

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
DECEMBER 6, 2022
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for December 6, 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, Alex Saxe-Assistant City Administrator, Mark Erichson-WSB, Neil Bauer-Public Safety Director, Fred Weck-Zoning Administrator/Building Official, Victoria Holthaus-Abdo, Jessi Sturtz-Abdo (Via Zoom) and Chuck Almheld-Public Works Superintendent (Via Zoom)

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

APPROVAL OF MINUTES:

- 1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for November 15, 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 NOVEMBER 15, 2022 AS SUBMITTED.

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

Voting Nay: None

Abstain: None

Absent: None

SCHEDULED BID LETTINGS:

SCHEDULED PUBLIC HEARINGS:

- 2. To consider Resolution 22-12-113 a resolution certifying the 2022 tax levy collectible in 2023**

City Administrator Linwood – Introduced Victoria Holthaus from Abdo and asked her to present an overview of the 2023 budget.

Victoria Holthaus, Abdo – Gave a brief overview of the proposed 2023 budget and levy.

Mayor Iverson – Asked for detail on home valuations and who has control over that decision.

Ms. Holthaus – Explained that the City coordinates with the Chisago County Assessor’s Office

to do the valuations and noted that the County had completed the valuation process throughout 2022.

City Administrator Linwood – Noted that overall, Chisago County saw an increase in 21.2% increase in home valuations. He stated that by State Statute they are supposed to keep up to the market values of the homes and explained that residents have the opportunity to reach out to the County Assessor's office to discuss the valuation of their property at the Equalization hearing that is usually held in April and also through tax court.

Mayor Iverson – Noted that her home value went up 21.3% and noted that it was her understanding from the County Auditor that if the assessor's do not do their job, that the State then comes in and does the assessments themselves.

City Administrator Linwood – Confirmed that this was correct and explained that by State Statute they have to adjust the homes appropriately to the market value and if they don't the State will intervene and do it.

Councilmember Luger – Noted that the memo states that Local Government Aid (LGA) funds are set to decrease by almost \$47,000 and asked what impact that would have on the City's budget.

City Administrator Linwood – Stated that due to a Special Session not being completed, the City was one of the unlucky cities in the State that had a reduction in their LGA from previous years which equates to about 1 percentage point in the City's budget.

Councilmember Nanko Yeager – Asked about the 2015A GO TIF bonds that was referenced in the Resolution language and how adjusting it down provides adequate cash flow.

Ms. Holthaus – Explained the process when a new bond is sold with the County Auditor's office who does a comparison between what is levied and the certificate. She stated that Abdo created a long term plan for the City and ask part of that analysis, they took a look at all the bond issues and the related cash flows and based on their forecast, they can levy slightly less than what was in the original transcript.

Councilmember Nanko Yeager – Noted that in the budget packet information it all says calculations are as of June 30, 2022 and asked if the information was truly up to date.

City Administrator Linwood – Stated that may just be an error and the date should be the latest budget that has been gone through by both staff and Abdo.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING TO OPEN THE PUBLIC HEARING AT 7:25 PM.

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

Voting Nay: None

Abstain: None

Absent: None

Travis Dye – Stated that his question relates to the 21.3% property value increase and its timing. He stated that last year he may have agreed with that valuation, but with the recent interest rates set by the Federal Government, he questions the 21.3%. He stated that he doubts that they can get that amount for their home and asked if there would be an adjustment since the demand has decreased.

Mayor Iverson – Stated that was exactly why she had asked the County Auditor this same question and noted that she felt the same way.

City Administrator Linwood – Noted that he knows that they use County real estate sales as

part of their data gathering. He stated that it may be a better question for the County Assessor but explained that he wasn't sure if they would do anything at this point to make any adjustments. He noted that he assumed that they would just be re-evaluate the property values next year.

Ms. Holthaus – Explained that the trends just follow the market so there is a bit of a lag in making the adjustments based on sales and comps. She stated that she assumes that the changes made in the next round should reflect any changes that are happening.

