

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
APRIL 5, 2022
7:00PM**

CALL TO ORDER:

Acting Mayor Claire Luger called the Regular Meeting of the Wyoming City Council for April 5, 2022 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 Linda Nanko Yeager, Brett Ohnstad, Dennis Schilling, and Claire Luger

ABSENT: Mayor Lisa Iverson

Also Present: Tom Loonan, Eckberg Lammers, Robb Linwood, City Administrator, Alex Saxe, Assistant City Administrator, Mark Erichson-WSB, Neil Bauer - Public Safety Director, Fred Weck, Zoning Administrator/Building Official and Chuck Almhjeld, 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 15, 2022**

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 15, 2022 AS SUBMITTED.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

2. **Consider approving the minutes of the “Work Session Meeting” of the Wyoming, Minnesota City Council for March 15, 2022**

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE THE MINUTES OF THE “WORK SESSION MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 15, 2022 AS SUBMITTED.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

3. **Consider approving the minutes of the “Work Session Meeting” of the Wyoming, Minnesota City Council for March 29, 2022**

A MOTION WAS MADE BY COUNCILMEMBER NANKO YEAGER, SECONDED BY

COUNCILMEMBER LUGER, TO APPROVE THE MINUTES OF THE “WORK SESSION MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 29, 2022 AS SUBMITTED.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

4. To consider **Resolution 22-04-31** a resolution to vacate a portion of public right-of-way property located at 26122 Kendall Lane

Assistant City Administrator Saxe – Gave an overview of the request to vacate a portion of the public right-of-way in order for the applicant to have their driveway on their property and not in the right-of-way. He stated that staff is recommending approval of the request.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD TO OPEN THE PUBLIC HEARING.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

Stephanie Peterson, 26061 Kendall Lane – Stated that she has an easement to that property that is listed on her deed as a perpetual deed easement to lake access to Lake Comfort. She read aloud from her property deed and survey information that she had done last year.

City Attorney Loonan – Explained that the vacation will not affect Ms. Peterson’s easement because it is a private right between her and the property and noted that the vacation being discussed tonight relates to the public right-of-way.

Dan Sandgren, 26122 Kendall Lane – Stated that they are the ones requesting this vacation and noted that he has heard concerns that they are trying to block access to other people’s properties. He explained that they are not looking to change the way anyone currently accesses things. He stated that they also acknowledge that there is a separate piece of property there and the road goes to the property. He confirmed that they do not want to impede any access to the property, but simply want to ensure continued access to their property.

Councilmember Schilling – Asked staff if the Council was just being asked to vacate a public right-of-way and not change anything else. He stated that if so, it is very standard and is done all the time and would not affect access to any of the other properties. He asked if it would be vacated if it would then be split between the properties.

City Attorney Loonan – Explained that generally, a vacation is split between the abutting properties, however in this instance, this is completely encompassed by the Sandgren’s property and noted that the way the Sandgren’s driveway is built, it goes across the public right-of-way.

Councilmember Ohnstad – Asked if anything would be changed if this is granted.

Mr. Sandgren – Stated that they are not intending to change their driveway or to use it differently than it currently is being used.

Richard Lindberg, 26118 Kendall Lane – Expressed concern about the possibility of the

Sandgren's putting up a fence which would limit the ability to access the property with a vehicle.

The Council discussed the survey information and the possible location for the fence and vehicle access.

Zoning Administrator Weck – Explained the location of Kendall Lane, in the past, and noted that the things Mr. Lindberg is talking about no longer exist. He stated that the survey being presented shows the legal property lines and legal right-of-way and all current information regardless of the history of what it was in the past.

Councilmember Schilling – Noted that he does not have an issue with the vacation request because if you look at the aerial photo, the Sandgren's own the property north of it and this just simply draws a line and squares off Kendall Lane which allows their driveway not to cross the public right-of-way. He stated that even if the Sandgren's decided to put up a fence, he does not see an issue with it.

Matt Vogt – Noted that there is another little sliver of property in there so it doesn't go right up to Mr. Lindberg's property and he had recently purchased that property which is Parcel #21.10375.00. He stated that he understands the rationale for avoiding public access in this case and noted that his only concern is about his already narrow access and how this will affect that.

The Council discussed access to the other parcels in the area.

