APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
SEPTEMBER 20, 2022
7:00PM

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for September 20, 2022 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, Dennis Schilling, Brett Ohnstad, and Claire Luger

ABSENT: None

Also Present: Christina Benson, Eckberg Lammers, Robb Linwood, 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:

Dan Babbitt, 26200 Glen Oak Drive – Shared his request for a written copy of the process the City uses to evaluate street and Public Works projects that are run by the City Engineer. He stated that in his neighborhoods opinion, the 2021 street project did not go well.

City Administrator Linwood – Explained that the City does not have a formal process with regard to how the projects are run.

Mr. Babbitt – Asked what it would take for the City to get one because he feels that City taxpayers are spending millions of dollars to upgrade streets, sewer, and water and if there is not a formal process, he would see that as a big issue.

Mayor Iverson – Asked what part of the process Mr. Babbitt was actually looking for.

Mr. Babbitt – Stated that he would like to know how the City knows that the City Engineer and his firm are doing quality work. He stated that he had suggested in the past that following these types of projects the City send out cards asking for feedback on what went well and what did not go well.

Mayor Iverson – Asked if they had already been out to his home to reseed.

Mr. Babbitt – Gave an overview of what had been done and explained that his neighborhood is very frustrated with this project and the process.

Mayor Iverson – Thanked Mr. Babbitt for his input and noted that staff will take a look at what may need to be improved.

City Engineer Erichson – Explained what had been done and what communication the City had with the contractor and subcontractor. He stated that he will take a look at the area tomorrow to verify the information he had been given by the subcontractor and noted that the City has retained some funds and will not pay them or close out the contract until they have established adequate vegetation out there. He stated that this situation is not typical and noted that he feels for the property owners who have been dealing with this situation.

Mayor Iverson – Asked if there was a possibility to take Mr. Babbitt's suggestion and take the money that has already been retained and give it to the residents in order to seed. She shared concern that it is already fall and the time to get seed planted is running low.

City Engineer Erichson – Noted that he knows of some communities that have that approach, but others have stayed away from it because it can be challenging. He stated that he thinks that the Council could come up with some mechanism in order to allow for this work to be completed by the homeowners.

City Administrator Linwood – Stated that the City can review this and come up with requirements and a process for this reimbursement. He noted that City Engineer Erichson is right that this is really the first time the City has had significant problems with restoration issues. He stated that the issues are real and he does not want to see the City have this problem again.

Christina Benson, City Attorney – Expressed concern about what funding source the City would use for this reimbursement. She stated that she was not familiar with the contract language but that would need to be considered because it is possible that those retained funds would not be able to be reallocated that simply.

City Engineer Erichson – Noted that they are taking a look at making some changes in this process because of some of the problems that were encountered this year and assured residents that WSB and the City care about these projects and want them to end well in everyone's eyes. He noted that he believes that staff can quickly come up with some parameters for this and bring it back to the Council for a decision. He stated that timing will be crucial and suggested that perhaps a work session of Special Council meeting may be necessary.

Dave Boniface – 26201 Glen Oak Drive– Expressed his frustration because they have been hearing lots and lots of excuses as to why the seeding didn't work. He showed pictures of the area and explained how bad it has gotten.

Steve Schroeder, 26170 Glen Oak Drive – Stated that he was one of the neighbors that just took it upon themselves to take out the weeds and put down seed and it is starting to look nice. He stated that he is frustrated with the amount of money residents have paid in taxes for this kind of work.

Mayor Iverson – Noted that she is planning to go out and take a look at the area so she understands what is going on.

Council Member Luger – Stated that she was also happy to go take a look but thinks it is clear that the City has to make this right. She stated that if a special meeting needed to be held so this can be revisited, she would be in support of that action.

There was a consensus of the Council to direct staff to gather information in order to discuss a possible reimbursement process for residents at the October 4, 2022 City Council meeting.

County Commissioner Montzka – Gave a brief update on County activities and the request by Mayor Iverson to expend ARPA funds and there is no support from the County Board to do that. He assured the Council that he had pushed for this use and explained that the thought process was that it would need to be some sort of fair program.

Mayor Iverson – Reminded County Commissioner Montzka that she had asked for some type of grant for the $3 million that would go to all the cities and townships, and not just Wyoming.

