about their property taxes.

**Mayor Iverson** – Suggested that this be advertised through social media as well as the City website in an effort to get more people to show up.

**OLD BUSINESS: NONE**

**NEW BUSINESS**

11. To consider **Resolution 19-02-18** a resolution approving Ordinance 2019-01 Shoreland Ordinance

**Zoning Administrator/Building Official Weck** – Noted that the Planning Commission has spent a lot of time revising the ordinance for the City. He noted that the DNR has already given conditional approval of the ordinance.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE ORDINANCE 2019-01, AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCE, CHAPTER 40, ZONING ORDINANCE; ARTICLE IV, DEFINITION OF TERMS, ARTICLE VI, ZONING DISTRICT PROVISIONS; DIVISION 16, SHORELAND DISTRICT.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 19-02-18 A RESOLUTION ADOPTING AND APPROVING A SUMMARY PUBLICATION FOR ORDINANCE 2019-01, AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 40, ZONING ORDINANCE; ARTICLE IV, DEFINITION OF TERMS AND ARTICLE VI, ZONING DISTRICT PROVISIONS; DEVISION 16, SHORELAND DISTRICT.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

12. To consider **Resolution 19-02-19** a resolution notifying MNDOT and MSAS of a 2019 Street Project.

**City Engineer Erichson** – Gave some background information on this resolution that allows the City to use the State Aid funds earlier than originally planned. He noted that Fairview is definitely interested in moving forward with this project, however had not budgeted for the project. He explained that the City could choose to defer the assessments to a future year.

**Council Member Nanko/Yeager** – Asked why Fairview could not go ahead and budget for an assessment in their 2020 budget and not have a deferred assessment.

**City Administrator Linwood** – Noted that his understanding is that they do multi-year budgeting, and the window to include it in their budgeting process has already passed. He stated that this is something that the Council can discuss whether they would entertain a deferment of the assessment to 2021. He noted that if the Council decided to defer the assessment, the City is able to charge interest.

**A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION 19-02-19, A RESOLUTION REQUESTING AN ADVANCE FROM THE MUNICIPAL STATE AID STREET FUND FOR CALENDAR YEAR 2019 FOR THE CITY OF WYOMING.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

**13.** To consider approving **Policy 19-02-02** a policy for remote meeting attendance for City Council members

**City Administrator Linwood** – Explained that this policy would allow a Council member to be considered in attendance and participate in the meeting by attending remotely. He noted that the City policy is slightly more restrictive than the State policy.

**Council Member Zerwas** – Asked if there would need to be notifications posted about where the Council member will be during the remote meeting.

**City Attorney Loonan** – Stated that whoever is participating remotely will need to have the location open to the public and will be required to have some sort of notice posted at the time of the meeting. He noted that it can simply be a piece of paper that states what the meeting is and that it is open to the public.

**Council Member Luger** – Asked what other cities currently use remote meeting attendance.

**City Attorney Loonan** – Stated that there are several cities that do use this especially for Councils that may have members that get away during the winter months.

**City Engineer Erichson** – Noted that he also works with the City of Hugo where there is a Councilmember that leaves the State for three months in the winter and participates in their meetings remotely.

**City Administrator Linwood** – Stated that most of the larger cities around Wyoming do have this policy.

**Council Member Zerwas** – Asked if there were any costs associated with remote meeting attendance.

**City Administrator Linwood** – Stated that there should not be any costs.

**Council Member Nanko/Yeager** – Asked if a friends' home or a hotel room would be acceptable for the remote location.

**City Attorney Loonan** – Stated that ideally there would be a hotel conference room or some other public space. He noted that a hotel room or friend's home would be permitted, but would have to be open to the public, so there may need to be notice that they will be in X room at X hotel and if people want to come in, the Council member would have to let them come in the room.

**Council Member Nanko/Yeager** – Noted that she thinks the language in number 6 needs to be clarified with regard to the three-day notice.

