

**APPROVED MINUTES  
CITY COUNCIL  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
APRIL 3, 2018  
7:00PM**

**CALL TO ORDER:**

*Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for April 3, 2018 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, Don Waller, and Claire Luger*

*ABSENT: None*

*Also Present: Mark Vierling, 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 March 20, 2018

**A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER NANKO/YEAGER TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 20, 2018, AS SUBMITTED.**

*Voting Aye: Waller, Nanko/Yeager, Luger, Iverson*

*Voting Nay: None*

*Abstain: Zerwas*

*Absent: None*

**SCHEDULED BID LETTINGS: NONE**

**SCHEDULED PUBLIC HEARINGS:**

2. To Consider **Resolution 18-04-23** A Resolution Receiving the Revised Feasibility Report for the 2018 Street Reconstruction Project (City Project No. 18-01)

**City Engineer Erichson** gave a brief presentation on the project and the current condition of the roads. He noted that this project was rated the highest priority by both staff and Council. He noted that the City would be receiving a local road improvement grant in the amount of \$1,000,000 to help cover costs of this reconstruction. The total cost for the project is \$3,065,100. He reviewed the assessment map and the City assessment policy. He noted the assessments are calculated at 20% of surface improvements only, not for the widening or the drainage improvement costs. Beyond assessments, the remaining costs associated with the project will be funded by City funds, or the grant funds. He reviewed the proposed timeline.

**Council Member Waller** asked about the storm water ponding near Wyoming Trail.

**City Engineer Erichson** stated that they are planning to move the fence from the ballfield in to allow them to put in a pond in this location. This pond will likely be an infiltration and treatment pond, but, will not qualify for wetland credits.

**Council Member Zerwas** asked about the width of the shoulders along Pioneer Trail.

**City Engineer Erichson** stated that they will have 11-foot drive lanes and 4-foot-wide paved shoulders.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER TO APPROVE RESOLUTION 18-04-23, A RESOLUTION RECEIVING THE REVISED FEASIBILITY REPORT FOR THE 2018 STREET RECONSTRUCTIONS PROJECT (CITY PROJECT NO. 18-01)**

*Voting Aye: Waller, Nanko/Yeager, Zerwas. Luger, Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

3. To Consider **Resolution 18-04-24** A Resolution to Order the 2018 Street Reconstruction Project (City Project No. 18-01)

**Mayor Iverson** opened the Public Hearing at 7:24 p.m.

**William Keilty, 7313 260<sup>th</sup> Street** - noted that he had already sent the Council a letter explaining why he planned to appeal this assessment. He stated that the County and the Township of Wyoming had paved 260<sup>th</sup> in 2002 and they were told that because they would be using the road, they would have to pay for it, so they did. He stated that now this project is coming from the other direction and paving over the work that was already done and billing the residents again. He is here representing the group of neighbors that are in this same situation.

**City Attorney Vierling** stated that there will be another public hearing that will address the assessment and noted that tonight's public hearing is for accepting the street reconstruction project. He noted that if Mr. Keilty or his neighbors wish to appeal the assessment, they must individually appear at the public hearing on the assessment, which according to the proposal timeline will be sometime in November.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER WALLER, TO CLOSE THE PUBLIC HEARING AT 7:28 P.M.**

*Voting Aye: Waller, Nanko/Yeager, Zerwas. Luger, Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: None*

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-04-24 A RESOLUTION TO ORDER THE 2018 STREET RECONSTRUCTION PROJECT (CITY PROJECT NO 18-01).**

*Voting Aye: Waller, Nanko/Yeager, Zerwas. Luger, Iverson*

*Voting Nay: None*

*Abstain: None*

*Absent: 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. To consider the Memorandum of Agreement with the Minnesota Department of Health for the Wyoming Public Water System for Radium Compliance

**Council Member Nanko/Yeager** asked if there was any penalty for not having the agreement in by the deadline of March 31, 2018.