City Administrator Linwood – Stated that he can provide information to Mr. Dye about the Assessor's Office.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER LUGER, TO CLOSE THE PUBLIC HEARING AT 7:29 PM

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

Voting Nay: None

Abstain: None

Absent: None

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 22-12-113 A RESOLUTION CERTIFYING 2023 TAX LEVY

Voting Aye: Schilling, Luger, Ohnstad, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

3. To consider Resolution 22-14-114 a resolution approving the proposed 2023 expenditures budget by department

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 22-14-114 A RESOLUTION APPROVING THE PROPOSED 2023 EXPENDITURES BY DEPARTMENT.

Voting Aye: Schilling, Luger, Ohnstad, Iverson

Voting Nay: Nanko Yeager

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. To consider authorizing payment of recommended bills, payroll, and journal entries for the period of November 16, 2022 to December 6, 2022
5. To consider Resolution 22-12-115 a resolution approving the issuance of various On-Sale, Off-Sale and Combination Liquor Licenses in the City of Wyoming for the year 2023
6. To consider Resolution 22-12-116 a resolution approving the issuance of various Tobacco, Waste haulers, and Massage Occupancy Licenses in the City of Wyoming for the year 2023.
7. To consider Resolution 22-12-117 a resolution accepting a donation to the City from WSB Engineering for the 6th annual tree lighting ceremony at Railroad Park on December 3, 2022
8. To consider Resolution 22-12-118 a resolution accepting a donation to the City from Xcel Energy for the 6th annual tree lighting ceremony at Railroad Park on December 3, 2022
9. To consider Resolution 22-12-119 a resolution accepting a donation to the City from Big Apple Bagels, Forest Lake for the 6th annual tree lighting ceremony at Railroad Park on December 3, 2022
10. To consider Resolution 22-12-120 a resolution accepting a donation to the City from Sunrise Apple Farms for the 6th annual tree lighting ceremony at Railroad Park on December 3, 2022

11. To consider Resolution 22-12-121 a resolution accepting a donation to the City from Pinehaven Farms for the 6th annual tree lighting ceremony at Railroad Park on December 3, 2022
12. To consider Resolution 22-12-122 a resolution accepting a donation to the City from Jeanine Sachs for the 6th annual tree lighting ceremony at Railroad Park on December 3, 2022.
13. To consider Resolution 22-12-123 a resolution declaring certain vehicles and decommissioned property as surplus property for disposal and authoring the Police Department to dispose of the vehicles through online auction
14. To consider the resignation of Roger Carr from the Wyoming Planning Commission
15. To consider the resignation of Allison Edwards as Police Officer and begin the hiring process for a Police Officer
16. To consider hiring John Peka for seasonal Ice Rink and Warming Housing Attendant at a wage of \$15/hour
17. To consider advertising for a seasonal Ice Rink and Warming House Attendance at a wage of \$13-\$15/hour

Mayor Iverson – Noted that many of the Consent Agenda items are to accept donations made for the annual Tree Lighting Ceremony and thanked all the businesses for their generous donations.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE #4, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15, #16, and #17 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:

18. Report of the Public Safety Director, Neil Bauer for November 30, 2022
19. Report of City Building Official, Fred Weck, IV for November 23, 2022
20. Report of City Attorney Tom Loonan for December 1, 2022
21. Report of City Engineer Mark Erichson, WSB for December 2, 2022
22. Report of Public Works Superintendent Chuck Almhjeld for December 6, 2022
23. Report of Abdo Financial Solutions for the 2022 3rd Quarter City of Wyoming Financials

OLD BUSINESS: NONE

NEW BUSINESS

24. To consider **Resolution 22-12-124** a resolution approving a site plan review application at 5201 260th Street, Property ID Number: 21-00468.32

Zoning Administrator/Building Official Weck – Gave an overview of the request by Rosenbauer for a site plan review including a variance related to building materials for a cold storage building and for impervious surface area. He stated that staff and the Planning Commission are recommending denial of the variance request for building materials and approval of the variance for impervious surface. He stated that at the Planning Commission meeting, the applicant had explained that they were looking into a more permanent solution so the Planning

Condition added a condition to allow the temporary storage structure to be permitted to remain until no later than June 4, 2023.