**Mayor Iverson** – Explained that she felt it was important to note that this is not being put into place for people who just don't feel like coming to a meeting, it is for times when they may be traveling, or for a medical reason are unable to attend the meeting in person.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE POLICY 19-02-02 A POLICY FOR REMOTE MEETING ATTENDANCE FOR CITY COUNCIL MEMBERS, WITH THE REVISIONS TO 6B AND 6C AS DISCUSSED.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

- 14.** To consider **Resolution 19-02-20** a resolution approving This Amendment No. 5 to Broadcast Tower Site Lease Agreement between Sprint Spectrum Realty Company, LLC, a Delaware Limited Liability Company ("Tenant") and City of Wyoming, a Minnesota municipal corporation

**City Administrator Linwood** – Explained the current agreement is expiring on July 31, 2019 and the newest lease is for two 60-month renewal terms. He noted that he has negotiated an annual rate increase of 4% annually.

**Council Member Zerwas** – Asked how much they will pay the City

**City Administrator Linwood** – Stated that they pay \$1,671/month.

**A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 19-02-20 A RESOLUTION APPROVING AMENDMENT NO. 5 TO BROADCAST TOWER SITE LEASE AGREEMENT BETWEEN SPRING SPECTRUM REALTY COMPANY, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("TENANT"), AND THE CITY OF WYOMING, A MINNESOTA MUNICIPAL CORPORATION.**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

- 15.** To consider Resolution 19-02-21 a resolution approving the Surface Water Asset Management Program (SWAMP) in the amount not to exceed \$7,800 for development, \$2,800 for software, and \$1,400 for the annual subscription cost

**City Engineer Erichson** – Gave an overview of the requirements for the MS4 sewer systems and the SWAMP software and how it can be used in the City to take care of storm water features.

**Public Works Superintendent Powers** – Noted that he believes this will be a much more efficient system than what the City is currently using.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 19-02-21 A RESOLUTION APPROVING THE SURFACE WATER ASSESSMENT MANAGEMENT PROGRAM (SWAMP) IN THE AMOUNT NOT TO EXCEED \$7,800 FOR DEVELOPMENT, \$2,800 FOR SOFTWARE, AND \$1,400 FOR THE ANNUAL SUBSCRIPTION COST**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

Absent: None

16. To consider a Council Work Session on February 27, 2019 at 6:00 pm to discuss a 2020 East Viking Sewer Main project/MNDOT Project, Public Works Plow Truck 917, and the Status of the City's Water System and Water Supply

**City Administrator Linwood** – Explained that staff is requesting the work session to allow time to give an update to the Council on some issues.

**Council Member Zerwas** – Will be unable to attend that night.

**Council Member Luger** – Stated that she will be unable to attend that night.

The Council discussed other possible meeting dates and decided to go ahead with the original suggestion without Council Members Zerwas and Luger.

**A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER IVERSON, TO APPROVE A COUNCIL WORK SESSION ON FEBRUARY 27, 2019 AT 6:00 P.M. TO DISCUSS A 2020 EAST VIKING SEWER MAIN PROJECT/MNDOT PROJECT, PUBLIC WORKS PLOW TRUCK 917, AND THE STATUS OF THE CITY'S WATER SYSTEM AND WATER SUPPLY**

*Voting Aye: Schilling, Nanko/Yeager, Luger, Zerwas, and Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

## **COUNCIL REPORTS:**

**Council Member Zerwas** – Attended Council work session and the Sewer Commission meeting.

**Council Member Nanko/Yeager** – Attended Council work session

**Council Member Luger** – Attended the Council work session

**Council Member Schilling** – No report

**Mayor Iverson** – Attended EDA meeting, the Planning Commission and the Council work session. She noted that the Highway 8 Task Force will be meeting on February 25, 2019.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO ADJOURN THE FEBRUARY 19, 2019 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:00PM**

*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:**  
**MARCH 5, 2019**  
**7:00PM**