

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
NOVEMBER 17, 2020
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for November 17, 2020 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

ABSENT: None

Also Present: Tom Loonan, Eckberg Lammers, Robb Linwood, City Administrator, Kelly Dumais, Assistant City Administrator, Mark Erichson-WSB, Paul Hoppe - Public Safety Director, Fred Weck, Zoning Administrator/Building Official and Chuck Almhjeld, Public Works Superintendent, Nicholas Dragisich, Baker Tilly

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

Mayor Iverson – Read aloud a statement explaining that the Council is meeting via teleconference due to the COVID-19 pandemic. She explained that tonight's meeting would be held according to State Statute 13D.021, will be live streamed on the City's YouTube page, and will be recorded as part of the public record on the City's website

OPEN FORUM:

Nick Kentros, 7584 244th Street – Stated that he would like to discuss the stormwater utility rates. He asked about some of the equipment, such as the excavator and asked why the City felt there was a need to purchase this equipment rather than renting it. He stated that he does not see the benefit of spending the money to purchase this equipment when there are local companies that have it available for rent.

APPROVAL OF MINUTES:

1. **Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for November 4, 2020**

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 4, 2020 AS SUBMITTED.

Roll Call Vote:

Voting Aye: Schilling, 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 November 12, 2020**

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR NOVEMBER 12, 2020 AS SUBMITTED.

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Iverson

Voting Nay: None

Abstain: Zerwas

Absent: None

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

3. To consider **Resolution 20-11-102** a resolution adopting assessment for the 2020 Street Reconstruction Project (City Project No. 20-01)

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER ZERWAS, TO OPEN THE PUBLIC HEARING AT 7:07 PM.

Roll Call Vote:

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

Voting Nay: None

Abstain: None

Absent: None

There was no public comment.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO CLOSE THE PUBLIC HEARING AT 7:08 PM

Roll Call Vote:

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

Voting Nay: None

Abstain: None

Absent: None

City Engineer Erichson – Gave an overview of the 2020 Street Reconstruction Project.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO RESOLUTION 20-11-102 “A RESOLUTION ADOPTING ASSESSMENTS FOR THE 2020 STREET RECONSTRUCTION PROJECT (CITY PROJECT NO. 20-01)”

Roll Call Vote:

Voting Aye: Schilling, Nanko Yeager, Luger, Zerwas, 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. Consider authorizing payment of recommended bills, payroll and Journal Entries for the period of November 5, 2020 through November 17, 2020
5. To consider the recommendation of accepting the resignation of Joel Ericson from the Wyoming Planning Commission

6. To consider the recommendation of appointing Kevin Teal to the Wyoming Planning Commission
7. To consider **Resolution 20-11-103** a resolution appointing Wyoming paid on-call firefighter to probationary status
8. To consider **Resolution 20-11-104** 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 2021.
9. To consider **Resolution 20-11-105** a resolution approving Pay Voucher #3 to Classic Protective Coatings, Inc. for the 300,000 Gallon Tower Rehabilitation (City of Wyoming Project No. 20-02) (WSB Project No. 015538-000) in the amount of \$35,720.00.
10. To consider **Resolution 20-11-106** a resolution accepting the work and approving release of escrow for Cherry Hills development.
11. To consider **Resolution 20-11-107** a resolution by the City Council of the City of Wyoming outline policies for utility billing to assist in economic recovery following the Covid-19 outbreak.
12. To consider release of certificate of completion between the City of Wyoming and the party to the development of Renaissance Land Company, Inc.
13. To consider **Resolution 20-11-110** a resolution approving the release of mortgage and release of rents between the City of Wyoming and Real Investments of Wyoming, Inc.

Councilmember Nanko Yeager – Asked to pull items #12 and #13 for discussion.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER IVERSON, TO APPROVE #4 THROUGH #11 OF THE WYOMING CITY COUNCIL CONSENT AGENDA

Roll Call Vote:

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

Voting Nay: None

Abstain: None

Absent: None

(#12) To consider release of certificate of completion between the City of Wyoming and the party to the development of Renaissance Land Company, Inc.

(#13) To consider **Resolution 20-11-110** a resolution approving the release of mortgage and release of rents between the City of Wyoming and Real Investments of Wyoming, Inc.

Councilmember Nanko Yeager – Asked for background information on these two items.

City Administrator Linwood – Explained the request from Regal Machine/Renaissance Land Company for the development of the business park area. He noted that this is essentially a housekeeping item to officially fulfill the components of their agreement with the City.

A MOTION WAS MADE BY COUNCILMEMBER NANKO YEAGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE CONSENT AGENDA ITEMS # 12 and #13 OF THE WYOMING CITY COUNCIL CONSENT AGENDA.

Roll Call Vote:

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

Voting Nay: None

Abstain: None

Absent: None

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

14. Report of the Public Safety Director, Paul Hoppe for November 12, 2020

15. Report of City Building Official, Fred Weck, IV for November 12, 2020
16. Report of City Attorney Tom Loonan for November 13, 2020
17. Report of City Engineer Mark Erichson, WSB for November 12, 2020
18. Report of Public Works Superintendent Chuck Almhjeld for November 12, 2020

COMMUNICATIONS:

19. Wyoming Tree Lighting Ceremony Updates

Assistant City Administrator Dumais – Gave an overview on options and alternative ideas to hosting the Wyoming Tree Lighting ceremony in light of the new Executive Orders from Governor Walz related to the increase in COVID-19 cases.

