

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

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for November 7, 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: 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:

Jerry Anderson – 8215 East Viking Boulevard – Gave some background on a beaver dam located on someone else’s property that is causing damage to his. He explained that he had been unable to resolve the issue with the neighboring property owner and had simply started trapping the beaver. He stated that he has also noticed the muskrats are digging under the road along East Viking Boulevard and believes it may cause problems over the winter. He asked for the City to help him resolve the dispute regarding the beaver dam.

Mayor Iverson – Asked City Attorney Loonan to weigh in on this issue.

City Attorney Loonan - Stated that the City is not in a position to help Mr. Anderson because there is no violation of any ordinance, nor does the nuisance that exists effect any City property. He stated that the potential muskrat issue will need to be investigated. He explained that Mr. Anderson’s options are to continue trapping and perhaps retain a private attorney since this is essentially a dispute between private citizens.

City Administrator Linwood – Noted that staff can go take a look and verify if there are any issues with East Viking Boulevard due to muskrats.

Public Works Superintendent Powers – Stated that it is fairly common for muskrats to dig under the roads. He stated that they do try to trap them before they cause damage.

Council Member Nanko/Yeager - Noted that she has a lot of muskrats in her back yard and they are essentially killing her backyard so she can imagine what they are doing to East Viking Boulevard if they are getting under the street which concerns her.

Mayor Iverson – Stated that it appears that the only thing the City can do is to monitor the condition of East Viking Boulevard. She thanked Mr. Anderson for coming to report this issue to the Council.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Work Session Meeting” of the Wyoming, Minnesota City Council for October 10, 2018

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE MINUTES OF THE “WORK SESSION MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR OCTOBER 10, 2018 AS SUBMITTED.

Voting Aye: Waller, 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 October 17, 2018

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE MINUTES OF THE “SPECIAL MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR OCTOBER 17, 2018 AS SUBMITTED.

Voting Aye: Waller, Nanko/Yeager, Luger, Zerwas, Iverson
Voting Nay: None
Abstain: None
Absent: None

3. Consider approving the minutes of the “Special Meeting” of the Wyoming, Minnesota City Council for October 24, 2018

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE MINUTES OF THE “SPECIAL MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR OCTOBER 24, 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.

4. To consider the 2018 Massage Therapist License Application for Orianna Blesi of His and Hers Hair Company located at 26699 Faxton Avenue, Wyoming, MN 55092
5. To consider Resolution **18-11-97** a resolution accepting a donation to the City from Xcel Energy as sponsor for 2018 Tree Lighting Ceremony at Railroad Park in an estimated value amount of \$500.00
6. To consider adopting **Agreement 18-11-98** a resolution appointing Dezera Sieracki, Jacob Gruber and Justin Chapa from Wyoming Paid on Call Firefighters to Probationary Firefighter.
7. To consider **Resolution 18-11-99** a resolution accepting a donation to the City from Mark and Cindy Koran for the donation of holiday lights for the second annual tree lighting at Railroad Park in the estimated amount of \$200.00.

8. To consider the resignation of Park Advisory Commission Member John Fino effective November 17, 2018.
9. To consider **Resolution 18-11-100** a resolution approving “payment of pay voucher #3 to Dresel Contracting, Inc. for the 2018 street reconstruction project (WSB project R-010960-000) (S.A.P. 248-123-001 and 248-594-00) (City Project 18-01) in the amount of \$373,885.61

Council Member Nanko/Yeager – Suggested that item #5 be pulled to clarify it in light of the memo sent by City Administrator Linwood earlier today.

City Administrator Linwood – Stated that it could be clarified to state that the donation is to be used for lighting of the three large trees.

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

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

Voting Nay: None

Abstain: None

Absent: None

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER WALLER, TO APPROVE CONSENT AGENDA ITEM #5, RESOLUTION 18-11-97 WITH THE FOLLOWING ADDITION: THE FOLLOWING PERSONS AND ENTITIES HAVE OFFERED TO DONATE \$500 FOR THE PURCHASE OF HOLIDAY LIGHTS FOR THE THREE BIG PINE TREES IN RAILROAD PARK.

