

Tyler City Council Minutes
6 p.m. Monday, December 4, 2023
Tyler Fire Hall - 101 E. Lincoln St, Tyler MN

Members present: Joan Jagt, Cricket Raschke, Scott Dressen, Keith Lindeman, Karen Meyers,

Members absent: None

Others present: Terry East - City Administrator, Shelly Finzen – Recorder, Mark Wilmes – Tyler Tribute, AJ Anderson – Police Chief,
Judd Guida – Utilities Supervisor, Glen Petersen – Legal Counsel, Matt Miller – Bolten & Menk

Attendees of the Truth in Taxation Meeting: Greg Peter

A. CALL TO ORDER

Mayor Joan Jagt called the meeting to order at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance

C. APPROVAL OF AGENDA

The agenda was modified as follows: Under NEW BUSINESS, 4. Avera Hospital Negotiations was moved to 6. and was discussed during a closed session. Also added to the closed session was 7. Discussion of Transfer of Land to RTR Schools.

A motion to approve the agenda as modified was made.

M Dressen S Raschke Action Pass

E. APPROVAL OF MINUTES

1. November 6, 2023 City Council Meeting Minutes

Before the meeting, it was noted that the spelling of Meyers needed to be corrected throughout the Minutes. There were no other corrections noted.

A motion was made to accept the Minutes of the Nov. 6, 2023 meeting.

M Lindeman S Meyers Action Pass

E. DECLARE CONFLICT OF INTEREST

There were no conflicts of interest.

F. PUBLIC COMMENT

Members of the public are allowed 3 minutes each to address the council, no action will be taken by the council at this time.

There were no members of the public on hand for public comment

G. TRUTH IN TAXATION PUBLIC HEARING

The Truth in Taxation Public Hearing opened at 6:07 p.m. Greg Peter was on hand to ask a question regarding the taxation of his mother's estate. Part of the land is in City Limits but part of it is outside of City Limits but still being taxed by City of Tyler.

“The tax on that portion should be going to the Marshfield Township,” Peter said. Peter stated that he had spoken with the Assessor’s office, who told him to bring it to the Tyler City Council during the Truth in Taxation meeting.

Attorney Glenn Petersen was consulted on the matter. He felt that a simple motion by the council to declare the parcel as belonging to Marshfield Township would suffice.

A motion was made to declare the Ines Peter Estate Parcel as belonging to the Marshfield Township.

M Dressen S Raschke Action Pass

A question was asked if the County has updated Platt Maps, why that wasn’t changed. No one had the answers. City Administrator Terry East stated that the maps he has were from Bolten & Menk, received in the last few months, so he expected that the maps had all been updated.

The Truth in Taxation Public Hearing was closed at 6:12 p.m.

H. OLD BUSINESS

1. Bolten & Menk - Sewer Project update

Matt Miller with Bolten & Menk presented an update on the Sewer Project. According to Miller, the project has been modified somewhat due to a change in the flood plain maps. The modifications included moving the lift station out of the flood plain and straightening up the route the sewer will follow. Additionally, when the original project was bid, the majority of the services along Oak Street were supposed to have been replaced. It appears that those services were never replaced, so the new project plan will include replacing the services. “Whether we actually have to [replace] them, we’ll find out as we’re digging up the lines and getting there,” Miller stated, “but until we know better, we’re going to plan on doing all of them.” Miller assured the council that, even with the modifications, the projected budget will remain approximately \$6.3 - \$6.5 million.

Miller said that they plan to open for bids the last week of December. The Council can expect to see someone from Bolten & Menk at the February meeting to report on what bids came in.

Miller also stated that he is working on a grant for the Local Road Improvement Program to repair the bulging manhole on Lincoln Street. This is a MnDOT grant, similar to the Safe Roads to School Grant. According to Miller, the grant pays for repairs and improvements for streets and storm sewers, with a focus on “routes of regional significance,” and “roads that connect either county or highway roads.”