**City Administrator Linwood** stated that he has been in communication with the Minnesota Department of Health and they have not indicated that would be a problem and were satisfied with the progress the City has made.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER WALLER, TO APPROVE THE WYOMING CITY COUNCIL CONSENT AGENDA.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

## COMMUNICATIONS:

5. Report of the Public Safety Director, Paul Hoppe for March 29, 2018
6. Report of City Building Official, Fred Weck, IV for March 29, 2018
7. Report of City Attorney Mark Vierling for March 28, 2018
8. Report of City Engineer Mark Erichson, WSB for March 29, 2018
9. Report of Public Works Superintendent Marty Powers for 27, 2018

## OLD BUSINESS: NONE

## NEW BUSINESS

10. To consider approval and adoption of **Ordinance 2018-01** and approval of **Resolution 18-04-25** the summary publication of Ordinance 2018-01, an ordinance amending the City of Wyoming Code of Ordinances, Chapter 40, Article VII, Division 5, Architectural Standards and Division I Accessory Structures and Uses

**Zoning Administrator/Building Official Weck** reviewed the proposed changes to the architectural standards ordinance.

**Council Member Zerwas** confirmed that accessory buildings that were 200 sq. ft. and under did not need to match the roofing and siding of the main structure on the property.

**Council Member Waller** clarified that this also meant that a building permit wasn't needed until an accessory structure went beyond 200 sq. ft.

**A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER NANKO/YEAGER, TO APPROVE RESOLUTION 18-18-04-25, THE SUMMARY PUBLICATION OF ORDINANCE 2018-01, AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 40, ARTICLE VII, DIVISION 5, ARCHITECTURAL STANDARDS AND DIVISION 1 ACCESSORY STRUCTURES AND**

## USES.

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

**A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE ORDINANCE 2018-01, AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 40, ARTICLE VII, DIVISION 5, ARCHITECTURAL STANDARDS AND DIVISION 1 ACCESSORY STRUCTURES AND USES, AS AMENDED.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

11. To consider approval and adoption of **Ordinance 2018-01** and approval of **Resolution 18-04-26** approving the summary publication of Ordinance 2018-02 an ordinance amending the City of Wyoming Code of Ordinances, Chapter 4, Alcoholic Beverages

**City Administrator Linwood** explained that the reason for reviewing the City ordinance was to have it comply with new and updated State statutes.

**Council Member Waller** asked if the City had held a public hearing or any other notification on this change. Suggested that the Council table this for tonight, and allow for public input, even though it wasn't officially required. Stated that he was more concerned with the general public being educated about the changes and not just the establishments.

**City Administrator Linwood** stated that this type of change does not require a public hearing, but once adopted, the new ordinance will be mailed out to every restaurant and liquor establishment in the City. Noted that if the establishments are following the State statutes, like they should be, they will already know about these changes and it won't be new information. He reiterated that this change was primarily to get the City ordinance in alignment with the State

**Council Member Zerwas** asked if it would be published in the paper.

**City Administrator Linwood** confirmed that a summary would be published in the paper and the new ordinance would be mailed out to the establishments.

**Council Member Nanko/Yeager** asked about the definition of a club and the length of time it needed to be in existence before obtaining a liquor license. She asked if the Council would support reducing the time it needed to be in existence from 10-15 years down to 3 years, in order to encourage the formation of a fraternal or VFW type club in the City.

**Council Member Waller** stated that he would support this proposed changed, but, reiterated that this is why he would like to open this up for public comment, before it is approved, in case there are any other items the Council could consider changing.

**Mayor Iverson** stated that she was did not believe this item needed public comment and it would be published in the paper

**Council Member Luger** stated that she would be satisfied with the notification through the newspaper and the notice being sent to establishments.

