

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
APRIL 19, 2022
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for April 19, 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 Lisa Iverson, Linda Nanko Yeager, Brett Ohnstad, Dennis Schilling, and Claire Luger

ABSENT: None

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

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER SCHILLING, TO ADD #16 TO THE AGENDA REGARDING THE CITY OF WYOMING CODE OF CONDUCT FOR ELECTED OFFICIALS.

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

Voting Nay: None

Abstain: None

Absent: None

APPROVAL OF MINUTES:

1. Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for April 5 2022

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR APRIL 5, 2022 AS SUBMITTED.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad, 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. Consider authorizing the payment of recommended bills, payroll, and journal entries for the period of April 6, 2022 to April 19, 2022
3. To consider the resignation of Kevin Teel from the Wyoming Planning Commission
4. To consider **Resolution 22-04-38** a resolution approving State of Minnesota Joint Powers Agreements with the City of Wyoming on behalf of its Police Department
5. To consider **Resolution 22-04-39** a resolution approving the City of Wyoming to enter into a Master Partnership Contract with MnDOT
6. To consider **Resolution 22-04-40** a resolution rescinding Resolution No. 21-08-83, which declared a critical water deficiency within the City of Wyoming

Councilmember Schilling asked to pull item #3 for discussion.

Councilmember Nanko Yeager asked to pull item #6 for discussion.

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

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

Voting Nay: None

Abstain: None

Absent: None

#3 - To consider the resignation of Kevin Teel from the Wyoming Planning Commission

Council Member Schilling – Expressed his disappointment with the resignation of Commissioner Teel and explained that he wanted to thank for him his hard work and dedication to the City. He stated that Commissioner Teel will be missed by many around the City.

Mayor Iverson – Stated that she will also miss him and noted that he has served on several of the City's boards and commissions and noted that she wished he and his family well in Florida.

City Administrator Linwood – Noted that Commissioner Teel has been in the community since 1991 and served on the Planning Commission, the Park Board, the Park Advisory Commission and again on the Planning Commission during that timeframe.

#6 - To consider **Resolution 22-04-40** a resolution rescinding Resolution No. 21-08-83, which declared a critical water deficiency within the City of Wyoming

Council Member Nanko Yeager – Noted that the memo states that the City still has a water ordinance with even/odd watering and noted that based on her observation, people have not followed it, nor is she aware that has been enforced. She stated that if enforcement of the even/odd was not going to be a priority for the City, she questioned whether it should even be included in the ordinance.

Public Works Superintendent Almhjeld – Explained that with the new water meters he can tell when households are irrigating so they do not actually have to go to the site. He stated that they are able to take the data from the meters and send a form letter that they need to follow the ordinance.

Mayor Iverson – Asked who be expected to enforce this violation.

City Administrator Linwood – Explained that it would most likely be a form letter to send to those individuals. He stated that the City has not done a lot of enforcement in the past, but does not think it is a bad thing to keep in the ordinance, since we are always trying to encourage water conservation. He stated that it will be much easier to do with the newer technology.

Council Member Nanko Yeager – Reiterated that if this is something that is not a priority for the City to enforce, she questions whether it is needed in the ordinance.

Council Member Schilling – Noted that the irrigation systems can easily be programmed according to when you are even or odd.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE CONSENT AGENDA ITEM #3 AND #6 OF THE CONSENT AGENDA.

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

Voting Nay: None

Abstain: None

Absent: None

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

7. Report of the Public Safety Director, Neil Bauer for April 14, 2022
8. Report of City Building Official, Fred Weck, IV for April 15, 2022
9. Report of City Attorney Tom Loonan for April 14, 2022
10. Report of City Engineer Mark Erichson, WSB for April 15, 2022
11. Report of Public Works Superintendent Chuck Almhjeld for April 19, 2022

COMMUNICATIONS:

12. Chisago County 2022 Redistricting Plan

City Administrator Linwood – Noted that the newly updated Chisago County redistricting plan came out last week and explained that each County Commissioner will need to run for election in order to be elected or re-elected into their position.

OLD BUSINESS: NONE

NEW BUSINESS

13. Proclamation Celebrating Arbor Day in Wyoming

Assistant City Administrator Saxe – Explained that in 2020 Wyoming became part of the Tree City USA program and in order to maintain that status the City is required to submit a proclamation celebrating Arbor Day. He stated that the 150th Arbor Day will fall on April 29, 2022, however the City will celebrate it on April 30, 2022 from 10:00 AM to 12:00 Noon in the Goodview parking lot.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE A PROCLAMATION CELEBRATING ARBOR DAY IN WYOMING.

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

Voting Nay: None

Abstain: None

Absent: None

14. To consider Resolution 22-04-41 a resolution supporting housing and local-decision making authority

City Administrator Linwood – Gave an overview of HR4376 that supports local housing efforts and flexible resources. He stated that as of today, there are about 109 other cities who have also passed this resolution.