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

Voting Nay: None

Abstain: None

Absent: None

COMMUNICATIONS:

10. Report of the Public Safety Director, Paul Hoppe for October 31, 2018
11. Report of City Building Official, Fred Weck, IV for October 31, 2018
12. Report of City Attorney Mark Vierling for October 31, 2018
13. Report of City Engineer Mark Erichson, WSB for November 1, 2018
14. Report of Public Works Superintendent Marty Powers for October 31, 2018

OLD BUSINESS: NONE

NEW BUSINESS

15. To consider **Resolution 18-11-101** a resolution certifying the 2018 City of Wyoming General Election results.

City Administrator Linwood – Noted that this item is simply part of the State statute for the election process to certify the election results.

Council Member Nanko/Yeager – Noted that there were about 106 write-in votes for mayor which seems like an anomaly to her and seems very high. She asked if there was a way to find out whose name was written in.

City Administrator Linwood – Stated that they do receive a copy of that information. He explained that the highest number of votes for one candidate was 4 votes. He stated that it appears to be random and some names written in were for fictional characters.

A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION 18-11-101 A RESOLUTION CERTIFYING THE 2018 CITY OF WYOMING GENERAL ELECTION RESULTS.

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

Voting Nay: None

Abstain: None

Absent: None

16. To consider **Resolution 18-11-102** a resolution approving the preliminary plat of “Shoreview One” at property identification number 21.10854.02

Zoning Administrator Weck – Explained that he received revised drawings for this preliminary plat to divide one lot into two lots. He reviewed the conditions that have been addressed by the revised plans that were submitted. He asked that conditions #3 and #4 be kept as part of the resolution language. He stated that this is scheduled to come before the Planning Commission for final plat approval on November 27, 2018.

Council Member Nanko/Yeager – Asked when are the homes anticipated to be built.

Zoning Administrator Weck – Stated that he had not received any information on when the homes would be built. It was discovered that the Council did not receive pages 2 and 3 of the staff recommendations so Zoning Administrator Weck gave a brief overview of the information on those pages.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-11-102 A RESOLUTION APPROVING THE PRELIMINARY PLAT OF “SHOREVIEW ONE” AT PROPERTY IDENTIFICATION NUMBER 21.10843.02.

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

Voting Nay: None

Abstain: None

Absent: None

17. To consider **Agreement 18-11-06** to authorize aid/mutual aid agreement between the cities of Forest Lake and Wyoming for the dispatch and use of fire personnel and equipment

Public Safety Director Hoppe – Explained that they are doing an evaluation of their current agreements and making sure they are up to date. He explained the mutual aid agreement guidelines and how the process works.

Council Member Nanko/Yeager – Asked why the City would waive its right to sue in case of negligence.

City Attorney Loonan – Explained that it is a mutual release of liability for each city.

Public Safety Director Hoppe – Noted that this is the first agreement of many with the surrounding communities. He stated that they are trying to get everything in place before the ISO rating in 2019.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE AGREEMENT 18-11-06 TO AUTHORIZE

AID/MUTUAL AID AGREEMENT BETWEEN THE CITIES OF FOREST LAKE AND WYOMING FOR THE DISPATCH AND USE OF FIRE PERSONNEL AND EQUIPMENT.

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

Voting Nay: None

Abstain: None

Absent: None

- 18.** To consider **Resolution 18-11-103** a resolution to authorize the purchase of a 2019 Freightliner M2-112/Rosenbauer Heavy Duty Ext aluminum body tanker in the amount of \$419,702.00

Public Safety Director Hoppe – Explained that this has been discussed at past work sessions and noted that they had discovered a potentially catastrophic condition with one of their fire apparatus tanks. He stated that this truck is targeted for replacement at 30 years and it is now at 25 years. He explained that repair costs range between \$40,000 and \$180,000. He explained the features that are on the tanker and the quoted price amount. He noted that the expected turn around once the tanker is ordered is 390 days. He stated that in the meantime, the City would do everything it can to extend the life of the current tanker and conduct only the necessary repairs. He stated that if it does reach catastrophic failure then the City will look at the possibility of leasing a tanker from surrounding agencies until the new tanker arrives.

Mayor Iverson – Asked what would happen with the existing truck when the new truck arrives.

