

**APPROVED MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
MARCH 21, 2023
7:00PM**

CALL TO ORDER:

Mayor Lisa Iverson called the Regular Meeting of the Wyoming City Council for March 21, 2023 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 and Joe Keding, Acting 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 7, 2023

A MOTION WAS MADE BY COUNCILMEMBER LUGER, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE THE MINUTES OF THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL FOR MARCH 7, 2023, 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 March 8, 2023 to March 21, 2023
3. To consider **Resolution 23-03-28** a resolution approving a Delegated Process Contract (DCP) Agreement with MNDOT.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE #2, and #3 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:

4. Report of the Public Safety Director, Neil Bauer for March 17, 2023
5. Report of City Building Official, Fred Weck, IV for March 16, 2022
6. Report of City Attorney Tom Loonan for March 17, 2022
7. Report of City Engineer Mark Erichson, WSB for March 17, 2022
8. Report of Acting Public Works Superintendent for Joe Keding for March 21, 2023

COMMUNICATIONS:

9. Communication from Chisago County Assessor announcing Board of Equalization date of the City of Wyoming on April 18, 2023, 6:00 PM at Wyoming City Hall

City Administrator Linwood – Announced that the County will hold the Board of Equalization meeting on Tuesday, April 18, 2023 at 6:00 PM, just prior to the regular City Council meeting.

OLD BUSINESS: NONE

NEW BUSINESS

10. To consider **Resolution 23-03-29** a resolution approving an Interim Conditional Use Permit to allow a home occupation at 24258 Fallbrook Avenue, Property ID Number: 21.00618.00

Zoning Administrator/Building Official Weck – Gave an overview of the request for an Interim Conditional Use Permit to allow for a home occupation. He reviewed the existing conditions and zoning. Staff and Planning Commission are recommending approval.

Council Member Ohnstad – Stated that there are some concerns related to noise and asked if this would allow the City to have more say over things such as times of operation than they would for someone just working on motorcycles in their garage.

Zoning Administrator/Building Official Weck – Noted that the City's nuisance ordinance would apply in both of those situations. He noted that he did not believe that this proposal would involve much noise.

Council Member Ohnstad – Stated that as this is written, it allows for one additional employee and asked what would happen if that changed.

Zoning Administrator/Building Official Weck – Explained that the City could revoke the Interim Conditional Use Permit if they were not in compliance with what was approved.

Mayor Iverson – Stated that she was in attendance at the Planning Commission meeting and wanted to make sure the Council could get answers from the applicant about some of the questions that were raised. She asked if Mr. Sowada was planning to live in the home on this property.

Rory Sowada – Confirmed that he and his family plan to live on site.

Mayor Iverson – Stated that one of the conditions recommended by the Planning Commission was Mr. Sowada is not to alter the appearance of the dwelling as a resident. She asked if that meant that he could not change the siding.

Zoning Administrator/Building Official Weck – Stated that he could not change it to something that would make it look like a business, but he is allowed things like small signage.

Mayor Iverson – Noted that Mr. Sowada currently has one additional employee and asked what would happen if his company grew more.

Mr. Sowada – Stated that their business has been sort of organic so if they do grow more it would happen over a long period of time. He stated that he would have to cross that bridge when he got to it, but it may be possible that he would need to find a larger location.

Mayor Iverson – Stated that she is very concerned about the semi-truck that will be making deliveries and what effect it may have on the City's roads.

Mr. Sowada – Stated that he has been having conversations with that customer about the possibility of moving to a box truck rather than a semi-truck.

Zoning Administrator/Building Official Weck – Stated that a panel truck would be the same size as a FedEx truck.

City Engineer Erichson – Stated that for a semi-truck it would be depend on the axel weight of the truck itself. He stated that it sounds like the components that will be in the trucks do not sound like they are heavy and noted that the gravel roads do have restrictions during certain times of the year. He stated that based on the information he has right now, he does not expect this to be problematic.

Council Member Nanko Yeager – Referenced condition #7 regarding semi-trucks.

Mr. Sowada – Explained that the intent is to eliminate the use of semi-trucks and move to box trucks.

Zoning Administrator/Building Official Weck – Stated that he feels the intent of condition #7 was related to driving to the property and delivering items.

Council Member Nanko Yeager – Stated that from reading the Planning Commission minutes, it appears that the neighbors were concerned about wetland contamination and the property reverting to its previous condition. She asked what steps Mr. Sowada was planning to take to ensure that did not happen.

Mr. Khambata – Explained that Mr. Sowada has no intention of using any part of the property for an automotive use which was a problematic use for the property in the past. He stated that there will be zero construction or automotive use whether it be hobby or otherwise.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 23-03-29 A RESOLUTION APPROVING AN INTERIM CONDITIONAL USE PERMIT TO ALLOW A HOME OCCUPATION AT 24258 FALLBROOK AVENUE, PROPERTY ID NUMBER: 21.00618.00

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

Voting Nay: None

Abstain: None

Absent: None

11. To consider **Resolution 23-03-30** a resolution approving a Site Plan Review application to construct a parking lot for the storage of off-road vehicles at 7400 East Viking Boulevard, Property ID Number: 21.00001.00