Council Member Schilling – Asked if the City allowed those types of tent structures in residential areas.

Zoning Administrator/Building Official Weck – Stated that if it is under 200 sq. ft. a building permit is not required and does not have to be the same building materials as the home. He explained that if it is over 200 sq. ft., it requires a building permit and the materials need to match the home. He noted that many of those than can be purchased from Menard's to not meet wind and rain load standards.

Councilmember Nanko Yeager – Asked what happened that caused Rosenbauer not to complete the work.

Zoning Administrator/Building Official Weck – Stated that would have to be answered by Rosenbauer. He explained that he knows part of the problem was that Rosenbauer's engineer never got the plans to the City for approval.

Councilmember Nanko Yeager – Asked how the City can be asked to approve a site plan with a fabric building included, after denying a variance for the same fabric building.

Zoning Administrator/Building Official Weck – Explained that a variance runs with the property. He explained the process of allowing the fabric building to be placed there temporarily as a condition of approval and the requirement for a surety to ensure that the building is taken down.

Councilmember Nanko Yeager – Stated that if the fabric building is good enough to be in place for 6 months, she feels it should be good enough to grant a variance.

Councilmember Ohnstad – Asked if this would be similar to shed/greenhouse was put up at the IGA.

Zoning Administrator/Building Official Weck – Stated that it was similar, but different in terms of size and scope.

Councilmember Ohnstad – Stated that he had heard Rosenbauer talk about the difficulty in getting equipment delivered on time recently. He stated that his understanding is that this temporary structure will help them with production and getting product out the door.

Mr. Jackson, Rosenbauer – Stated that was correct and will allow them to build their weldments and store raw materials. He stated that they are working on a gated parts release which will help them in the first quarter of 2023, but they still need to get through their backlog of materials. He stated that this structure will allow them to get through the remainder of winter and prevent damage to the materials and components that are already built so they do not suffer financial losses. He explained that the intent is that by the second quarter, they plan to rent permanent space and the tent will be removed. He stated that he was not with the company in 2009 so he cannot speak to why the work was not completed at that time.

Mayor Iverson – Stated that she is in support of the recommendation because she feels the City has a Planning Commission and ordinances for a reason and cannot just change things without going through a process.

Councilmember Nanko Yeager – Stated that she would disagree because she feels this recommendation does just change the ordinance. She stated that the City has forgiven architectural standards for others and referenced the actions the City took a few months ago for Dairy Queen.

Councilmember Schilling – Stated that he didn't think the Council was really changing anything and noted that the building is already there in place and the City just did a stop work order. He stated that the City has just given them a deadline for removal and that is very common in this time of year. He stated that with the Dairy Queen development, all the City did was adjust some percentages with relation to the architectural materials and then gave direction to the Planning Commission to revisit that issue because that has come up a lot as trends have changed.

Zoning Administrator/Building Official Weck – Noted that now that the work on the Comprehensive Plan has been completed, the Planning Commission will be taking a closer look at some of the ordinances and reviewing them for possible revision.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 22-12-124 B A RESOLUTION APPROVING A SITE PLAN REVIEW APPLICATION AT 5201 260TH STREET, PROPERTY IDENTIFICATION NUMBER: 21.00468.32.

Voting Aye: Schilling, Luger, Ohnstad, Iverson

Voting Nay: Nanko Yeager

Abstain: None

Absent: None

- 25.** To consider **Resolution 22-12-125** a resolution approving a variance from Section 40-460, (4), (a) Maximum Total Lot Coverage, to allow for an Impervious Surface Area of 80% instead of the maximum allowed 75% at 5201 260th Street, Property ID: 21.00468.32

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 22-12-125, A RESOLUTION APPROVING A VARIANCE FROM SECTION 40-460 (4) (A), MAXIMUM TOTAL LOT COVERAGE, TO ALLOW AN IMPERVIOUS SURFACE AREA OF 80% INSTEAD OF THE MAXIMUM ALLOWED OF 75% AT 5201 260TH STREET, PROPERTY ID NUMBER: 21.00468.32