**Council Member Zerwas** stated that he didn't think the Council needed to hold an official public hearing, as long as it was posted in the paper.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE ORDINANCE NO. 2018-02, AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 4, ALCOHOLIC BEVERAGES, WITH THE AMENDMENT IN SECTION 4-31, SUBSECTION F, UNDER CLUBS, 15 YEARS BE STRICKEN AND CHANGED TO 3 YEARS, AND UNDER CONGRESSIONALLY CHARTERED VETERANS ORGANIZATIONS, THAT THE LANGUAGE 10 YEARS BE STRICKEN AND CHANGED TO 3 YEARS.**

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

*Voting Nay: Waller*

*Abstain: None*

*Absent: None*

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY ZERWAS, TO APPROVE RESOLUTION 18-04-26, APPROVING THE SUMMARY PUBLICATION OF ORDINANCE 2018-02, AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 4, ALCOHOLIC BEVERAGES.**

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

*Voting Nay: Waller*

*Abstain: None*

*Absent: None*

12. To consider approving Laura Fleischhacker for the Part-Time Communication Administrative Assistant Position at a starting wage of \$17.00/hr., not to exceed 24 hours a week on average.

**City Administrator Linwood** explained this position was created and filled earlier this year. When the position became open again, the City went back to their candidate pool and this candidate was at the top of the list.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE LAURA FLEISCHHACKER FOR THE PART-TIME COMMUNICATION ADMINISTRATIVE ASSISTANT POSITION AT A STARTING WAGE OF \$17.00/HR, NOT TO EXCEED 24 HOURS A WEEK, ON AVERAGE.**

*Voting Aye: Luger, Zerwas, Iverson*

*Voting Nay: Waller, Nanko/Yeager*

*Abstain: None*

*Absent: None*

13. To Consider Agreement 18-04-02, a 60-month copier agreement between the City of Wyoming with Ricoh USA, Inc. Copier Services

**City Administrator Linwood** reviewed the current expiring lease agreement. The City was able to get bids through the State contract and based on the monthly average of usage, for 2017, Ricoh USA had the best bid for \$536.30/month for the equipment needed in the City. This new contract will provide a small savings of about \$27/month.

**Mayor Iverson** asked what would happen to the existing machines.

**City Administrator Linwood** stated that if this new agreement is approved, there will be about a 10-day waiting period before the new equipment is installed and the old equipment will be taken away. He isn't sure what they will do with the old machines. The cost to the City covers essentially everything but copy paper and staples.

**Council Member Waller** asked about equipment updates in the 5-year contract period.

**City Administrator Linwood** noted that the Ricoh has been very good to work with and always responded quickly when there was an issue. They will replace a unit, if it cannot be repaired.

**Council Member Nanko/Yeager** asked if there would be a difference in the service of equipment that explains the reduction in price.

**City Administrator Linwood** stated that the agreement is essentially the same agreement the City has right now and establishes the same service levels.

**A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE AGREEMENT 18-04-02, A 60 MONTH COPIER AGREEMENT BETWEEN THE CITY OF WYOMING AND RICOH USA, INC. COPIER SERVICES.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

**14. To Consider Resolution 18-04-27**, a resolution approving a Police Pursuit Vehicle at a cost of \$36,829.44

**Public Safety Director Hoppe** stated that this proposal is for a 2018 Ford Explorer, which will replace a 2015 utility vehicle with approximately 98,000 miles on it. He noted the replacement schedule for vehicles is 10 years or 100,000 miles, whichever comes first. He noted by the time the new vehicle is delivered, there will be approximately another 12,000 to 18,000 miles on the current vehicle, which will put the total miles on it at about 110,000 to 115,000.

**Mayor Iverson** asked if this amount was the same as was presented during budget discussions.

**Public Safety Director Hoppe** stated that the City had actually budgeted for \$37,500, so this is slightly under budget from what was presented.

**Council Member Waller** asked if the County took their vehicles to 125,000 miles rather than 100,000.

**Public Safety Director Hoppe** stated he wasn't sure what the County's policy was, but, noted that they have a different driving style than the City force and have more rural roads than they do in a municipality.

