

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
DECEMBER 4, 2018
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for December 4, 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, City Attorney 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:

APPROVAL OF MINUTES:

1. Consider approving the minutes of the "Work Session Meeting" of the Wyoming, Minnesota City Council for November 14, 2018

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE MINUTES OF THE "WORK SESSION MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR NOVEMBER 7, 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 "Regular Meeting" of the Wyoming, Minnesota City Council for November 20, 2018.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR NOVEMBER 20, 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:

3. "TRUTH-IN-TAXATION" HEARING – TAX LEVY 2018 PAYABLE 2019

Consider adopting Resolution No. 18-12-108 – 2018 Tax Levy Payable In 2019

Consider adopting Resolution No. 18-12-109 – 2019 Expenditure Budget

Liz Lindrud – AEM Financial – Mrs. Lindrud gave a presentation about the City of Wyoming 2019 budget. Mrs. Lindrud went through the city budget process, factors that changed in the 2019 budget from 2018, the tax levy summary and a 3.04% levy Increase. She also stated how the city of Wyoming compared to other cities levies in Chisago County, a tax levy history of the last 5 years that indicated an average levy increase of .99% over the last 5 years. She about the tax rate history over the last 5 years and the current tax rate of 45.70% for 2019. She spoke about the reduction in levy amount from the preliminary levy to the presented final levy, expenditures by department and the estimated city property taxes on a city house that indicated property taxes will be going down on households and businesses even though there was an increase in the levy. (That was not taking into account changes in home or business valuations)

Council Member Nanko/Yeager – Asked about the combination of Public Safety and Building Safety in a pie graph that showed overall expenditures and asked for a breakdown.

Liz Lindrud – AEM – Stated that she did not have the complete breakdown of percentage at the moment but would be able to supply that to the city council.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS SECONDED BY COUNCILMEMBER LUGER, TO OPEN THE PUBLIC HEARING FOR THE 2019 TNT AT 7:14PM

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

Voting Nay: None

Abstain: None

Absent: None

Theresa Lorenz – 7903 295th Street – Had a Question regarding the significant increase in her property value.

City Administrator Linwood – Stated that this would be a question for the Chisago County Assessor and he would provide Mrs. Lorenz that number so she could ask questions in regards to the valuation of her home.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO CLOSE THE PUBLIC HEARING FOR THE 2019 TNT AT 7:17

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

Voting Nay: None

Abstain: None

Absent: None

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION NO. 18-12-108 – 2018 TAX LEVY PAYABLE IN 2019

Roll Call:

Waller: Nay

Luger: Aye

Nanko/Yeager: Nay

Zerwas: Aye

Iverson: Aye

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION NO. 18-12-109 – 2019 EXPENDITURE BUDGET

Roll Call:

Waller: Nay
Luger: Aye
Nanko/Yeager: Nay
Zerwas: Aye
Iverson: Aye

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 **Resolution 18-12-110** a resolution accepting a donation to the city from Ulteig Engineering for the donation of a holiday star at the 2nd Annual Tree lighting ceremony at Railroad Park in an estimated value amount of \$400.00
5. To consider **Resolution 18-12-111** a resolution accepting a donation to the city from Big Apple Bagel for the donation of bagels and snacks at the 2nd Annual Tree Lighting ceremony at Railroad Park in an estimated value amount of \$100.00
6. To consider **Resolution 18-12-112** a resolution accepting a donation to the city from Evergreen Coffee House nesting grounds for the donation of coffee and hot chocolate at the 2nd annual Tree Lighting ceremony at Railroad Park in an estimated value amount of \$100.00
7. To consider **Resolution 18-12-113** a resolution accepting a donation to the city from Forterra Pipe and Precast for the donation of a concrete fire ring at the 2nd Annual Tree Lighting Ceremony at Railroad Park in an estimated value amount of \$300.00
8. To consider **Resolution 18-12-114** a resolution accepting a donation to the city from Jeanine Sachs for the donation of caramel corn at the 2nd Annual Tree Lighting Ceremony at Railroad Park in an estimated value amount of \$200.00
9. To consider **Resolution 18-12-115** a resolution accepting a donation to the city from Sunrise Apple Farms for the donation of cider and snacks at the 2nd Annual Tree Lighting Ceremony at Railroad Park in an estimated value amount of \$100.00
10. To consider **Resolution 18-12-116** a resolution accepting a donation to the city from Monica Wick, Remax Realty for hot air balloon display for the 2nd Annual Tree Lighting Ceremony at Railroad Park in the amount of \$1,000.00
11. To consider **Resolution 18-12-120** a resolution declaring certain vehicles as surplus property for disposal and authorizing the police department to dispose of vehicles through online auction
12. To consider the recommendation of the Planning Commission of Katie West to fill the vacant Planning Commission seat effective January 1st, 2019

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE WYOMING CITY COUNCIL CONSENT AGENDA.

