

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
OCTOBER 4, 2022
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for October 4, 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: Tom Loonan, Eckberg Lammers, Robb Linwood, City Administrator, Mark Erichson-WSB and Neil Bauer - Public Safety Director

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

Dan Babbitt, 26200 Glen Oak Drive – Asked if the City had reached a conclusion about what he brought up at the last City Council meeting regarding residents being reimbursed for grass seed.

Mayor Iverson – Stated that the Council will be discussing and making a decision later on the agenda.

Dan Babbitt – Asked if the City would be putting together a written process for looking at how the City roads and projects are done. He expressed his concern with how the City has spent money and referenced particular roadways that were fairly new that have already had quite a bit of patching.

City Administrator Linwood – Gave an overview of maintenance done on City streets, such as seal coating and crack sealing.

There was general discussion between the Council and Mr. Babbitt surrounding the culvert that was installed, frustrations from the neighborhood with this project, and with City Engineer Erichson.

Mayor Iverson – Apologized to Mr. Babbitt and the neighborhood that their expectations were not met. She stated that she trusts City Engineer Erichson and WSB because they have done a lot of projects for the City.

City Engineer Erichson – Stated that he also apologized that expectations were not met with this project. He stated that they have had problems with the subcontractor on this project and apologized for their lack of effort in this situation. He explained that he was planning to continue working with the neighborhood to try to get these issues resolved.

Mayor Iverson – Encouraged Mr. Babbitt to stay for the discussion on Agenda item #11.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for September 20, 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 SEPTEMBER 20, 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 September 21, 2022 to October 4, 2022
3. To consider **Resolution 22-10-85** a resolution appointing Election Judges for the 2022 General Election
4. To consider **Resolution 22-10-86** a resolution approving the transfer of funds from the General Fund to the Capital Revolving Fund.
5. To consider **Resolution 21-10-87** a resolution calling for a Public Hearing regarding at application for the Minnesota Investment Fund (MIF) for Sunrise Fiberglass, LLC.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE #2, #3, #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

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

6. Report of the Public Safety Director, Neil Bauer for September 29, 2022
7. Report of City Building Official, Fred Weck, IV for September 29, 2022
8. Report of City Attorney Tom Loonan for September 29, 2022
9. Report of City Engineer Mark Erichson, WSB for September 30, 2022
10. Report of Public Works Superintendent Chuck Almhjeld for October 4, 2022

COMMUNICATIONS:

OLD BUSINESS:

11. To discuss the 2021 Street Improvement Project restoration process

City Administrator Linwood – Gave an overview of the activity and discussion on the topic raised by Mr. Babbitt at the September 20, 2022 City Council meeting. He reviewed the items that staff would like some input from the Council regarding: the legal considerations of reimbursement for grass seed/dirt; minimum/maximum reimbursement for products; and necessity of receipt for reimbursement.

Council Member Nanko Yeager – Stated that this situation seems to be an unusual occurrence and asked if there was a legal way to reimburse residents, but stipulate that all avenues with the contractor had been attempted.

City Attorney Loonan – Stated that the City has looked at the contractor requirements and the specification sheet and they believe that the specification sheet can be made more clear with regard to the requirements. He stated that he did not think there was going to be much further remedy from the contractor in this situation. He noted that Councilmember Nanko Yeager's point is well taken that the City wants to be very clear that if the Council takes any sort of action that they are clear regarding to circumstances for this project.

Council Member Nanko Yeager – Stated that she feels this situation is an anomaly, but agreed that it needed to be rectified. She clarified that she was not inclined to set a precedent, but if there was a legal way to make this a 'stand-alone' action, she would support that.

Council Member Schilling – Noted that this is the first time since he has been serving in the City that he has heard of anything like this happening. He asked City Engineer Erichson if the engineering specs when the projects are bid are, in fact, the 'processes' and has the legal language included in the contracts.

City Engineer Erichson – Stated that was correct and they do update their specs every year.

Council Member Schilling – Confirmed that there is actually a process on paper.

City Engineer Erichson – Agreed and noted that because of this situation, they are planning to revisit their reseeding specs to stop this kind of situation from occurring again.