Mayor Iverson – Stated that she and many residents would be very disappointed if there was not some type of tree lighting event. She stated that she liked the idea of a mask contest. She stated that she would also like to check pricing for fireworks, but noted that would have to happen in a different location. She suggested also looking into ice sculptures.

City Administrator Linwood – Noted that he had reached out to try to find out pricing for fireworks, but has not heard back yet, but noted that there is a limited budget for this event.

Mayor Iverson – Suggested looking into having a dance group at the tree lighting ceremony if it will be live streamed.

Councilmember Luger – Suggested a contest such as the mask decoration contest with the winner getting to help light the tree.

Councilmember Nanko Yeager – Stated that she was under the impression that Governor Walz would be limiting both indoor and outdoor gatherings to 10 people and doesn't understand how the City could even tape or video anything, much less have a dance group, with those types of restrictions.

Assistant City Administrator Dumais – Noted that the City will work within the guidance laid out by Governor Walz.

Councilmember Schilling – Stated that he likes the idea of a virtual event and the mask decorating contest with the winner being involved in the lighting.

Councilmember Zerwas – Stated that he likes the idea of a virtual event and also likes the idea of fireworks.

OLD BUSINESS: NONE

NEW BUSINESS:

20. To consider **Resolution 20-11-108** a resolution approving a variance to allow an off-premise sign at the northwest corner of Fallbrook Avenue and East Viking Boulevard at PID #21.00015.00

Zoning Administrator/Building Official Weck – Gave an overview of the request for an off-premise sign and explained that the previous sign was removed as part of the Highway 61 MnDot project. He stated that the Planning Commission is recommending approval subject to the conditions, as noted.

Council Member Nanko Yeager – Asked how much the City would charge as part of the lease agreement and how long the lease will last.

Zoning Administrator/Building Official Weck – Stated that amount will be up to the City Council.

City Attorney Loonan – Noted that in order for this to be a valid lease, the City needs some form of consideration, which would typically be a monetary value. He stated that the lease is year to year but also provides for termination with 30 days notice. He stated that the City needs to ensure that the it reserves all of its rights and can control the sign location and move it, if necessary.

The Council discussed staff costs, necessary maintenance in the area, fees paid by the applicant, and possible lease rates.

There was Council consensus for a \$50/year lease amount as long as it covers the City's internal costs

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 20-11-108 A RESOLUTION APPROVING A VARIANCE TO ALLOW AN OFF-PREMISE SIGN AT THE NORTHWEST CORNER OF FALLBROOK AVENUE AND EAST VIKING BOULEVARD AT PID #21.00015.00, WITH AN ANNUAL LEASE IN THE AMOUNT OF \$50

Roll Call Vote:

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

Voting Nay: None

Abstain: None

Absent: None

21. To consider **Resolution 20-11-109** a resolution establishing storm water rates for 2021-2025 based on the rate study completed by Baker Tilly, Inc.

Nicholas Dragisich, Baker Tilly – Gave a presentation which gave an overview of rate study for the 2021-2025 storm water rates and their recommendations based on the study information.

The Council asked questions, discussed how long it has been since there has been a rate increase. They discussed the recommended storm water rates for 2021-2025 and the concerns brought up by Mr. Kentros during the Open Forum.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE RESOLUTION 20-11-109 A RESOLUTION ESTABLISHING STORM WATER RATES FOR 2021-2025 BASED ON THE RATE STUDY COMPLETED BY BAKER TILLY.

Roll Call Vote:

Voting Aye: Schilling, Luger, Zerwas, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

22. To consider the hiring of Allison Edwards as a full-time Police Officer with the City of Wyoming, effective January 1, 2021

Public Safety Director Hoppe – Explained that they have been working for several months to replace the vacancy in the Police Department. He explained that next steps in the hiring process include a background check, pre-employment physical exam, and a psychological evaluation. He

noted that Allison Edwards grew up in the area and is bilingual. He gave an overview of her background and experience.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER ZERWAS, TO APPROVE THE HIRING OF ALLISON EDWARDS AS A FULL-TIME POLICE OFFICER WITH THE CITY OF WYOMING, EFFECTIVE JANUARY 1, 2021, CONTINGENT UPON PASSING THE PRE-EMPLOYMENT PHYSICAL AND THE COMPREHENSIVE BACKGROUND CHECK.

Roll Call Vote:

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

Voting Nay: None

Abstain: None

Absent: None

- 23.** To consider a closed special meeting on December 2, 2020 at 6:00 p.m. for negotiations for employment agreements with the City Administrator and Police Sergeants

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO SCHEDULE A CLOSED SPECIAL MEETING ON DECEMBER 2, 2020 AT 6:00 PM FOR NEGOTIATIONS FOR EMPLOYMENT AGREEMENTS WITH THE CITY ADMINISTRATOR AND POLICE SERGEANTS

Roll Call Vote:

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

Voting Nay: None

Abstain: None

Absent: None

COUNCIL REPORTS:

Council Member Zerwas – No report.

Council Member Nanko Yeager – Attended the Special Council meeting.

Council Member Luger – Attended the Special Council meeting.

Council Member Schilling – Attended the Special Council meeting and the Planning Commission meeting.

Mayor Iverson – Attended the Special Council meeting.

A MOTION WAS MADE BY COUNCILMEMBER ZERWAS, SECONDED BY COUNCILMEMBER LUGER, TO ADJOURN THE NOVEMBER 17, 2020 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:51 PM

Roll Call Vote:

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: DECEMBER 1, 2020 7:00PM