Miller said, “there’s a bunch of boxes you can check and the more of them you can check, the better off you are [for the grant]. So, Lincon Street, that’s a truck route, so we can check that box. It’s a farm-to-market route since we have the elevator right there. Check that. And then we’re connecting the two county roads here, so that’s another good check mark we have. I think it’s a pretty decent application here.” Another benefit in this project that Miller pointed out is that only the west half of the storm sewer will need replacement. The final plan submitted in the grant will be to replace the west half of the storm sewer and to replace the surface of the entire street, with the intention of making the surface thicker to handle the heavy traffic. They have already received the needed letter of support from the local businesses and they expect to open the project for bids the end of the year.

Miller assured the council that the plan they have in place is going to prevent the bulging in the storm sewer from happening again.

2. City Hall Building Project

East announced that the City of Tyler has hired Engin out of Wilmar to be the architect/engineer for the City Hall Building Project. Jagt explained that they have completed other projects in the area, including the Marshall City Hall. There will be a meeting with them on Wednesday, Dec. 6 to go over the initial plans. East invited a member of the council, Mayor

Jagt, Utilities Supervisor Judd Guida, Library Director Shelly Finzen, and Police Chief AJ Anderson to join him for the meeting.

NEW BUSINESS

1. Meeting dates for 2024

East gave a council meeting calendar for 2024 to the members to review. Jagt explained that the calendar dates will be set by a resolution approved at the January meeting. "The only question that we were thinking about was in July," Jagt said. The first Monday of July will be July 1, but July 4 is that week, which is a common vacation time.

2. Add second council meeting each month

Karen Meyers requested that the Council meet twice every month instead of once. Mayor Jagt explained that any council member may call for a special meeting at any time, as long as it is announced in the newspaper at least 10 days beforehand.

Meyers explained that she had requested the second meeting each month because she did not feel there was enough time to think through some of the major issues before the vote was called for. Jagt responded that if someone does not feel that there is enough time to consider an issue, they can call for a special meeting then and it can be scheduled.

3. Council Committee assignments for 2024, to be determined in January

East presented the current council assignments, explaining that new council assignments would be made at the January meeting. The assignments will be set by a resolution approved at the January meeting.

4. Sick Pay for City Employees

East presented a packet of information about a new Minnesota statute, Earned Sick and Safe Time (ESST). According to the new statute, Minnesota employees who work at least 80 hours in a year, including temporary and part-time employees, are entitled to earned sick and safe time, a form of paid leave. Employees must accrue at least one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year.

Earned sick and safe time can be used for an employee's mental or physical illness, treatment of preventative care; the same care for a family member, absence due to domestic abuse, sexual assault, or stalking of an employee or family member; weather or public emergency closures of the workplace; or when the employee is determined by a public health care professional to be contagious.

East proposed that the City of Tyler frontload 12 days of ESST, beginning Jan. 1 of every year for full-time employees and that Part-time and seasonal employees be granted ESST based on the number of hours they work. East explained that this fits the state's requirements and makes the numbers easy to figure. East also explained that doing it this way means that the ESST cannot cash the time out at the end of the year. It will be a use it or lose it scenario.

A motion to approve East's proposal was made.

M Raschke S Meyers Action Pass

5. RESOLUTION 2023-20 - RESOLUTION TO ADOPT THE 2024 TAX LEVY

Mayor Jagt announced that the proposed tax levy for 2024 is \$504,553.00. She explained that the budget committee had been over the numbers over and over again and, with the projects coming up and inflation, "we need that money, folks."

6. A motion was made to approve RESOLUTION 2023-20 - RESOLUTION TO ADOPT THE 2024 TAX LEVY

M Raschke S Meyers Action Pass

7. Avera Hospital Negotiations

i) CLOSED MEETING

The meeting closed at 7:41 p.m. for the purpose of discussion real estate transactions. The meeting reopened at 8:15 p.m. No actions were taken as a result of the closed meeting.

I. COUNCIL / STAFF REPORTS

1. Utilities

Utilities Supervisor Judd Guida presented the Utilities report. According to Guida, the long stretch of nicer weather has allowed the Utilities department to complete some extra “digging” projects.

Guida reported that they sold the old snowblower.

The Burn site is closed for the season and the electric department did not have any power outages in November.

Guida said that his main focus has been to update old electric maps. They are also getting the snow equipment maintained and ready for the season.

Guida said that the entire department passed their CPR certification and that the department has been looking into purchasing AEDs, especially for the electric truck. “I would love to get two of them put onto our trucks,” Guida stated, “and have one in our shop.”

