

**Tyler City Council – Regular Meeting
Monday, October 7, 2019
Tyler Fire Hall**

A. Mayor Jagt called the meeting to order at 7:00 PM.

Members Present: Joan Jagt, Scott Dressen, Kenneth Jensen, and Cricket Raschke. Absent: Tim Sanderson.
Staff Present: Stephanie LaBrune, Glen Petersen, Dave Haroldson, and John Spindler. Public Present: Joseph Stiner, Darrell Hook, Diane Gordon, Al Gordon, Wally Dybdahl, Shane Christensen Allan Sik, Cheryl Hook, Mark Wilmes, Taylor Brust, Kullen Stanek, and Deb Turner.

B. Pledge of Allegiance

C. Approval of Agenda

Motion/Second (M/S) Raschke/Dressen to approve the agenda as presented. Approved: all; Opposed: none. Motion granted.

D. Approval of Minutes

September 9, 2019 Regular Council Meeting Minutes –

M/S Jensen/Raschke to approve the minutes as presented. Approved: all; Opposed: none. Motion granted.

E. Public Comments

No comments were made from the public.

F. Old Items

1. Joseph Stiner Property (Guest Joseph Stiner / Darrell Hook)

- a. Petersen gave an update on the Stiner property and stated September 23rd was the start of the 20 day period and if the structure was not brought into compliance within those 20 days the council would proceed with the demolition of the structure. Peterson also stated that he has heard talk of someone purchasing the property, he made it known that if the property would be sold it would need to have living space or a variance because a stand-alone accessory structure is not a permitted use within a residential district. Hook then stated that he has a purchase agreement with Stiner and is intending to repair the building and use it as a garage. Jagt then read a letter from Mindy Gordon whose property is adjacent to Stiner's property. The letter stated that Gordon has had problems with water in her basement due to the close proximity of Stiner's building, Gordon also questioned if the building was on her land and stated that she would not allow anyone to be on her property to repair the building and was in favor of having the structure removed completely as it de-valued her property. Stiner stated that Gordon's basement has always had water problems. Al Gordon disagreed with Stiner. Jagt then asked the council how they would like to proceed, should the structure be taken down or not? Dressen stated that he would like to see the structure removed and to proceed with the order. Stiner stated that the structure was never going to be attached to the neighboring property and that it was always going to be a garage on a single lot. Petersen asked the council what they would like to do. Hook then said he purchase the property prior to Stiner being summoned. Jagt stated that she knew that was not true, Petersen also stated that a purchase agreement is not considered a land transfer. Raschke asked Hook if he would move the structure to a new location. Hook said that he did not have a place to move it. Jagt asked if there were any further questions. Dressen stated that if the council were to change their minds on the order, that it would only lead to more issues. Dressen/Raschke to continue with the nuisance order against Stiner. Approved: all; Opposed: none. Motion granted.

2. Re-Zoning Kronborg Ordinance 2019-02 Hearing

- a. Mayor Jagt opened up the public hearing to continue discussing the desire for the Kronborg to re-zone Parcel # 20-0652-000 (lot south of the Kronborg) from R1 (Residential) to B1 (General Business). At the previous hearing neighboring landowner Shane Christensen brought concerns to the council and it was decided to table the discussion so all parties could provide input on the ordinance change. Dybdahl told the council that the Kronborg needed more parking space and that is why he has decided to purchase this property and remove the existing house. He stated that he has plans to build a retaining wall and 8' fence between his property and Christensen's property. He also stated that he has plans to direct the water to the East so it should make it better for Christensen. Christensen and Dybdahl were in agreement with Dybdahl's plan.

After hearing all public comments, Mayor Jagt closed the Public Hearing. **M/S** Dressen/Jensen to approve Ordinance 2019-02 and Ordinance Summary 2019-02. Approved: all; Opposed: none. Motion granted.

3. Bandshell Project

- a. LaBrune gave an update on the progress that the Lion's club has made on the Bandshell and stated that Greg Peter has a report in the council packets. LaBrune stated that there is still a need to have the exterior coated before winter to keep water from infiltrating into the structure and said that the Lion's Club is requesting that the City contribute \$3,500 towards the cost of coating the bandshell and cover an outstanding electrical bill that was sent to the city. After discussion, the council agreed that they were all under the impression that the Lions were going to fundraise for the entire project but agreed to approve the outstanding electrical bill with the other September bills.

4. Garbage Truck & Carts

- a. LaBrune presented her findings on the Refuse Fund as well as three proposals for a new automated garbage truck and carts. LaBrune stated that the Commercial rates were not keeping up with the landfill costs and if the city were to increase the rates it should cover the cost of the new truck and carts. After discussion, **M/S** Raschke/Dressen to approve the purchase of an Autocar ACX Curbtender truck and containers pending LaBrune and Petersen's review and bidding requirements. Approved: all; Opposed: none. Motion granted.

