

**APPROVED MINUTES  
CITY COUNCIL  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
OCTOBER 2, 2018  
7:00PM**

**CALL TO ORDER:**

*Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for October 2, 2018 to order at 7:00PM*

**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: 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:**

**County Commissioner Montzka** – Stated that the County budget committee had suggested an 8.5% increase, that has now been lowered to 7.9% but he believe there may be additional cuts made to the budget to lower this number even further. He gave some background on the budget discussions and reserve amounts. He noted that there is somewhere between \$500,000 and \$1,000,000 in additional expenses related to welfare, due to the HHS State policies and will remain unreimbursed by the State government. He stated that they had also included a 2% cost of living increase for employees. He stated that the County is also getting less money from the State for roads next year. He stated that the City is currently at about 7% for new construction which is a good sign. He noted that the tax capacity for the entire County is at about 9%. He gave an overview of the challenges with the funding for the local school districts.

**Mayor Iverson** – Asked how the new jail fits into the preliminary budget and what he would personally like to see for the new levy amount.

**County Commissioner Montzka** – Stated that the jail budget is within the previously set amount and is not the reason for the levy increase. He stated that his goal is something more in line with what has been done in the past, which may require staffing changes or reductions which means the employees working harder.

**Council Member Luger** – Asked what impact the things he alluded to with staffing cuts and employees having to work harder, would have with things like overtime in terms of budgetary concerns.

**County Commissioner Montzka** – Stated that it is hard to say because it is a guess because some jobs cannot be set aside, they need to be completed. He gave examples of new positions that may not be filled because of the budget constraints.

**Council Member Waller** – Stated that the Council had asked earlier this summer about lights on County Road 22 near Kennedy Estates and asked for an update.

**County Commissioner Montzka** – Stated that they had looked at having a crosswalk there but

wasn't clear about the light.

**City Engineer Erichson** – Stated that he did not recall having any discussion about a light, but did remember the crosswalk discussion. He noted this his recollection is that the crosswalk did not meet their criteria.

**Council Member Waller** – Asked County Commissioner Montzka to remind the County that there is interest in the light at this location to help with the safety at this intersection.

### **APPROVAL OF MINUTES:**

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for September 18, 2018

**A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR SEPTEMBER 18, 2018 AS SUBMITTED**

*Voting Aye: Waller, 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.*

2. To consider the 2017 Massage Therapist License Application for Brittany Ryder of His and Hers Hair Company, located at 26699 Faxton Avenue, Wyoming, MN 55092
3. To consider approving **Resolution 18-10-87** a resolution appointing Election Judges for the City of Wyoming for the General Election November 6, 2018
4. To consider **Resolution 18-10-88** a resolution declaring certain vehicles as surplus property for disposal and authorizing the police department to dispose of vehicles through on-line auction.
5. To consider **Resolution 18-10-89** a resolution declaring the Public Works Department items surplus property and authorizing the public works department to dispose of items through a public auction or disposal process.

Council Member Waller – Asked to pull item #3.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE #2, #4, and #5 OF THE WYOMING CITY COUNCIL CONSENT AGENDA**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

**Council Member Waller** – Stated that he had spoken with an individual who had historically served as an election judge and asked City Administrator Linwood why they had not gotten timely notices for the training.

**City Administrator Linwood** – Stated that he would have to know who he was referring to because all the notices go out far in advance of the training.

**Council Member Waller** – Stated that it is Cheryl Bangston.

**City Administrator Linwood** – Stated that the City spoke with Ms. Bangston about serving as an election judge and at the time she wasn't sure if she would be able to and after he spoke with her, the deadline has passed for the primary election. He reassured Council Member Waller that the City would reach out to her in the future if she is still interested in serving in this capacity and ensure she gets proper notice.

**A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE CONSENT AGENDA ITEM #3, RESOLUTION 18-10-87 A RESOLUTION APPOINTING ELECTION JUDGES FOR THE CITY OF WYOMING FOR THE GENERAL ELECTION ON NOVEMBER 6, 2018.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

## **COMMUNICATIONS:**

6. Report of the Public Safety Director, Paul Hoppe for September 26, 2018
7. Report of City Building Official, Fred Weck, IV for September 27, 2018
8. Report of City Attorney Mark Vierling for September 28, 2018
9. Report of City Engineer Mark Erichson, WSB for September 27, 2018
10. Report of Public Works Superintendent Marty Powers for September 25, 2018
11. East Central Regional Development Commission (ECDRC) Business Retention and Expansion Program (BR&E)

## **OLD BUSINESS: NONE**

## **NEW BUSINESS**

12. To consider **Resolution 18-10-90** a resolution approving a Conditional Use Permit for Life Rides, Inc. located at 26643 Fallbrook Avenue, Unit C

**Zoning Administrator/Building Official Weck** – Gave a brief overview of the application and the initial concern by the Planning Commission surrounding adequate parking spaces. He stated that the Planning Commission had recommend approval based on the conditions listed in the staff report.