Ms. Peterson – Stated that if the access was lessened they would not be able to pull a boat down there. She reiterated that her deed says that she legally has access to that.

Zoning Administrator Weck – Stated that the easement on the property is not wide enough to put a boat down there, so the fact that the neighbors are allowing them to use the property to get down there with a boat is neither here nor there. He stated that there are a number of accesses on Comfort Lake that are easements that are 5-10 feet wide and suitable for canoe access and not necessarily meant for pulling a vehicle down there.

Ms. Peterson – Read aloud a portion of her deed and explained that it clearly says it is 33 feet across.

City Attorney Loonan – Reiterated that the City does not have any right or authority to vacate her easement because it is a private right of action. He stated that what is being discussed tonight is vacation of the public right-of-way and as long as her private easement is valid it will be maintained.

Mr. Lindberg – Stated that he has a paper that explains to the Council what they have been trying to tell them about Kendall Lane and its original location.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO CLOSE THE PUBLIC HEARING.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 22-04-31 A RESOLUTION TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY FOR PROPERTY LOCATED AT 26122 KENDALL LANE.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None
Absent: Iverson

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.

5. To consider authorizing the payment of recommended bills, payroll, and journal entries for the period of March 16, 2022 to April 5, 2022
6. To consider **Resolution 22-04-32** a resolution authorizing the payment of \$18,482.33 to Olson Sewer Service for repairs to watermain
7. To consider adopting **Resolution 22-04-33** a resolution authorizing the Chisago Lakes Joint Sewage Treatment Commission to issue, sell, and deliver a \$613,000 general obligation sewer revenue note, series 2022A, and award the sale thereof.
8. To consider a letter of support of the property Armer Radio appropriation bills in the Minnesota House and Senate
9. To consider a Labor Agreement between the City of Wyoming and Law Enforcement Labor Services Representing the Wyoming Police Department Sergeants Local #507.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE #5, #6, #7, #8, AND #9 OF THE WYOMING CITY COUNCIL CONSENT AGENDA

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad
Voting Nay: None
Abstain: None
Absent: Iverson

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

10. Report of the Public Safety Director, Neil Bauer for March 30, 2022
11. Report of City Building Official, Fred Weck, IV for March 31, 2022
12. Report of City Attorney Tom Loonan for March 31, 2022
13. Report of City Engineer Mark Erichson, WSB for April 1, 2022
14. Report of Public Works Superintendent Chuck Almhjeld for April 5, 2022

COMMUNICATIONS:

15. Arbor Day Event

Assistant City Administrator Saxe – Gave an overview of the Arbor Day Event plans for April 30, 2022 from 10:00 a.m. to 12:00 p.m. at Goodview Park.

16. Certificate of Commendation from the Minnesota Pollution Control Agency to the Chisago Lakes Joint Sewer Treatment Plant

City Administrator Linwood – Commended the Sewer Treatment Plant for being presented this certificate for the entirety of the year with zero violations in 2021.

OLD BUSINESS: NONE

NEW BUSINESS

17. To approve an agreement between the City of Wyoming and Lakes Center for Youth and Families for 2022 – Presentation by Linda Madsen, Executive Director

Linda Madsen, Lakes Center for Youth and Families – Gave an overview of the Board of Directors, finances, history, programs and areas of focus at the Lakes Center for Youth and Families.

Council Member Nanko Yeager – Noted that they do a lot of good work and is a very worthy organization but stated that she is uncomfortable with one aspect of the agreement. She stated that the agreement states that the City is expected to participate in their annual budget and provide financial support but there is no mention of how much financial support is expected. She noted that past contracts have included a specific dollar amount and would like to see that detail reinstated.

Ms. Madsen – Stated that there are different experiences with different municipalities and noted that there has been nothing that is consistent from when she began at the organization. She stated that last year, Wyoming agreed to \$2,500 and noted that could be put into the agreement, but explained that it was purposefully left off because she thinks the amount would be another separate piece to the agreement.

Council Member Nanko Yeager – Asked City Attorney Loonan how they can get around this because she is uncomfortable with such an open ended agreement.

