

Tyler City Council – Council Meeting
Monday, July 6, 2020
Tyler Fire Hall

A. Mayor Jagt called the meeting to order at 6:00 PM.

Roll Call:

Members present: Joan Jagt, Scott Dressen, Kenneth Jensen, Cricket Raschke and Tim Sanderson.

Staff & Public: Stephanie LaBrune-City Administrator, Glen Petersen-City Attorney, John Spindler-Police Chief, David Haroldson-Public, Tate Burckhardt-Public, Owen Todd-Bolton & Menk, and Mark Wilmes-Tyler Tribute.

B. Pledge of Allegiance

C. Approval of Agenda

Jensen made a motion to approve the agenda as presented. Sanderson seconded the motion. Approved by roll call: Jagt, Jensen, Raschke, Sanderson, Dressen; Opposed: none. Motion granted.

D. Approval of Minutes

1. **June 1, 2020 City Council meeting minutes.** Motion by Dressen, second by Raschke to approve the minutes as presented. Approved by roll call: Jagt, Jensen, Raschke, Sanderson, Dressen; Opposed: none. Motion granted.

E. Public Comments

No public comments were made.

F. Public Hearing

1. **Burckhardt Re-Zoning Request**

- a. Mayor Jagt opened the public hearing at 6:05 to hear the request by Burckhardt/Drake to re-zone a Residential property to Commercial/Industrial. Tate Burckhardt explained to the council that he is intending to purchase the property behind (West) of his business Apollo Water and build a 60x60 storage shed. He explained that he would like the house on the property to remain but re-zone the entire parcel to commercial in the event that some day he would remove the house and need more storage area. Sanderson asked if it would be an issue to keep a house in a commercial district. LaBrune stated that she would need to confirm things with the City Attorney but her interpretation would be that any future building would fall under the C/I designation. The residence would be considered an existing structure so there should not be any issues other than if there were to be a desire to put an addition on the house. Burckhardt explained that currently the house is being rented and there is no desire to make modifications to the home. Jagt stated that notices were sent to each neighboring landowner within 350ft. of the property and she also spoke with several of them and there were no concerns. LaBrune also stated that there were no concerns made to her either. Raschke said that she did not think it would alter the neighborhood as there are businesses in that same area already. Jagt then closed the public hearing and asked for a motion to approve or deny the re-zoning request. Raschke made a motion to approve Ordinance and Ordinance summary No. 2020-03 to re-zone the property from residential to C/I. Dressen seconded the motion. Approved by roll call: Jagt, Raschke, Sanderson, Dressen; Opposed: none. Abstained: Jensen. Motion granted.

G. New Business

1. **Oak Street Extension Project, Approval of Plans and Advertisement to Bid**

- a. Owen Todd with Bolton & Menk explained to the council that the specs for the street project are complete and the Council's authorization is needed to advertise for bids. Todd stated that the bid opening is scheduled for July 30th and the bids will come before the council on August 3rd for consideration. Todd explained the design and the council discussed. A motion was made by Dressen and seconded by Jensen to approve the advertisement of bids. Approved by roll call: Jagt, Jensen, Sanderson, Dressen, Raschke. Opposed: none. Motion granted.
- 2. Resolution # 2020-18 Determining the necessity to issue a general obligation equipment certificate & Sewer revenue note, Series 2020A**
 - a. LaBrune presented resolution 2020-18 and explained to the council that after requesting bids from local lenders for financing the new refuse truck and containers, it was decided with the help of Shannon Sweeney with David Drown & Associates to lump the refuse equipment in with the cost of the sewer project that was recently completed ahead of schedule. The city made an application to the Minnesota Rural Water Financing program and was approved financing \$770,000 at a rate of 1.85%. LaBrune said that she thoroughly discussed the rates and fees with Sweeney and he suggested that we utilize the financing provided by the Minnesota Rural Financing program. Jagt stated that she was happy that the city could receive a rate of 1.85%. Sanderson made a motion to accept resolution # 2020-18 as presented. Raschke seconded the motion. Approved by roll call: Jagt, Jensen, Sanderson, Dressen, Raschke. Opposed: none. Motion granted.
- 3. Resolution #2020-19 Authorizing the Issuance, Sale and Delivery of a \$770,000 General Obligation Equipment Certificate & Sewer Revenue Note, Series 2020A**
 - a. LaBrune state that now that the council has agreed that there is a need for financing, resolution 2020-19 is needed to authorize the Issuance, Sale and Delivery of a \$770,000 General Obligation Equipment Certificate & Sewer Revenue Note, Series 2020A. Dressen made a motion to accept resolution 2020-19 as presented pending any petition for a referendum. Sanderson seconded the motion. Approved by roll call: Jagt, Jensen, Sanderson, Dressen, Raschke. Opposed: none. Motion granted.
- 4. 2020 Sanitary Sewer Improvements Project Partial pay est. No. 1**
 - a. LaBrune stated to the Council that with the approval of financing, the council is now able to approve the first payment of the sanitary sewer project. LaBrune stated that if the council agrees, the payment that will be paid to Land Pride Construction will be \$270,402.97. Raschke made a motion to approve the payment to Land Pride construction in the amount of \$270,402.97. Jensen seconded the motion. Approved by roll call: Jagt, Jensen, Sanderson, Dressen, Raschke. Opposed: none. Motion granted.
- 5. Stiner Property Assessment**
 - a. Mayor Jagt stated that the nuisance on the Stiner property has been removed and reclaimed and it is time to assess those costs back onto the property as previously discussed. LaBrune stated that the demolition fees and legal fees resulted in an amount of \$6,496 and the council should make a motion to have these fees assessed to the property (parcel 20-0144-000). The council then discussed how well the site looks now that the nuisance has been abated. Jensen made a motion to approve the property assessment as presented. Sanderson seconded the motion. Approved by roll call: Jagt, Jensen, Sanderson, Dressen, Raschke. Opposed: none. Motion granted.
- 6. Burn Site Fees**
 - a. LaBrune gave an update on the burn site operations and stated that so far it is going well having the site open 24/7 however, after a new sign was put up with the phrase "city residents only" she had several rural residents inquire about utilizing the site. LaBrune said that she discussed it with the residents and Beck at the utility department and it was