**Council Member Nanko/Yeager** – Asked for clarification of the parking and the potential for an increase in impervious surfaces by 2019. She asked whether the ordinances for impervious surfaces have been looked at like the Council had directed in 2017.

**Zoning Administrator/Building Official Weck** - Clarified that after physically going out to the building and speaking with the tenants, this applicant will have access to the adequate amount of spaces. He stated looking at impervious surfaces is one of the initiatives for the Planning Commission in 2018, but they have been fully involved in revising the Shoreland Ordinance. He

stated that he is hoping the Planning Commission can work on that while the DNR is reviewing the Shoreland Ordinance.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-10-90 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR LIFE RIDES, INC., LOCATED AT 26643 FALLBROOK AVENUE, UNIT C**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

The applicant appeared before the Council and gave a brief overview of what their business will entail as an internet-based automobile dealership.

- 13.** To consider hiring John Peka as a rink attendant at \$13.00/hour and authorize the advertisement of a second rink attendant at \$11.00/hour for the 2018-2019 skating season

**Public Works Superintendent Powers**– Noted that John Peka has been the skate attendant and maintenance worker for the skating rink for quite some time and is interested in continuing. He noted that \$13.00/hour is also what he made last year and noted that he is only interested in working half of the hours that the City needs. Staff is asking to hire another part-time attendant at \$11.00/hour. He noted that John Peka does a stand-up job with minimal supervision.

**Council Member Luger** – Asked what benefit this position had for the community.

**Public Works Superintendent Powers** – Stated that this facility is well used, even during the day and without a rink attendant, the Public Works Department would not have the ability to keep the rink clear and open.

**Council Member Zerwas** – Asked how many hours a day the attendants work.

**Public Works Superintendent Powers** – Stated that they come in earlier if it snows or need to make ice in the morning, but they work about 4 p.m. to 10 p.m. on weekdays with the warming house open as well as some hours earlier to freshen up the ice. He stated that Saturdays the hours are 10 a.m. to 10 p.m. and Sundays are 12:00 p.m. to 10:00 p.m.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE HIRING JOHN PEKA AS A RINK ATTENDANT AT \$13.00/HOUR AND AUTHORIZE THE ADVERTISEMENT OF A SECOND RINK ATTENDANT AT \$11.00/HOUR FOR THE 2018-2019 SKATING SEASON.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

- 14.** To consider Resolution 18-10-91 a resolution approving “payment pay voucher #2” to Dresel Contracting, Inc. for the 2018 street improvement project (WSB Project R-010960-00) ( S.A.P. 248-123-001 and 248-594-00) (City project 18-01) in the amount of \$622,953.41

**City Engineer Erichson** – Stated that this project is progressing despite the weather. They are hoping to complete the paving on Thursday and Friday this week. He gave a brief update on the progress of the project. He explained that they did not get a 100% approval from the residents to include paving Indian Avenue, so that will not be completed with this project. He stated that this payment voucher is for work that was completed at the end of August through September 21, 2018.

**A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-10-91, A RESOLUTION APPROVING PAYMENT PAY VOUCHER #2 TO DRESEL CONTRACTING, INC. FOR THE 2018 STREET IMPROVEMENT PROJECT (WSB PROJECT R-010960-00) (S.A.P. 248-123-001 AND 248-594-00) (CITY PROJECT 18-01) IN THE AMOUNT OF \$622,964.41.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

- 15.** To consider **Resolution 18-10-92** a resolution approving “payment of pay voucher” #1-final to Iseler Demolition, Inc. for the 2018 water tower demolition project (WSB project R-012006-000) in the amount of \$28,400.00

**City Engineer Erichson** – Noted that this project has been completed and went quickly. Staff is recommending payment contingent up on receipt of a few documents as outlined in the staff report.