Public Safety Director Hoppe – Stated that they will plan to sell it but he doesn't expect it will bring in more than \$10,000.

Council Member Nanko/Yeager – Asked how much the City will save in delivery charges since it is a local purchase.

Public Safety Director Hoppe - Stated that he wasn't sure because the delivery charges are based on distance.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER WALLER, TO APPROVE RESOLUTION 18-11-103 A RESOLUTION TO AUTHORIZE THE PURCHASE OF A 2019 FREIGHTLINER M2-112/ROSENBAUER HEAVY DUTY EXT ALUMINUM BODY TANKER IN THE AMOUNT OF \$419,702.00.

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

Voting Nay: None

Abstain: None

Absent: None

- 19.** To consider **Resolution 18-11-104** a resolution for grant agreement to State Transportation Fund (Local Road Improvement Program) grant terms and conditions for the 2018 street reconstruction project (City Project No. 18-01) S.A.P. 248-123-001 and S.A.P. 248-594-001

City Engineer Erichson – Gave an overview of the requirement from the State for the grant agreement in order to receive the \$1,000,000 in grant funds from the State.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION 18-11-104 A RESOLUTION FOR GRANT AGREEMENT TO STATE TRANSPORTATION FUND (LOCAL ROAD IMPROVEMENT PROGRAM) GRANT TERMS AND CONDITIONS FOR THE 2018 STREET RECONSTRUCTION PROJECT (CITY PROJECT NO. 18-01) S.A.P. 248-123-001 and S.A.P. 248-594-001.

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

Voting Nay: None

Abstain: None

Absent: None

20. To consider Proposed 2019 Street Improvements and possible advance from the Municipal State Aid Street Fund

City Engineer Erichson – Stated that this was discussed at the last work session and explained the rules for advances up to five times the accrual amount to expedite projects. He stated that the City could request up to \$1.3 million next year in advance funds in order to improve roadways earlier. He noted that one of the streets the Council has discussed possibly improving is the Fairview area which would cost approximately \$420,000 and perhaps West Comfort. He stated that there is a deadline coming up and the City would need to let the State know if it is considering asking for these funds.

Mayor Iverson – Asked if this was essentially a placeholder so the State can hold the money and the City's place in line.

City Engineer Erichson – Stated that was correct and then the Council could take time to go into more details of the project. He stated that if the Council knows that they are not interested in doing this, there is no reason to have a placeholder.

Council Member Nanko/Yeager – Asked if the State did not have the requested \$1.3 million available whether it would be easy to reduce the amount and perhaps just do Fairview and drop West Comfort off the plan.

City Engineer Erichson – Stated that it would be easy to drop part of the planned project if there is not available funding at the State level.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE PROPOSED 2019 STREET IMPROVEMENTS AND POSSIBLE ADVANCE FROM THE MUNICIPAL STATE AID STREET FUND.

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

Voting Nay: None

Abstain: None

Absent: None

21. To consider lighting options for Intersections of Hwy 61 and 250th Street and CSAH 22 (Wyoming Trail) and Goodview Avenue

City Engineer Erichson – Explained that MNDot had been working with staff regarding improvements on Hwy 61, including the intersection with 250th Street. He stated that one of the possible projects includes the potential to add street lighting in this area but it does not meet the crash criteria for installation of a light. He explained that there is a light needed in this area, however because it doesn't meet the crash criteria, it will not allow MnDot to take ownership of the lighting system. He stated that MnDot has indicated that they will pay for the lighting up front and then the City would assume ownership and maintenance. He stated that the cost to operate the lighting system is around \$25/month. He stated that the City does not have the equipment to operate and maintain the lighting, so it would require entering into an agreement with MnDot to do the work. He noted that some of the maintenance options were included in the packet. He reviewed some of the other options for installation, operation and maintenance of the lights, including the City paying \$10,000 for the installation of the lights along with the electricity charges and additional maintenance agreement. He asked if the Council had questions or preferences for lighting at this intersection.

A MOTION WAS MADE BY COUNCILMEMBER NANKO/YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE WORKING WITH MNDOT TO INSTALL THE LIGHTING SYSTEM AT THE INTERSECTION OF HWY 61 AND 250TH STREET AND ENTER INTO A MAINTENANCE AGREEMENT WITH MNDOT FOR THE LIGHTING SYSTEM.