Guida was asked about the sewer line inspections and whether there is a time frame where the lines that fail have to be replaced. Guida responded that he believes about 70% of the lines tested have failed. Most of the owners dig right away. Lindeman asked about a specific property on Tyler St. The owner knows the line has failed, but hasn’t made any move to start the upgrades. Discussion revealed that the owners have 1 year to complete the upgrade.

2. Police

Mayor Jagt read a letter the City received from the State Post Board. According to the letter, Tyler Police Department and Police Chief AJ Anderson passed the board audit. “I am pleased to inform you that your law enforcement agency passed the review,” the letter stated. Jagt went on to say, “I want to say we thank you for getting all the department policies redone and we got that approved too.” The council gave Anderson a round of applause.

Anderson presented his report. He said that there were no updates on the new squad car. The Ford’s screen is currently locked in the revers camera mode.

Anderson said Tyler Police Department was involved in a DWI pursuit with a fire. Anderson said the event is currently under investigation.

During the month of November, Tyler Police Department answered the following calls: 22 traffic calls, 5 medical calls, 3 civil calls, 1 trespassing, 2 funeral escorts, 2 calls for information, 2 welfare checks, 2 animal complaint calls, 2 agency assist calls, 2 CPS calls, 1 vehicle pursuit, 1 CSC call, 1 DWI call, 2 gas drive-off calls, 1 call for property damage, 1 assault call, 1 crash, 1 call for disorderly conduct, 2 domestic calls and 2 fire calls.

3. TRED

Members of the TRED board reported updates for TRED. East said that there have been some challenges regarding the Shed Development project. Apparently, TRED has decided to leave the dirt that was brought in for the project where it is and to let the owners of the lots smooth it out. East does not agree with that tactic because it leave piles of dirt south of the Avera Hospital, who is asking why there are piles being left.

East also said that a mistake was made because a road had been marked out by Bolten & Menk and an excavation contractor misunderstood the markings and did it wrong. According to DNR, there must be a natural slope to the west and east side to allow natural flow.

According to East, “Duane said that he and Craig had agreed that they were going to send [the excavation contractor] back out and they were going to level the road down. And then they got out there and Duane said they just decided to forget about it, not do anything because nobody’s going to build in March or April of next year anyway.”

Additionally, there are two lots that TRED was going to hold for a year. When asked who voted on it, the response was that they talked about it but no one voted on it. East said that they need to revisit that topic at the next TRED meeting.

Dressen said that he was told by someone interested in purchasing one of the lots that TRED is refusing to remove trees and refusing to put the drainage ditch in, that it will all be the responsibility of the purchaser. "Don't you think that that piece of property should be cleaned up and ready?" Dressen asked. He went on to say that if TRED doesn't make the improvements, the purchasers will back out because the cost will be too high. Dressen said that his opinion is that those lots should be made build-ready.

Both Lindeman and Meyers, who are on the TRED Board, said that the plan was originally to make them build-ready.

Meyers asked what the term limits for TRED Board leaders were. The limit is 6-years.

Jagt asked East and the Council liaisons on the TRED Board to address the concerns of the changes and the term limits with the board. It was noted by Petersen that TRED answers to the City Council and "they are strictly an organization that exists according to your desires...if things are falling apart, the council will have to step in."

J. FINANCIAL REPORTS

1. Statement of Revenues and Expenditures

The council members reviewed the Statement of Revenues and Expenditures. There was no discussion.

A motion to approve the Statement of Revenues and Expenditures.

M Raschke S Meyers Action Pass

2. Approve Claims

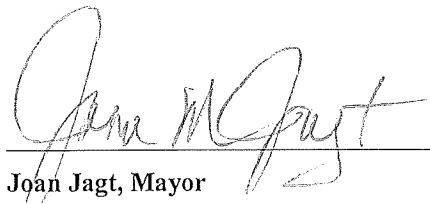
A motion to approve the Claims was made

M Dressen S Lindeman Action Pass

K. ADJOURN

The meeting was adjourned at 8:28 p.m.

M Dressen S Lindeman Action Pass



Joan Jagt, Mayor

ATTEST:


Terry East, City Administrator-Clerk