**A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION 18-10-92 A RESOLUTION APPROVING PAYMENT OF PAY VOUCHER #1-FINAL TO ISELER DEMOLITION, INC. FOR THE 2018 WATER TOWER DEMOLOTION PROJECT (WSB PROJECT R-012006-000) IN THE AMOUNT OF \$28,400.00, CONTINGENT UPON RECEIPT OF DOCUMENTS OUTLINED IN THE STAFF REPORT FROM WSB ENGINEERING.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

**Mayor Iverson** – Asked for a 5-minute recess at 8:00 p.m. and reconvened at 8:05 at which time she asked Council Member Luger to take over as Acting Mayor. Mayor Iverson explained that she has pneumonia and was having some coughing issues that were making it difficult to lead the meeting.

- 16.** To consider **Resolution 18-10-93** a resolution changing the name of the Wyoming Park and Recreation Board to the “Park Advisory Commission”

**City Administrator Linwood** – Explained that there had been an inquiry about the legal status of the Park Board. He stated that it had been reviewed by staff and the City Attorney to research the information in past minutes and City and Township documents. He reviewed the history of the board and its creation and the recommendation to rename the Park Board the Park Advisory Commission.

**City Attorney Loonan** - Gave an overview of the duties and statutory powers under both a Park Board and a Park Advisory Commission.

**Council Member Nanko/Yeager** – Stated that her concern that the City needed a lot of legal advice on this issue and would like to make sure that this will not cause a lot of problems down the road. She asked whether the Council should formally establish the commission and not simply rename it.

**City Attorney Loonan**– Stated that he understands her concerns, and to ensure that there are no loose ends, the Council could unanimously vote to abolish the current Park Board and immediately establish the Park Advisory Commission. He doesn't think this is necessary because

the Park Board was never established by City Ordinance.

**Building Administrator/Zoning Official Weck** – Gave a brief history of the township ordinances and decisions.

**Council Member Waller** – Stated that he feels it would be a cleaner process if the Council abolished the Park Board and created a new Park Advisory Commission.

**Mayor Iverson** – Stated that she feels a name change will be sufficient because they have been operating as an advisory board for the past eight years.

**A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION 18-10-93 A RESOLUTION CHANGING THE NAME OF THE WYOMING PARK AND RECREATION BOARD TO THE “PARK ADVISORY COMMISSION”.**

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

*Voting Nay: Waller*

*Abstain: None*

*Absent: None*

17. To consider a work session on October 10, 2018 at 6:00 p.m. to review a draft report of the Utility Rate Study and to review a draft report of a Pavement Management Study.

**A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE A WORK SESSION ON OCTOBER 10, 2018 AT 6:00 P.M. TO REVIEW A DRAFT REPORT OF THE UTILITY RATE STUDY AND TO REVIEW A DRAFT REPORT OF A PAVEMENT MANAGEMENT STUDY.**

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

*Voting Nay: None*

*Abstain: None*

*Absent: None*

18. To review and discuss the Communications Administrative Assistant position for the 2018 calendar year.

**City Administrator Linwood** – Gave a brief overview of the reasoning behind the request for a part-time Administrative Assistant.

**Council Member Nanko/Yeager** – Asked what City Administrator Linwood’s preference would be of the options presented.

**City Attorney Loonan** – Stated that Council is effectively considering eliminating a position, not an employee. He doesn’t believe that City Administrator Linwood should be making any recommendations on the position.

**A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO ELIMINATE THE PART TIME COMMUNICATIONS ADMINISTRATIVE ASSISTANT POSITION EFFECTIVE AT THE END OF BUSINESS ON OCTOBER 5, 2018.**

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

*Voting Nay: Waller*

*Abstain: None*

*Absent: None*

## CLAIMS:

19. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of September 5, 2018 through September 18, 2018

**Council Member Waller** – Asked about the bills that were included for David’s Hydrovac because the memo states that the City was using the Joint Sewers vac.

**Public Works Superintendent Powers** – Explained that they used the Joint Sewers vac when it was available and noted that their equipment was down for repair for a period of time.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER WALLER, AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF SEPTEMBER 5, 2018 THROUGH SEPTEMBER 18, 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 Zerwas** – No report.

**Council Member Nanko/Yeager** – No report.

**Council Member Waller** – He and Park Board Member Monica Wick helped with planting at Carlos Avery at a Great River Greening event.

**Council Member Luger** – Attended the planting event at Carlos Avery as well the Park Board meeting.

**Mayor Iverson** – Attended the Serve the Troops and the Minnesota National Guard Deployment send off. She also attended the Planning Commission meeting.

**A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER IVERSON TO ADJOURN THE OCTOBER 2, 2018 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:41PM**

*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:**  
**OCTOBER 16, 2018**  
**7:00PM**