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

Voting Nay: None

Abstain: None

Absent: None

City Engineer Erichson – Stated that there had also been talk about lighting at the intersection of Goodview and Wyoming Trail. He stated that staff had contacted Xcel and they indicated that they have infrastructure at that intersection similar to what has been done at the parking lot at City Hall. He stated that the only cost will be the electricity which will be approximately \$12/month. He stated that if the Council supports this perhaps staff should contact adjacent land owners to see if there may be any concerns regarding lighting at the intersection.

Council Member Waller – Noted that he had brought this up with the County because of the pedestrian traffic going up the hill. He asked if it would be possible to get lights on each power pole in this area to help keep pedestrians safe.

City Engineer Erichson – Stated he thinks that is possible, but would then be approximately \$12/month for electricity for each pole/light. He stated that he can check into that possibility.

Council Member Nanko/Yeager – Suggested that if the nearby residents have concerns about the lighting, perhaps it could be moved across the street to also illuminate the lift station.

City Engineer Erichson – Suggested that this item be brought back to a future Council meeting for more in-depth discussion because he was only looking at the intersection of Goodview and Wyoming Trail, not the whole corridor.

22. To discuss special meetings called by the City Council in 2018.

City Administrator Linwood – Explained that Special Meetings are typically held for a specific purpose and can be called by the Mayor or two members of the Council and require notice to be given to the public three days prior to the meeting.

Council Member Waller – Stated that he had requested this be discussed because there seemed to have been quite a few additional special meetings and asked whether some of the things could wait for a regularly scheduled Council meeting.

Council Member Nanko/Yeager – Stated that there have been 8 special meetings so far this year.

City Administrator Linwood – Stated that he thinks quite a few of the special meetings this year have been due to labor negotiations since the council's labor attorney was not available on Tuesdays.

Council Member Nanko/Yeager – Stated that she would like to have Council meetings that have more than just minimal notice to the public.

City Attorney Loonan – Noted that State Statute requires 1-day notice and the City has been giving a minimum of a 3-day notice.

Council Member Luger – Confirmed that when there are Special Meetings that they are posted on the website.

23. To consider authorizing the closing of City Hall on Monday, December 24 from 8:00 a.m. to 12:00 p.m. for the Christmas Eve Holiday

City Administrator Linwood – Stated that normally the City Hall office is open on Christmas Eve from 8:00 a.m. to Noon and noted that there is usually very minimal activity in the office that day.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, AND SECONDED BY COUNCILMEMBER IVERSON, TO APPROVE CLOSING CITY HALL ON MONDAY, DECEMBER 24, 2018 FROM 8:00 A.M. TO 12:00 P.M. FOR THE CHRISTMAS EVE HOLIDAY.

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

Voting Nay: None

Abstain: None

Absent: None

CLAIMS:

24. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of October 17, 2018 through November 7, 2018.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, AUTHORIZING PAYMENT OF RECOMMENDED BILLS, PAYROLL AND JOURNAL ENTRIES FOR THE PERIOD OF OCTOBER 17, 2018 THROUGH NOVEMBER 7, 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 Waller – Attended the Special Meeting on October 24th.

Council Member Luger– Attended the Special Meeting on October 24th and the Park Advisory Commission meeting and noted that with the resignation of John Fino there is an opening on the Park Advisory Commission.

Council Member Nanko/Yeager – Attended the Special Meeting on October 24th and welcomed Dennis Schilling to the Council.

Council Member Zerwas – Attended the Special Meeting on October 24th.

Mayor Iverson – Attended Minnesota Commercial Association of Real Estate known as MnCar and spoke to many potential developers regarding what the City has to offer. She attended the Special Meeting on October 24th regarding the retirement of Diane Krinkie who the City will greatly miss. She stated that she had called Turkey Bingo for the Lions and attended the Park Advisory Commission meeting. She thanked the election judges who worked long hours on election day to provide an important service to the residents.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO ADJOURN THE NOVEMBER 7, 2018 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:13 PM.

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:
NOVEMBER 20, 2018
7:00PM