Council Member Ohnstad – Stated that he wants to make sure the City is not making its projects so costly that the residents cannot afford them.

Mayor Iverson – Stated that this situation has not come up before in the City and the only concern she has is with the subcontractor that was used.

City Attorney Loonan – Noted the importance of establishing a record of the situation that has led up to the necessity of whatever action the Council chooses to take. He stated that the City is aware that the project was completed and the yard work and seeding was contracted out; they came out and seeded; it did not take so they came out a second time and seeded; in some instances came out a third time but there have still been issues. He stated that the City understands that this has been a very dry year and the seed has taken in some areas and not others. He explained that certain citizens have taken restoration into their own hands, to try to get their yards to a point where they are satisfied and back to the pre-condition prior to this project taking place. He stated that with all of these factors coming into play, this is a unique situation. He explained that staff feels the best route to go would be with a reimbursement model similar to what they have done with driveways and reimburse upon receiving a receipt and cap the total amount at \$75 for seed/soil. He stated that if they do not have receipts they would recommend residents contact the City and allow them to look at the yard and determine that it is not back to the pre-construction condition in order to then authorize reimbursement up to the same amount. He stated that the details can be determined as the discretion of the Council.

The Council discussed an 'expiration' date and details surrounding the reimbursement for this project.

A MOTION WAS MADE BY COUNCILMEMBER NANKO YEAGER, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE REIMBURSEMENT OF UP TO \$75/HOUSEHOLD AS PART OF THE 2021 STREET IMPROVEMENT PROJECT BY SHOWING RECEIPTS, TO BE USED FOR SEED, SOIL, AND FERTILIZER, OR PROFESSIONAL SERVICES, TO RESTORE THE YARDS, WITH THE STIPULATION THAT IF THEY DO NOT HAVE RECEIPTS, THAT THEY MUST COME TO THE CITY TO HAVE YARDS EVALUATED PRIOR TO OCTOBER 31, 2022, AND AUTHORIZE STAFF TO APPOINT QUALIFIED STAFF MEMBERS TO REVIEW THE PROPERTIES AND ALLOW FOR RESIDENTS TO APPEAL TO THE CITY COUNCIL IF THEY DISAGREE WITH STAFF'S DECISION.

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

Voting Nay: None

Abstain: None

Absent: None

NEW BUSINESS

12. To consider **Resolution 22-10-88** a resolution approving the purchase of three 2022 Dodge Durango Pursuit SUV's from Guardian Fleet Safety in the amount of \$134,348.12

Public Safety Director Bauer – Explained that on September 7, 2022 the City was informed that this order was being cancelled because Ford was no longer making 2022 vehicles and would transition into 2023 vehicles. He noted that they were informed that they could reorder the 2023 model for an increase of \$8,000/vehicle and would need to decide by September 8, 2022. He gave an overview of his search for other ways to gain access to this type of vehicle, and noted that he was able to find Dodge Durango that were available that he has been able to put on 'hold'. He reviewed the pricing summary for the three Dodge Durango vehicles.

Mayor Iverson – Asked for a general explanation on why these vehicles need to be replaced more frequently than a privately owned car.

Public Safety Director Bauer – Explained that the City purchases 100,000 mile warranty to try to predict maintenance costs. He stated that these vehicles are driven hard, they are left on and idling and this is a way for the City to plan accordingly so there are not unexpected expenses.

Council Member Schilling – Noted that he has had this same situation happen in his city and noted that police cars truly run 24 hours/day.

Council Member Nanko Yeager – Asked if the new vehicles were hybrid vehicles.

Public Safety Director Bauer – Stated that they were not.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 22-10-88 A RESOLUTION APPROVING THE PURCHASE OF THREE 2022 DODGE DURANGO PURSUIT SUV'S FROM GUARDIAN FLEET SAFETY IN THE AMOUNT OF \$134,348.12

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

Voting Nay: None

Abstain: None

Absent: None

13. To consider rescinding **Resolution 22-01-09** to authorize the purchase of three Ford Utility Interceptor SUV vehicles for a total amount of \$142,735.14

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 22-01-09 AUTHORIZING THE PURCHASE OF THREE FORD UTILITY INTERCEPTOR SUV VEHICLES FOR A TOTAL AMOUNT OF \$142,735.14

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

Voting Nay: None

Abstain: None

Absent: None

14. To consider the hiring of Joe Keding for the Assistant Public Works Superintendent at a starting wage of \$41.51/hr

City Administrator Linwood – Gave an overview of the process in finding an Assistant Public Works Superintendent. He stated that the City had received 21 applications and reviewed the interview process that has been followed. He stated that the top candidate, Joe Keding, has been working for the City of Shoreview for 17 years and gave an overview of his background and experience.