suggested that we increase the commercial fee to \$50/year due to the heavy usage and begin charging out of city residents \$50/year to recoup some of the costs to operate the site. Discussion was held and the council all agreed that the residents like having the site open. David Haroldson then made a suggestion to have the commercial fee raised to at least \$100 due to the large amounts of branches they bring to the site. The council discussed, then Sanderson made a motion to change the burn site fees beginning 2021 to \$50/year for non-city residents and \$100/year for Tree removal/trimming companies. Approved by roll call: Jagt, Jensen, Sanderson, Dressen, Raschke. Opposed: none. Motion granted.

7. Personnel – Carla Skjong Resignation

- a. Mayor Jagt stated that Carla Skjong the librarian is retiring and has provided the Administrator with a letter of resignation. Jagt also state that the personnel committee has been seeking a replacement for Skjong and is planning to change the position hours from 40 to 30 hrs. per week. LaBrune then asked if the council would make a motion accepting Skjong’s resignation effective July 15, 2020. Motion was made by Raschke and seconded Jensen to accept Skjong’s resignation. Approved by roll call: Jagt, Jensen Raschke, Sanderson, Dressen; Opposed: none. Motion granted.

8. Golf Club Management Agreement

- a. Mayor Jagt and LaBrune explained to the council that after the initial agreement was signed by the city it was decided to add some more language to the agreement to clear up any confusion that may arise concerning the insurance and liability coverage on the grounds. Peterson stated that besides re-wording a few things nothing was changed from the original agreement. LaBrune stated that the new signed agreement was included in the council packets to inform the council of the modifications that were made.

9. 2021 Southwest Initiative Foundation Contribution

- a. Mayor Jagt stated that SWIF annually requests a contribution to continue their grant programs in the Southwest region of the state. She stated that Lincoln County and Tyler have been grant recipients in the past and this year SWIF is requesting a contribution of \$373 that would be delegated in the city’s budget. The council’s consensus was made to include the \$373 contribution into the 2021 budget.

H. Council / Staff Reports

- a. **Mayor Jagt** – Stated that there is a plan to soon send out blight letters and she would like to set a hearing date in August or September in case anyone would want to contest.
- b. **Chief Spindler** – Report handed out and discussed.
- c. **Administrator LaBrune** – Report handed out and discussed.
- d. **Attorney Petersen** – Reported to the council that he is almost finished with the blight letters and will soon get them to Jagt or LaBrune to sign.

I. Financial Reports

1. Statement of Revenues & Expenditures / Approve Claims

LaBrune presented the financial reports and claims for July, 2020. Dressen made a motion to accept the financial reports and approve the payment of bills as presented. Raschke seconded the motion. Approved by roll call: Jagt, Jensen, Raschke, Sanderson, Dressen; Opposed: None. Motion granted.

J. Adjourn

With there being no further items before the Council, at 7:05 PM Jagt called for a motion to adjourn the meeting. Motion by Jensen, second by Sanderson to declare the meeting adjourned. Approved by roll call: Jagt, Jensen, Raschke, Sanderson, Dressen; Opposed: None. Motion granted.



Joan Jagt, Mayor

ATTEST:



Stephanie LaBrune, City Administrator / Clerk