County Commissioner Montzka - Reiterated that the County Board had absolutely no interest in doing this and explained the difficulty they are having operating with just 4 Commissioners following the death of one of the Board members, including coming to agreement on budget and levy amounts for 2023.

Mayor Iverson – Encouraged County Commissioner Montzka to continue working to get the grant for this fund to be used by the cities.

County Commissioner Montzka – Explained that he believes in the County Board's mind the $3 million is already earmarked for use elsewhere such as for broadband, however, he has gotten the impression from the City that would not be a priority for them. He stated that the County is being very cautious in how they spend those ARPA funds.

1. **Highway 8 Update – Joe Triplett, County Engineer/Director of Public Works**

Joe Triplett, County Engineer/Director of Public Works – Explained that he had met with MnDot yesterday but the County is still awaiting the layout approval. He noted that he has been assured that they will have it by the end of the month. He stated that they still have to do the environmental documentation and are hopeful that this can be completed by January or February of 2023. He stated that they were able to secure another $3 million from Congressman Stauber which brings the total raised up to about $38 million. He outlined some of the additional ways that they are attempting to get additional funding and noted that without that last piece of the financial puzzle they cannot go charging into this process yet.

Councilmember Nanko Yeager – Asked what the total projected cost was for the project.

Mr. Triplett – Stated that the project is projected to cost $70-$80 million.

APPROVAL OF MINUTES:

2. **Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for September 6, 2022**

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 SEPTEMBER 6, 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:

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.

3. To consider authorizing the payment of recommended bills, payroll, and journal entries for the period of September 7, 2022 to September 20, 2022
4. To consider **Resolution 22-09-80** a resolution accepting a donation from Nancy Hebrink to the Railroad Park Project

Mayor Iverson – Asked for an explanation of **Resolution 22-09-80**.

City Administrator Linwood – Explained that the City received a donation from resident, Nancy Hebrink, to the Railroad Park Project in the amount of $2,000. He noted that the plan is to complete the project in phases with the first beginning in the spring of 2023.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE #3, and #4 OF THE WYOMING CITY COUNCIL 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:

5. Report of the Public Safety Director, Neil Bauer for September 15, 2022

6. Report of City Building Official, Fred Weck, IV for September 16, 2022

7. Report of City Attorney Tom Loonan for September 14, 2022

8. Report of City Engineer Mark Erichson, WSB for September 15, 2022

9. Report of Public Works Superintendent Chuck Almhjeld for September 20, 2022

COMMUNICATIONS:

10. Highway 8 Strategic Framework Open House

City Administrator Linwood – Stated that there will be an Open House on September 28, 2022 from 4:30 to 6:00 p.m. for Highway 8 Strategic Framework at the Chisago City Library.

OLD BUSINESS:

11. City of Wyoming Proclamation for community trust, equity, and inclusion and the condemning of racism and discrimination

City Administrator Linwood – Reminded the Council that at the last Council meeting there was a member of the community who discussed an event that took place in August of this year. Council gave staff the direction to work on an official statement to condemn those activities.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER OHNTAD, TO APPROVE THE CITY OF WYOMING PROCLAMATION FOR COMMUNITY TRUST, EQUITY, AND INCLUSION AND THE CONDEMNING OF RACISM AND DISCRIMINATION, AS PRESENTED.

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

NEW BUSINESS

12. To consider **Resolution 22-09-81** a resolution approving an agreement between the City of Wyoming and Wold Architects for the contract documents, bidding and Construction Administration for the Wyoming Public Safety Building in the amount of $397,000

City Administrator Linwood – Reviewed the process that was used to come up with the final plans for the Public Safety building.

Jonathan Loose – Wold Architechts – Gave a brief presentation of the plans for the Public Works facility and reviewed the tentative construction schedule.

Council Member Nanko Yeager – Agreed that there were some needed facility upgrades, but she questioned if the City and its taxpayers can afford this project.

Mayor Iverson – Stated that she is hoping that some of the prices come down between now and the start of construction. She asked what would happen though if the pricing decreased after they had already done the bonding.

Jason Rentmeester, Kraus Anderson - Stated that the City would end up contracting for whatever the bid amounts are and if there is a difference it would be the City's.

Council Member Schilling – Asked about the issuing bid time in the presentation and asked if doing it in the colder portion of the year helped that process.