City Attorney Loonan – Explained that the contract that is being presented is more of a commitment to provide support without an obligation to give a certain dollar amount. He stated that the Council could determine what they wanted the support to be and the contract could be modified or it could come further down the road as alluded to by Ms. Madsen. He stated that the agreement being presented states that the Council will support and provide a ‘share’ of the annual budget, but does not specify an amount, which means they are not actually committing to any money at this point, just that they will participate.

The Council discussed the possibility of approving the agreement tonight and discussion details of the contribution amount at a future budget work session meeting or simply matching what has been done in the past if the funds are available.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE THE AGREEMENT BETWEEN THE CITY OF WYOMING AND LAKES CENTER FOR YOUTH AND FAMILIES, WITH THE CONTRIBUTION AMOUNT BEING \$2,500 OUT OF FUND 208.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

18. To consider **Resolution 22-04-34** a resolution approving the purchase of a new control panel for lift station #5 from Total Control Systems, Inc. in the amount of \$31,893.00

19. To consider **Resolution 22-04-35** a resolution approving the purchase of new pumps for station #5 from Minnesota Pump Works in the Amount of \$35,035.50

Public Works Superintendent Almhjeld – Gave an overview of the pumps and panels needed for lift station #5.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 22-04-34 A RESOLUTION APPROVING THE PURCHASE OF A NEW CONTROL PANEL FOR LIFT STATION #5 FROM TOTAL CONTROL SYSTEMS, INC. IN THE AMOUNT OF \$31,893.00

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad
Voting Nay: None
Abstain: None
Absent: Iverson

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 22-04-35 A RESOLUTION APPROVING THE PURCHASE OF NEW PUMPS FOR STATION #5 FROM MINNESOTA PUMP WORKS IN THE AMOUNT OF \$35,035.50

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad
Voting Nay: None
Abstain: None
Absent: Iverson

- 20.** To consider **Resolution 22-04-36** a resolution approving the purchase of new sewage pumps for lift station #10 from Minnesota Pump Works in the amount of \$18,128.00

Public Works Superintendent Almhjeld – Explained the location of lift station #10 and the need for new sewage pumps.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 22-04-36 A RESOLUTION APPROVING THE PURCHASE OF NEW SEWAGE PUMPS FOR LIFT STATION #10 FROM MINNESOTA PUMP WORKS IN THE AMOUNT OF \$18,128.00

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad
Voting Nay: None
Abstain: None
Absent: Iverson

- 21.** To consider **Resolution 22-04-37** a resolution ordering the project and authorizing the preparation of plans and specifications for the 2022 Trunk Watermain Improvement Project

City Engineer Erichson – Reviewed the discussion from the Council work session on the 2022 Trunk Watermain Improvement Project and explained that staff is recommending approval.

Council Member Nanko Yeager – Asked if there would be a development agreement in place, with the developer, when this project commences.

City Engineer Erichson – Explained that it would be unknown at this stage, but believes it probably will be and the intent would be to run them parallel to each other. He stated that this request is to prepare the plans and specifications.

Council Member Nanko Yeager – Asked if, in the unlikely event that the development project falls through, whether the City would still do the trunk watermain project.

City Engineer Erichson – Stated that staff has discussed this as well and depending on the funding used would need further discussion by the Council.

Acting Mayor Luger – Stated that she feels that this would benefit more than just the development being discussed.

City Engineer Erichson – Agreed and noted that it will be beneficial for the overall system and not just this particular area that would be serviced.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 22-04-37 A RESOLUTION ORDERING THE PROJECT AND AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE 2022 TRUNK WATERMAIN IMPROVEMENT PROJECT.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

22. To consider a Council Work Session on April 20, 2022 for a Street and Project Tour

City Administrator Linwood – Explained the desire to bring back an in-person street and project tour for the Council and noted that Fairview Meadows has offered to partner with the City and donate a driver and their bus to be used for the tour.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE A COUNCIL WORK SESSION ON APRIL 20, 2022 FOR A STREET AND PROJECT TOUR BEGINNING AT 5:30 P.M.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

COUNCIL REPORTS:

Council Member Ohnstad – No report.

Council Member Nanko Yeager – Attended the Sewer Commission meeting.

Council Member Luger – Attended the City Council Work Sessions and the Park Advisory Commission meeting.

Council Member Schilling – No report.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING, TO ADJOURN THE APRIL 5, 2022 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:58 PM

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

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 19, 2022
7:00PM