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

COMMUNICATIONS:

13. Report of the Public Safety Director, Paul Hoppe for November 28th, 2018
14. Report of City Building Official, Fred Weck, IV for November 29th, 2018
15. Report of City Attorney Mark Vierling for November 28th, 2019
16. Report of City Engineer Mark Erichson, WSB for November 29th, 2018
17. Report of Public Works Superintendent Marty Powers for November 28th, 2018

OLD BUSINESS:

18. To consider **Resolution 18-11-105** a resolution adopting assessments for the 2018 Street Reconstruction Project (City Project No. 18-01)

City Engineer Erichson – At the November 20th, City council meeting we had a hearing and we had objections from property owners, those objection were for parcels 10, 13 and 14, from the Perry Aadland family there are a number of parcels there totaling 16 units. We also received objection from three property owners parcels 78, 79 and 80, the discussion went on the timing of the improvement from a previous improvement in 2002. Council asked staff to prepare an assessment roll that indicated a 20% reduction on those parcels to credit those property owners.

Regarding the Aadland property, Mr. Weck, Mr. Linwood and Myself met with Mr. Aadland last week to review the assessments on his family's properties 10, 13 and 14. With regard to parcel 14 we identified 10 units and Mr. Aadland brought in information pertinent to the discussion and identified that there was a potential to reduce the assessments on that parcel 3 units because of an old Pioneer Road bed and a national wetland inventory that did not identify a broader portion of wetlands that would not allow for development on three of those lots. Parcel 10 had 3 units instead of 4 units based on once again a larger amount of wetlands than indicated and only allowing for 3 buildable lots.

Zoning Administrator Weck – Gave an overview of the parcels and how the units were determined on GIS pictures presented to the council and audience.

City Engineer Erichson – We did review and agree with Mr. Aadland on these parcels and revised the parcels on 78, 79 and 80 and parcels 10, 13 and 14. A second component of this is due to the \$1,000,000 grant received we will cover the difference now that the city is assessing less than 20% and we are still legally able to do so.

Council member Nanko/Yeager – Asked if the new assessment roll reflected the changes that staff just presented. Asked since the amount of assessments were reduced, where is that coming out of? Where there be an impact on the rest of the project since we are using the grant to cover the extra assessments?

City Administrator Linwood – Stated, Yes. The city would be taking that difference out of the grant money since we did go below the minimum 20%, we received the grant and the new units could be taken out of the \$1,000,000. This will not change the unit assessment for any other parcels. The overall project cost will still not be affected since we have the grant, city bond and then we do have a contingency built in to the project costs that will cover the approximately \$15,000 in assessments units removed.

Mayor Iverson – Thanked staff for their work on this. Residents had questions and staff sat down and went through the units and came back with the appropriate units and the option to the council.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-11-105 A RESOLUTION ADOPTING ASSESSMENTS FOR THE 2018 STREET RECONSTRUCTION PROJECT (CITY PROJECT NO. 18-01)

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

NEW BUSINESS

19. To consider **Resolution 18-12-117** a resolution certifying the unpaid utility bills and city services invoices of certain residents and businesses contained on the attached list to property taxes for collection in 2019

City Administrator Linwood – Stated this is an annual exercise for the council to assess delinquent utilities to Chisago County. For the item a letter is attached that was sent to all delinquent property owners.

Mayor Iverson – Asked how all of the delinquent funds assessed to the county affect the city and its budgets.

City Administrator Linwood – Stated that the funds will be assessed to residents and property owners taxes and then once paid those delinquent funds will be sent back to the city.

A MOTION WAS MADE BY COUNCILMEMBER WALLER, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-12-117 A RESOLUTION CERTIFYING THE UNPAID UTILITY BILLS AND CITY SERVICES INVOICES OF CERTAIN RESIDENTS AND BUSINESSES CONTAINED ON THE ATTACHED LIST TO PROPERTY TAXES FOR COLLECTION IN 2019

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

20. To consider **Resolution 18-12-118** resolution approving the Final Plat of "Shoreview One" at Property Identification Number 21.10854.02

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 18-12-118 RESOLUTION APPROVING THE FINAL PLAT OF "SHOREVIEW ONE" AT PROPERTY IDENTIFICATION NUMBER 21.10854.02

Zoning Administrator Weck – The City council had previously approved the Preliminary plat for the subdivision consisting of 2 lots. There were some conditions upon approval that included a tree inventory and some question on septic areas for the lots. The Planning Commission did approve the lots with the conditions that are identified in the staff report.