Jason Rentmeester, Kraus Anderson – Explained that was correct because a contract like this is attractive because it will keep contractors busy for a longer period of time and as a result the project will see some of the best staff members from those companies.

Mayor Iverson – Stated that all the residents she has spoken to about this are in agreement that the Public Works and Police Department need safety. She stated that she agrees with Councilmember Nanko Yeager that this is a lot of money but feels a lot of time and thought has been put into the plans.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 22-09-81 A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF WYOMING AND WOLD ARCHITECTS FOR THE CONTRACT DOCUMENTS, BIDDING AND CONSTRUCTION ADMINISTRATION FOR THE WYOMING PUBLIC SAFETY BUILDING IN THE AMOUNT OF $397,000

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

13. To consider **Resolution 22-09-82** a resolution approving an agreement between the City of Wyoming and Kraus Anderson for construction management services for the City of Wyoming Public Safety Building in the amount of $734,309

Council Member Nanko Yeager – Noted that she was under the impression that the Council had already approved a construction management services contract.

City Administrator Linwood – Explained that the City had selected them as the construction manager but did not have any contracts yet.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 22-09-82 A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF WYOMING AND KRAUS

ANDERSON FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE CITY OF WYOMING PUBLIC SAFETY BUILDING IN THE AMOUNT OF $734,309.

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

14. To consider **Resolution 22-09-83** a resolution approving a Site Plan: SP-21-003 – for Sunrise Fiberglass located at 5175 260th Street by applicant/owner Patrick Fenton, Property ID Number: 21-000468.34

Zoning Administrator/Building Official Weck –Gave a brief review of the site and the plans for a 5,000 square foot detached cold storage building to store infrequently used molds until they are needed. He noted that Mr. Fenton had already bought the building from a business that was going bankrupt and noted that the materials were basically pole barn with exposed fasteners. He stated that one of the conditions of approval relates to complying with the City's exterior building materials requirements. The Planning Commission recommended approval with the conditions as listed in the staff report.

Council Member Nanko Yeager – Asked for a synopsis of the discussion that took place at the Planning Commission meeting.

Zoning Administrator/Building Official Weck – Provided an overview of the items discussed by the Planning Commission.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 22-09-83 A RESOLUTION APPROVING A SITE PLAN: SP-21-003 FOR SUNRISE FIBERGLASS LOCATED AT 5175 260TH STREET BY APPLICANT/OWNER PATRICK FENTON, PROPERTY ID NUMBER: 21-000468.34

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

15. To consider **Resolution 22-09-84** a resolution ordering the preparation of a Feasibility Report for the 2023 Fallbrook Avenue North/264th Street Improvements

City Engineer Erichson– Gave an overview of the meetings that have taken place regarding the City's capital improvement planning and the next project on the list is slated for 2023 for Fallbrook Avenue North and 264th Street Improvement projects. He stated that they would like to proceed with the feasibility report so they will be able to bid in a timeline that is more conducive for good bidding this winter.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 22-09-84 A RESOLUTION ORDERING THE PREPARATION OF A FEASIBILITY REPORT FOR THE 2023 FALLBROOK AVENUE NORTH/264TH STREET IMPROVEMENTS.

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

COMMUNICATIONS:

COUNCIL REPORTS:

Council Member Ohnstad – Attended the Stagecoach Day and noted that he had fun looking for the medallion and watching others look for it.

Council Member Nanko Yeager – Attended the Sewer Commission meeting and Stagecoach Day where she worked for the Friends of the Library book sale. She asked about a reference in the Park Advisory Commission packet related to the public engagement activities and the decision to turn off the comments.

City Administrator Linwood – Explained that the decision was made to turn off the comments because the comments that were coming in were not related to Railroad Park. He noted that there has been other public engagement at other City events

Council Member Luger – Attended the Park Advisory Commission and Stagecoach Day and commended the Wyoming Fire Department for putting the event together.

Council Member Schilling – Attended the EDA meeting.

Mayor Iverson – Attended the EDA meeting and Stagecoach Day and noted that it was really a great event and thinks there was a lot of participation. She expressed her appreciation to Nancy Hebrink for her donation to Railroad Park. She stated that Mike Soule has served on the EDA for 11 years and has rendered his resignation because he is moving to North Branch, which will be a big loss for the area.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO ADJOURN THE SEPTEMBER 20, 2022 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:10PM

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:
OCTOBER 4, 2022
7:00PM