**Council Member Waller** asked if the City had considered trying to stretch it out and replacement the vehicles at higher mileage points.

**Public Safety Director Hoppe** stated that the reality is that the replacement vehicle is ordered at around 100,000 miles, but not taken out of service until it is closer to 120,000 to 125,000 miles. He stated the goal is to maximize the benefit of the warranty and gain as much equity as possible by auctioning it off with less mileage on it, which has been working well for the City.

**Mayor Iverson** asked about policies in other cities.

**Public Safety Director Hoppe** stated that policies vary, but, reiterated the difference between county-wide driving and driving within a municipality.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-04-27, APPROVING A POLICE PURSUIT VEHICLE AT A COST OF \$36,829.44**

*Voting Aye: Luger, Zerwas, Iverson*

*Voting Nay: Waller, Nanko/Yeager*

*Abstain: None*

*Absent: None*

15. To Consider **Resolution 18-04-28**, a resolution approving the contracting with Allied Black Top for street sweeping not to exceed \$10,000 for Spring Street Sweeping

**Public Works Superintendent Powers** explained the need for sand clean up

**Councilmember Nanko/Yeager** asked what areas are swept in the fall.

**Public Works Director Powers** stated that last year the City did the area on the west side of Kettle River and noted that fall clean-up is mostly leaves. He would like to add a little more for this coming year.

**Council Member Nanko/Yeager** asked about the cost for the fall clean up along the west side of the Kettle River.

**Public Works Superintendent Powers** stated that it was under \$500.

**Council Member Waller** asked how many sweepers were included in the contract and whether the City had gotten a later date due to the recent weather changes.

**Public Works Superintendent Powers** stated that there will be two sweepers and noted that he hoped there could be a different date, since the weather had changed.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-04-28, A RESOLUTION APPROVING THE CONTRACTING WITH ALLIED BLACK TO FOR STREET SWEEPING, NOT TO EXCEED \$10,000 FOR SPRING STREET SWEEPING.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

16. To consider a work session on April 11, 2018 at 6:00PM to discuss Fire Code, Fire Staffing and Respectful Workplace and Sexual Harassment Policies

**City Administrator Linwood** gave a review of the reasons for staff recommendation for a work session to discuss issues.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER IVERSON, TO APPROVE A WORK SESSION FOR APRIL 11, 2018 AT 6:00 PM TO DISCUSS FIRE CODE, FIRE STAFFING AND RESPECTFUL WORKPLACE AND SEXUAL HARASSMENT POLICIES.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

## **CLAIMS:**

17. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of March 20, 2018 through April 2, 2018.

**Council Member Waller** asked about page 4, the boiler maintenance and whether it was for the City Hall.

**City Administrator Linwood** stated that there was a leak within the system and the water level had gone down in the boiler.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF MARCH 20, 2018 THROUGH APRIL 2, 2018, AND CORRECT CODING OF BILLS**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

### **COUNCIL REPORTS:**

**Council Member Luger** – Attended the Park Board meeting last night. There was discussion regarding the City working together more closely with the farmer’s market. They also discussed the planting criteria for around the City park signs. There was discussion about some monthly summer events at Railroad Park. The Park Board will be touring the parks near the end of April or the beginning of May. All our welcome to attend the tour.

**Council Member Nanko/Yeager** – Attended the Street Improvement Project Open House.

**Council Member Waller** – Attended the Street Improvement Project Open House, as well.

**Council Member Zerwas** – Stated that he simply wished the snow wasn’t here.

**Mayor Iverson** – Attended the Planning Commission and the 2018 Street Improvement Project Open House. She stated the open house was well attended and feedback was positive on design, safety and staff time. She also attended the Forest Lake Business Expo that was held at Maranatha Church.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER WALLER, TO ADJOURN THE APRIL 3, 2018 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:04PM.**

*Voting Aye: Waller, 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:**  
**APRIL 17, 2018**  
**7:00PM**