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

21. To consider **Resolution 18-12-119** resolution approving a variance from sections 40 – 175, (2), and 40 – 175, (3) to allow the creation of a parcel with less than 300 feet of public road

frontage and with a lot depth exceeding four times the lot width at 24747 forest boulevard pin# 21.10854.02

Zoning Administrator Weck – Mr. Steinke has purchased the former Banta Property. Mr. Steinke would like to sell the land surrounding the house and then farm the rest of the land. In order to do that and have a lot that didn't require a variance he would lose too much land to the house to be able to farm on the parcel. He did submit a sketch plan to the planning commission showing a future subdivision with a road along Maranatha church and lots. The Planning commission was receptive to that and sometimes these are called flag lots. There is an easement agreement that the city and attorney have reviewed and will be recorded when the plat is recorded that will show any future property owners that the ROW is there. The Planning commission has recommended approval to the city council.

Council Member Waller – Since it is a 22 acre parcel could they not have just recorded the subdivision?

Zoning Administrator Weck – There are a few different ways of platting a subdivision, you can go through a whole platting process, but if you have at least 40 acres in rural residential or agricultural land and our ordinance requires each lot you are creating has 20 acres of land and at least 500 feet of road frontage. He could do that but he would basically split the lot down the middle east to west and would not create what he needed for what he is trying to do, the subdivision provision does not work for him.

Council Member Waller – Stated it is the city's ordinance that has the 500 feet of road frontage, or does it go by the statute that it just has to be 500 feet wide.

Zoning Administrator Weck – Correct the statute does not include road frontage our ordinance does. Even without the road frontage part, he could split it north to south but then he would leave a land locked parcel without any road frontage at all and the city has denied previous variances.

Council Member Waller – Asked if the minimum requirement for road frontage was 300 ft.?

Zoning Administrator Weck – As it is currently zoned yes, as an agricultural zone, but again to get that 300 ft. it would be eating into that farmable area.

A MOTION WAS MADE BY COUNCILMEMBER LUGER SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION18-12-119 RESOLUTION APPROVING A VARIANCE FROM SECTIONS 40 – 175, (2), AND 40 – 175, (3) TO ALLOW THE CREATION OF A PARCEL WITH LESS THAN 300 FEET OF PUBLIC ROAD FRONTAGE AND WITH A LOT DEPTH EXCEEDING FOUR TIMES THE LOT WIDTH AT 24747 FOREST BOULEVARD PIN# 21.10854.02

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

Voting Nay: None

Abstain: None

Absent: None

CLAIMS:

22. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of November 21, 2018 through December 4, 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 NOVEMBER 21, 2018 THROUGH DECEMBER 4, 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 – Attended Sewer Commission budget meeting on Thursday the 29th of November the committee approved a preliminary budget of \$1,151,600 and will be presented to the full board on December 17th. Kathy Aho from Springsted was present to submit some proposals for the Capital Improvement Plan and finance options. She will be at the December 17th board meeting as well. Attended the Tree Lighting Ceremony and thought it was great.

Council Member Nanko/Yeager – Attended the Rush Task Force Meeting. We received an update on the transitway impact research program and some of their findings. We received a draft 2019 work plan and budget, we also receive an update on the BRT project that goes from the Union Depot to White Bear Lake. That project is currently in the environment analysis phase which is expected to last 2 years. Attended the Tree Lighting and thanked everyone for coming.

Council Member Luger – Attended the Tree Lighting and thanked staff and Park Advisory Commission. Attended the Park Advisory Commission and we had a letter of interest from Bret Ohnsted that will be on December 18th, 2018 City Council Agenda.

Council Member Waller – Had intended to attend the Tree Lighting but was called into work on Saturday

Mayor Iverson – Welcomed Katy West to the Planning Commission Attended Planning Commission on November 27th and attended the 2nd Annual Tree Lighting Ceremony and was a fabulous community event. Would like to thank Big Apple Bagel, Evergreen Coffee House, Forterra Pipe and Precast, Jeanine Sachs (made the best caramel corn ever) Sunrise Apple Farms and Remax Realty. Prior to the tree lighting had the honor to speak on positive leadership to a group of up and coming Boy Scout leaders at the Grey Wolf leadership Academy in South Haven, Minnesota. Was an absolute thrill to meet and speak for these positive leaders coming into adulthood. Thanked everyone for coming.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS_, TO ADJOURN THE DECEMBER 4, 2018 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:46

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:
DECEMBER 18, 2018
7:00PM