Mayor Iverson – Suggested that, after this is passed, the City send copies to Senator Koran, Representative Neu, and Senator Draheim to inform them of the City's actions.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 22-04-41 A RESOLUTION SUPPORTING HOUSING AND LOCAL-DECISION MAKING AUTHORITY, AND DIRECT STAFF TO SEND COPIES TO SENATOR KORAN, REPRESENTATIVE NEU, AND SENATOR DRAHEIM

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

Voting Nay: None

Abstain: None

Absent: None

15. To consider Council Work Session on May 3, 2022 at 5:30 PM

City Administrator Linwood – Stated that staff would like to hold a Work Session prior to the next Council meeting to discuss the sexual predator ordinance that was established in 2009. He explained that other municipalities have been challenged on some of the policies recently and staff would like the Council to look at some of the restrictions in that ordinance.

Council Member Schilling – Commended the staff members who took note of this and brought it to the Council's attention so it can be addressed before there are issues.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE SCHEDULING A COUNCIL WORK SESSION ON MAY 3, 2022 AT 5:30 PM

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

Voting Nay: None

Abstain: None

Absent: None

16. Code of Conduct for Elected Officials

Mayor Iverson – Asked that the Council take time to consider ongoing concerns regarding the conduct of Council Member Nanko Yeager that she believes are in violation of the Code of Conduct for elected officials. She shared examples from the March 15, 2022 City Council meeting and March 21, 2022 Sewer Commission meeting where she felt there were violations of the Code of Conduct for elected officials. She reviewed the potential actions the Council could take in this situation and asked for input from the Council.

The Council shared their opinions and feelings about the comments made by Council Member Nanko Yeager.

City Attorney Loonan – Stated that allegations of violation of Code of Conduct is procedural to the Council and noted that it is appropriate to allow Council Member Nanko Yeager the opportunity to respond to the allegations.

Council Member Nanko Yeager – Explained that she had seen a number of social media posts

that expressed concerns and she tried to phrase her comment as politely as she could because the language used in the original posts were not something she wanted to repeat. She stated that she was simply asking for their concerns to be addressed. She stated that regarding the incident on March 21, 2022 at the Sewer Commission meeting, she was using the terms that the farmer used at the farmer's market for the produce and meat products he was selling her. She stated that many thought it was amusing.

Mayor Iverson – Stated that she did not think it was taken as amusing because the room grew very silent.

Council Member Nanko Yeager – Stated that she does not speak to her fellow Council members or staff members because of her fear for this kind of situation. She expressed her frustration with not being able to do much of anything without being accused of some sort of violation.

City Attorney Loonan – Noted that the discussion tonight is only related to the two specific instances brought forth by Mayor Iverson.

Following discussion, the Council had consensus that they felt the comments made by Council Member Nanko Yeager were a violation of the Code of Conduct.

Mayor Iverson – Asked City Attorney Loonan to describe what 'censure' for the next Council meeting would involve.

City Attorney Loonan – Explained that if the Council determines that censure or formal reprimand is appropriate, that must be done by a formal resolution which means they would direct staff to prepare that resolution providing staff with the findings as well as the determination of the consequences.

The Council discussed possible appropriate sanctions for this violation including; public apology, censure, and a second warning with a clear outline that sanctions will be brought forth if there is a third violation.

Council Member Nanko Yeager – Reiterated her feeling that this is harassment and noted that she never knows what she will say that will be deemed offensive which is why she keeps herself set apart from the Council and staff.

Council Member Schilling – Reminded Council Member Nanko Yeager of the comment she made during the Council meeting with a developer that called people that he was supposed to housing 'undesirable', which is not a proper comment.

Council Member Nanko Yeager – Explained that she was passing along comments that people in another town were concerned about relating to the type of people and the amount of apartments. She noted that the developer answered the question she had posed.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE ISSUING A SECOND WARNING TO COUNCIL MEMBER NANKO YEAGER FOR VIOLATIONS OF THE CODE OF CONDUCT AND MAKE IT CLEAR THAT IF THERE IS A THIRD VIOLATION THAT IT WILL RESULT IN SANCTIONS.

Voting Aye: Schilling, Luger, Ohnstad, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

COUNCIL REPORTS:

Council Member Ohnstad – Attended a Round Table discussion on crime and safety with the State representative, local politicians, and public safety officers which was well attended and also attended the Planning Commission meeting.

Council Member Nanko Yeager – Attended the Sewer Commission meeting.

Council Member Luger – No report.

Council Member Schilling – No report.

Mayor Iverson – Attended the Public Safety banquet and congratulated the public safety members who received honors and awards as well as the Joint Sewer Commission meeting. She expressed her appreciation to Acting Mayor Luger for filling in while she was on vacation.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO ADJOURN THE APRIL 19, 2022 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:46 PM

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad, 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:

MAY 3, 2022

7:00PM