5. 2020 Preliminary Levy Resolution 2019-19

- a. Jagt stated that at the last meeting there was a motion made setting the preliminary levy amount; however, there was no resolution made or approved. **M/S** Dressen/Jensen to approve resolution 2019-19 with a preliminary levy amount of \$318,581, retroactive to the September 9, 2019 council meeting. Approved: all; Opposed: none. Motion granted.

6. City Hall / Police Department Computers

- a. LaBrune stated that the bids for the computers was included in the council packets. Four computers would be for City hall. Two of which would be for DVS and the other two would be to replace Sandra and Cindy's outdated computers. The remainder of the quote is for two touch screen laptops for the police department and a monitor and docking station for the Administrator's office. LaBrune confirmed that the equipment would be paid for out of the \$17,000 that DVS had given to the City and that the equipment meets all software specifications. **M/S** Jensen/Raschke to approve the purchase of the equipment as presented. Approved: all; Opposed: none. Motion granted.

G. New Items

1. LMCIT Liability Coverage (Guest Kullen Stanek)

- a. Stanek presented the city's proposal for property and liability coverage. He stated that overall there was a 5.7% increase in premiums. **M/S Jensen/Raschke** to approve the property and liability coverage as presented and waive the statutory municipal tort limit. Approved: all; Opposed: none. Motion granted.
2. 2020 Employee Health Insurance
 - a. LaBrune presented the SW/WC Service Coop. Insurance renewal to the Council. After discussion, **M/S Jensen/Dressen** to approve the renewal of the \$1,400 ded. Non emb. Aware plan at a single premium of \$988.50 and family premium of \$2,273.00. Approved: all; Opposed: none. Motion granted.
3. Employee Health Savings Account –
 - a. LaBrune presented on HSA accounts and stated that with the SW/WC Service Coop's wellness program employees could benefit by receiving money to put into their HSA if they had an account. Jagt stated that there was still time between now and January to discuss it and the council decided to table the discussion to a later date.
4. Transformer line to new RTR School
 - a. LaBrune stated that the School is requesting that the city install a new electrical line and temporary transformer to the new school site. She stated that Judd Guida has been working with Lincoln Lyon Electric and others and has an estimate that is included in the council packets, of \$23,537.25. LaBrune also went onto say that Heartland electric also has a grant available for the city to receive \$5,000 towards projects like this so that would help with the cost. Dressen questioned whether or not the school said they would pay for the electrical service. Jagt stated that she was pretty clear that it was the city's responsibility to provide electricity to the site. **M/S Raschke/Dressen** to have LaBrune apply for the Heartland grant and pay for the proposed project out of the electrical fund. Approved: all; Opposed: none. Motion granted.
5. Greater MN Transportation Alternatives Grant
 - a. LaBrune presented that DOT has a grant opportunity available for the repair or installation of new walking paths in the city. She requested approval to work with Bolton & Menk to submit a letter on intent to the DOT. **M/S Dressen/Raschke** to approve LaBrune to look further into the grant and submit a letter of intent. Approved: all; Opposed: none. Motion granted.

I. Reports

1. Police Report – Police Chief John Spindler provided a verbal report on recent activities. Dressen inquired about cats in a vacant home. Spindler agreed to look into it.

2. Attorney's Report – Glen Petersen stated that he did not have a report.

3. Administrator Report – LaBrune's report was included in the council packet. She then added that Vince Robinson was wondering if any of the Council members were interested in serving on the Lincoln County Economic Development Board; none of the council members expressed interested. She also asked if anyone would be willing to serve with Jagt and herself on a golf course committee to discuss future agreements with the Golf Club board, Dressen agreed to be apart of the committee. LaBrune then requested approval to attend Heartland's budget meeting in New Ulm, on October 24th. The council was in favor of her attending.

4. Utilities Report – LaBrune stated that the Utility report was included in the council packets and told the council that the city will be assisting the school in shutting down County road 8 for the RTR groundbreaking ceremony on the 9th.

5. Parks and Recreation – Neil Witte, Pool manager, reported on the success of the Tyler pool this season. He stated that the attendance was up by 1,000 people and told the Council thank you for the pool heater. Witte also talked about fundraising for the \$45,000 splash pad and discussed some of the details with the council. Witte’s goal is to begin the installation of the splash pad next spring.

6. TRED/Economic Development – Jagt reported that TRED approved the \$100,000 check to assist the City with the school land purchase.

J. Financial Report

1. Year-to-Date Revenue and Expenditure Reports – Financial report was reviewed by the Council. M/S Dressen/Raschke to accept the financial report as presented. Approved: all; Opposed: none. Motion granted.

2. Claims – The Council reviewed the claims that had come in since the last Council meeting. M/S Jensen/Raschke to approve the payment of claims as presented. Approved: all; Opposed: none. Motion granted.

K. Adjourn

With there being no further items before the Council, at 9:30 PM Mayor Jagt called for a motion to adjourn the meeting. M/S Dressen/Jensen to adjourn.

Joan Jagt, Mayor

ATTEST:

Stephanie LaBrune, City Administrator / Clerk