Council Member Nanko Yeager – Stated that Mr. Keding sounds like he has a lot of good experience in this field, but noted that she was not comfortable hiring another manager in the City with such a large levy increase on the horizon.

City Administrator Linwood – Explained that past discussions were for two lead positions or this position and with this position, it would actually result in a budget reduction

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE HIRING JOE KEDING FOR THE ASSISTANT PUBLIC WORKS SUPERINTENDENT AT A STARTING WAGE OF \$41.51/HR

Voting Aye: Schilling, Luger, Ohnstad, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

15. To discuss the scope of the 2023 East Viking Street and Bridge project and the necessary improvement process steps to move forward

City Engineer Erichson– Gave an overview of the history of this project, the grant that the City applied for that was rejected, and the subsequent recommendation from staff for the removal of the portion of the project that was added with the hope of obtaining the grant. He stated that prior to communicating with the homeowners along this corridor, staff wanted to confirm that everyone was on the same page with regard to the actual scope of the project and ensure they agreed with the recommendation to remove the portion of the roadway near Polaris.

Mayor Iverson – Explained that she felt bad for residents who will be taken out of this project now because the City did not receive the grant money.

Council Member Ohnstad – Asked if this change in the project scope would change the price per resident.

City Engineer Erichson – Stated that they will evaluate that and explained that, at this point, it is hard to pin down costs.

Council Member Luger – Stated that she really liked the idea of getting the road fixed all the way

from Glen Oak to Polaris. She confirmed that the City would be adding that portion of the road back into the mix when they are prioritizing roadways for projects.

City Engineer Erichson – Confirmed that it will remain on the City’s list.

Council Member Nanko Yeager – Noted a change in wording regarding rehabilitation of drainage structures and asked if the plan was still to rehab the same amount of drainage structures.

City Engineer Erichson – Explained that there are some that will be rehabilitated and some will have new drainage structures.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE WSB TO COMPLETE A NEW SCOPE OF THE 2023 EAST VIKING STREET AND BRIDGE PROJECT AND BRING BACK THE NECESSARY STEPS IN ORDER TO MOVE FORWARD WITH THE PROJECT.

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

Voting Nay: None

Abstain: None

Absent: None

16. To consider a Proclamation declaring October 1 – 31, 2022 as ‘Manufacturer’s Month’ in the City of Wyoming

City Administrator Linwood – Explained that manufacturing is a huge part of the City, Chisago County, as well as the Minnesota economy. He noted that in 2021, there were 89 manufacturing businesses in the County that employed 2,421 people. He stated that the City is working with the Chisago County HRA/EDA, DEED, and area school districts to organize a manufacturing event/tours on October 13, 2022 from 9:00 am. To 2:00 p.m.

Mayor Iverson – Expressed her appreciation to Splitrocks for supporting the use of their facility for this event. She noted that Wyoming has 30% of the total manufacturing businesses from Chisago County, which she thinks is a big deal.

Council Member Ohnstad – Confirmed that the event at Splitrocks would be open to the public.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE A PROCLAMATION DECLARING OCTOBER 1-31, 2022 AS ‘MANUFACTURER’S MONTH’ IN THE CITY OF WYOMING.

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

Voting Nay: None

Abstain: None

Absent: None

COMMUNICATIONS:

COUNCIL REPORTS:

Council Member Ohnstad – Attended the Planning Commission meeting.

Council Member Nanko Yeager – Attended the Highway 8 Open House.

Council Member Luger – No report.

Council Member Schilling – No report.

Mayor Iverson – Attended the Highway 8 Open House.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO ADJOURN THE OCTOBER 4, 2022 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 8:18 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:
OCTOBER 18, 2022
7:00PM