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

Voting Nay: None

Abstain: None

Absent: None

- 26.** To consider **Resolution 22-12-126** a resolution denying a variance to allow the construction of an accessory building not meeting the exterior building material architectural standards at 5201 260th Street, Property ID Number: 21-00468.32

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 22-12-126 A RESOLUTION DENYING A VARIANCE TO ALLOW THE CONSTRUCTION OF AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR BUILDING MATERIAL ARCHITECTURAL STANDARDS AT 5201 260TH STREET, PROPERTY IDENTIFICATION NUMBER: 21.00468.32.

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

Voting Nay: None

Abstain: None

Absent: None

- 27.** To consider **Resolution 22-12-127** a resolution authorizing offers for the purchase of real property for the improvement of Right-of-Way location on East Viking Boulevard

City Engineer Erickson – Gave an overview of the 4 parcels that require acquisition of additional

right-of-way for the East Viking Boulevard project.

Mayor Iverson – Asked City Engineer Erickson to give an overview of how State Aid works with this type of project.

City Engineer Erickson – Stated that because the City has a population greater than 5,000 it allows the City to be eligible for State Aid. He explained that there are funds collected through gas tax revenues which has a formula based on population and needs that can be distributed to communities. He stated that this roadway falls within the State Aid system so the City receives gas tax dollars towards construction.

Councilmember Nanko Yeager – Asked if this information had been presented to the property owners already.

City Engineer Erickson - Stated that it had not yet been presented to them but explained that they have had a number of meetings and discussions with them already.

Councilmember Nanko Yeager – Asked what would happen if the homeowners did not agree to the offer.

City Engineer Erickson – Explained that this approval is for authorization for these dollar amounts and noted that should they not want to move forward, the City has the opportunity in some areas to eliminate portions of the project. He assured the Council that they were not being asked to consider condemnation and noted that if the offer needed to change, he would come back before the Council in order to make a change to the offer.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 22-12-127 AUTHORIZING OFFERS FOR THE PURCHASE OF REAL PROPERTY FOR THE IMPROVEMENT OF RIGHT-OF-WAY LOCATED ON EAST VIKING BOULEVARD.

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

Voting Nay: None

Abstain: None

Absent: None

28. To consider a Council Work Session on December 13, 2022 at 5:30 PM

City Administrator Linwood – Explained that staff is requesting that the City Council hold a Work Session meeting on December 13, 2022 in order to give input to Wold regard finishes and design elements of the Public Safety building.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER LUGER, TO SCHEDULE A COUNCIL WORK SESSION MEETING ON DECEMBER 13, 2022 AT 5:30 PM.

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 and the Tree Lighting Ceremony.

Council Member Nanko Yeager – Attended the Sewer Commission meeting, County broadband presentation, East Viking neighborhood meeting, and the Tree Lighting Ceremony.

Council Member Luger – Attended the Park Advisory Committee meeting and the Tree Lighting Ceremony. She expressed her appreciation to all the work that went into making this a successful event.

Council Member Schilling – No report.

Mayor Iverson – Attended the Sewer Commission meeting, East Viking neighborhood meeting, the Park Advisory Commission, as a resident, and the Tree Lighting Ceremony. She expressed her appreciation to everyone that was involved in the Tree Lighting Ceremony and noted that she thinks it went really well. She noted that Santa also appeared at Fairview on the Meadows which was put on by the Lions.

Public Safety Director Bauer – Thanked residents who donated to the toy drive, especially considering the cold temperatures over the weekend. He stated that there is a food collection competition between the City and the North Branch Police Department at Bruce's Foods on December 17, 2022. He stated that the winner will be determined by weight, so he encouraged people to donate the heaviest possible food items, such as a turkey.

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER SCHILLING, TO ADJOURN THE DECEMBER 6, 2022 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:57 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:
DECEMBER 20, 2022
7:00PM