Zoning Administrator/Building Official Weck – Gave an overview of the request by Polaris to construct a parking lot for storage of off-road vehicles in an area that will be able to be screened. Staff and Planning Commission recommend approval.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER LUGER, TO APPROVE RESOLUTION 23-03-30 A RESOLUTION APPROVING A SITE PLAN REVIEW APPLICATION TO CONSTRUCT A PARKING LOT FOR THE STORAGE OF OFF-ROAD VEHICLES AT 7400 EAST VIKING BOULEVARD, PROPERTY ID NUMBER: 21.00001.00

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

Voting Nay: None

Abstain: None

Absent: None

12. To consider **Resolution 23-03-31** a resolution approving a petition for an extension of the time required to complete the work authorized by **Resolution 22-09-75A** and **Resolution 22-09-76A** at 5111 East Viking Boulevard at Property ID Number: 21.00020.00

Zoning Administrator/Building Official Weck – Gave an overview of the request from Dairy Queen for an extension in order to complete the work that has already been authorized by the City. He explained there was a small fuel leak that was discovered when they removed the tanks, so they have been ordered to clean up that which will take a bit of time.

Council Member Nanko Yeager – Asked how long it usually takes to clean up this type of material.

Zoning Administrator/Building Official Weck – Stated that because he was not sure how large the spill was, he was not sure of the proposed time frame for clean-up.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE RESOLUTION 23-03-31 A RESOLUTION APPROVING A PETITION FOR AN EXTENSION OF THE TIME REQUIRED TO COMPLETE THE WORK AUTHORIZED BY RESOLUTION 22-09-75A AND RESOLUTION 22-09-76A AT 5111 EAST VIKING BOULEVARD AT PROPERTY ID NUMBER: 21.00020.00

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

Voting Nay: None

Abstain: None

Absent: None

13. Proclamation Celebrating Arbor Day in Wyoming

Assistant City Administrator Saxe – Gave an overview of the City's journey to become a Tree City USA and reviewed some of the steps the City has taken since 2020 to support the City's tree infrastructure. He stated that there are plans to celebrate Arbor Day on April 28, 2023. He stated that details of the planned tree planting event are still being finalized and explained that they had hoped to do it April 29, 2023, but the weather has not been cooperating, so it may have to be pushed out a bit further.

A MOTION WAS MADE BY COUNCILMEMBER IVERSON SECONDED BY COUNCILMEMBER LUGER, TO APPROVE A PROCLAMATION CELEBRATING ARBOR

DAY IN WYOMING ON APRIL 28, 2023.

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

Voting Nay: None

Abstain: None

Absent: None

14. To consider a Council Retreat on May 5, 2023

Assistant City Administrator Saxe – Stated that the Council had selected Sara Peterson Consulting to facilitate the upcoming City Council retreat and staff was recommending scheduling the Council retreat on May 5, 2023.

Council Member Luger – Asked if they had considered any weekend dates.

City Administrator Linwood – Stated that they had not looked at weekend dates.

Assistant City Administrator Saxe – Noted that since Ms. Peterson is from Michigan, part of the thought was to save money for her travel expenses because she was in town working on a project for Edina on May 4, 2023.

City Administrator Linwood – Noted that staff can continue to work with Ms. Peterson to find a date that would be agreeable to the Council. He suggested that the Council pass along some possible dates for staff to communicate to her.

Council Member Luger – Stated that she understands that this is a priority and does not want it to become more expensive than it needs to be for the City. She stated that she would also prefer a weekend and if that is not possible, then she can try to make something else work.

Council Member Ohnstad – Explained that because he has an odd work schedule, weekends would not necessarily work for him and noted that he can make May 5, 2023 work.

Council Member Schilling – Stated that he would have to use PTO, but could also make May 5, 2023 work. He stated that he would rather not split it up into numerous days nor does he want to see it done on a weekend, because that is his private/personal time.

Council Member Nanko Yeager – Stated that she is available on May 5, 2023 and asked that if they schedule the retreat for a weekend, that it not be done on a weekend where there is a Council packet to review.

Mayor Iverson – Stated that she would like staff to contact Ms. Peterson and see if she would potentially have any weekend availability and what the cost would be for that versus another weekday.

Council Member Nanko Yeager – Stated that she would be highly resistant to scheduling this on a weekend and explained that she agreed with Council Member Schilling that weekends should be personal time.

Council Member Luger – Stated that she can go either way and make either a weekend or a weekday work in her schedule.

Mayor Iverson - Stated that the Council can go ahead and schedule for May 5, 2023, but explained that she was unsure if she could get the day off.

Council Member Schilling – Stated that if Mayor Iverson is unable to attend the retreat, he thinks that it should be rescheduled because he thinks it is important for the entire Council to be present.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY

COUNCILMEMBER OHNSTAD, TO APPROVE SCHEDULING THE CITY COUNCIL RETREAT FOR MAY 5, 2023, IF THE FULL CITY COUNCIL IS ABLE TO BE PRESENT.

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

Voting Nay: Iverson

Abstain: None

Absent: None

COUNCIL REPORTS:

Council Member Ohnstad – No report.

Council Member Nanko Yeager – No report.

Council Member Luger – Attended the Sewer Commission meeting.

Council Member Schilling – Attended the EDA meeting.

Mayor Iverson – Attended the EDA meeting, the Planning Commission, and the Joint Sewer Commission meeting. She expressed her appreciation to the City's Public Works Department for the work they have done over the last few months.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER LUGER, TO ADJOURN THE MARCH 21, 2023 "REGULAR MEETING" OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:40 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:

APRIL 4, 2023

7:00PM