

City of Tyler
City Council Meeting 6:00pm
Monday, January 3, 2022
Tyler Fire Hall 101 E. Lincoln St. Tyler, MN 56178

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

Members absent: None.

Others present: Stephanie LaBrune-City Administrator, Glen Petersen-City Attorney, Judd Guida-Utility Supervisor, Curtis Dass, Lonnie Lambertus, and Mark Wilmes-Tyler Tribute.

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

B. Pledge of Allegiance

C. Approval of Agenda

Mayor Jagt called for a motion to approve the agenda. Jensen made a motion to approve the agenda with the addition of item 9. Mower Donation under I. New Business and Raschke seconded the motion.

Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

D. Approval of Minutes

December 6, 2021 City Council meeting minutes. Motion by Jensen, seconded by Raschke to approve the minutes as presented. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

E. Declare Conflict of Interest – No conflicts declared.

F. Public Comments – None.

G. Public Re-Zoning Hearings

1. Curt & Kari Dass Re-Zoning - Mayor Jagt opened the public hearing at 6:01pm to hear public pertaining to the request by Curt Dass to re-zone a property from B1 to R1. Dass was present and explained to the council why he was requesting to re-zone his property, Dass stated that the property is grass and he has no intentions of putting a business there or doing anything with the property. He said that it makes more sense to have it re-zoned to residential to potentially save some money on taxes. With no public present, the council discussed the request determined that due to the property neighboring other residential property there would not be any issues with the request. Sanderson then made a motion to approve Ordinance #2022-01 allowing the re-zoning of the property to R1 (Residential 1). Dressen seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted. LaBrune then asked for the council to make a motion approving the summary of publication, Resolution #2022-08. Jensen made a motion to approve Resolution #2022-08 and Sanderson seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.
2. Tyler Lumber Company Re-Zoning – Mayor Jagt then asked Lambertus if he would like to explain his proposed re-zoning request to the council. Lambertus stated that he is asking for the re-zoning of a R1 property to B1. He said that the lumber yard has purchased the neighboring residential property and has plans to remove the house and utilize the property to store poles and other building materials. Sanderson asked if the current lumber yard property was zoned as Business or Commercial. LaBrune stated that all of the other parcels that the lumber yard owns are zoned B1 and to keep consistent with the zoning, it was determined that the B1 classification was appropriate. Lambertus stated that he agreed he would like it to be B1. Jagt then asked if any members of the public had any comments. With there being none, Jensen made a motion to approve Ordinance # 2022-02 authorizing the re-zoning and Dressen seconded the motion.

Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted. Dressen then moved to approve Resolution # 2022-09 authorizing the summary of publication and Sanderson seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.
Mayor Jagt closed the public hearings at 6:07p.m.

H. New Business

1. Official Depository & Newspaper for 2022, Resolution 2022-01

a. Mayor Jagt presented Resolution 2022-01 designating Citizens State Bank and First Independent Banks as the official depositories and the Tyler Tribute as the official newspaper for 2022. Raschke made a motion to approve Resolution 2022-01 and Jensen seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

2. Meeting Dates for 2022, Resolution 2022-02

a. Mayor Jagt presented Resolution 2022-02 setting the dates and times for the monthly city council meetings. Dressen made a motion to approve Resolution 2022-02 as presented and Jensen seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

3. 2022 Committee Assignments & Appointments

a. Mayor Jagt presented her list of recommended committee assignments and appointments and asked the council members if any of them had a desire to change to a different committee from what they were assigned the previous year. All council members agreed that they were pleased with the mayor's proposed assignments. Mayor Jagt then declared the appointments as presented.

4. 2022 COLA / Pay Scale, Resolution 2022-03

a. Mayor Jagt asked LaBrune to explain the proposed resolution and pay scale. LaBrune stated that a 3% COLA and 2% performance increase for each employee was figured into the approved budget based on past practices and the Union Contracts that were approved in 2021. LaBrune stated that this year she would like to see a pay scale approved placing each employee on the scale so that the scale can be used as a guide for the city and help keep the city compliant with the pay equity report that is due every 3 years. LaBrune said that having a Pay Scale also keeps pay raises consistent and ultimately fairer for all employees because their placement on the scale falls in line with their job duties and responsibilities. She stated that most cities and counties have pay scales and hire consultants to develop them; however, they typically cost \$10,000 to do so she said that she spent quite a bit of time researching and used the last pay equity study that was done to determine the placement of each employee on the scale. Sanderson stated that he felt a 5% raise for each employee was rather high. Jagt stated that the performance increase was not 5% it was 2%. Sanderson then stated that with the 3% COLA and 2% performance increase each employee would get a 5% raise and that seemed excessive. LaBrune stated that the pay scale includes a 2 % performance increase for each that an employee has a successful performance review and the COLA can be adjusted each year based on the recommendation of the city council. She stated that typically COLA's are guided by the social security COLA and sometimes what other Union employees receive. She said that the COLA set for social security was around 5.8% and the Police union employees are to receive 3% for the next 2 years. After further discussion, Raschke made a motion to approve Resolution 2022-03 approving the 2022 city of Tyler pay scale and setting the COLA at 3%. Jagt seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

5. Tyler Golf Club Gambling Permit, Resolution 2022-05

a. LaBrune presented Resolution 2022-05 to the council. Mayor Jagt asked if anyone had concerns with granting the gambling permit for the golf club. With no concerns stated, Sanderson moved to approve resolution 2022-05 and Jensen seconded the motion.

Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

6. Polling Place Designation, Resolution 2022-06

a. Mayor Jagt, called for a motion to approve resolution 2022-06 setting the A.C. Hansen Legion Post as the official polling place for 2022 and 2023. Jensen made a motion to approve resolution 2022-06 and Raschke seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

7. Appointment of Acting Police Chief, Resolution 2022-07

a. Mayor Jagt presented resolution 2022-07 and explained that the resignation of the Police Chief has led to a vacancy and the city is required to have someone serving as the Police Chief so the personnel committee has been working with Anderson and is recommending that Anderson be placed in the role of Acting Police Chief. Sanderson questioned why the resolution is only for one year. He stated that he is not for getting rid of the police and feels that we are losing coverage by only having one officer. LaBrune explained that by placing Anderson as Acting Chief it allows the city to keep existing contracts in place until the end of 2022 when they expire. She also stated that Anderson having never been in the role of Police Chief before, provides both him and the city to opportunity to ensure that the role is the right fit for Anderson. She continued by stating that the personnel committee and Anderson have had several discussions pertaining to this specific matter and feel that it makes the most sense to keep the existing contract in place and increase Anderson's rate of pay for the time that he is taking on the extra duties of Police Chief. LaBrune then said that the city will have the ability to re-visit everything at the end of the year when Union contracts are set to renew and to also see how Anderson is liking the position. Sanderson then stated that he would like to see the city advertise for another person. Mayor Jagt stated that she would like to first give it a chance and see how things go with only one officer to actually see if everyone feels that there is a loss of coverage or not. Jagt stated that there are many days where the County assists our department and likewise, there are many days where our police are in another town assisting the County. Dressen agreed, and stated that he feels like Anderson will do an excellent job and could actually see more things getting done with him in charge. Raschke also commented by stating that she has heard several residents say that they are unhappy with the Tyler Police because they call and it takes them too long to get back to them so they end up calling the County for assistance. Sanderson stated that the school was built in Tyler because of the police service and the fire department has talked about the importance of the Tyler police because they respond to every ambulance call, where the County has a policy where they do not respond to every ambulance call. Continued discussion was held relating to ambulance calls. LaBrune then stated that her opinion is that Tyler cannot afford the cost and liability of a two-person department. She explained that with the heavy expense of the police department budget other things have been pushed aside over the years and now the city's streets and infrastructure are in poor shape because of it. LaBrune also mentioned that liability and work comp insurance has also made a big impact on the budget. After further discussion, Sanderson stated that he is still not in favor of only having one officer. Mayor Jagt then stated that Anderson should be present at the next meeting so he can tell the council how he feels. She also suggested that LaBrune bring back a job advertisement for a police officer so the council can review it and decide whether or not to post the ad. Raschke then made a motion to accept resolution 2022-07 appointing AJ Anderson as the Acting Police Chief

for 2022 and Sanderson seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

8. MMUA Agreement Amendment, Resolution 2022-04

a. LaBrune presented resolution 2022-04. She also went over some information provided by Minnesota Municipal Gas Agency (MMGA) explaining to the council that an amendment to legislation is now allowing MMGA to enter into long-term prepaid gas contracts with public power systems that use gas to power electric generation units, and if the generation unit shuts down due to concerns over climate change or other reasons, the public power system will be able to convert is discounted purchase of natural gas to a discounted purchase of market electricity. LaBrune said that the resolution allows the city to amend their agreement with MMGA so that MMGA can act on behalf of the city a close on a gas prepay contract in February. Following discussion, Dressen made a motion to approve resolution #2022-04 and Sanderson seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: none. Motion granted.

9. Golf Club Mower Donation

a. LaBrune and Petersen explained to the council they have been working with a donor who would like to donate funds to the city through SWIF so the city can purchase a new lawn mower to be used at the Golf Club. Petersen stated that he anticipates an amendment needing to be made to the management agreement that the city has with the golf club that specifies that the city will lease the mower to the Golf Club and then at the end of the life of the mower, the Golf Club can have the opportunity to purchase the mower from the city. LaBrune asked the council if they were ok with Petersen and her continuing to work with the donor and the Golf Club on the matter. The consensus of the council was to let Petersen and LaBrune move forward with creating and amendment to the existing Golf Club management agreement.

I. Reports

1. **Police Department**– Report provided.
2. **City Administrator LaBrune** – Went over report included in the Council packet.
3. **Utility Supervisor Guida**- Discussed the status of the flag at the old high school property. He also stated that he is still seeing vehicles parked on the streets when plowing snow and mentioned that he and Anderson are working to address the issue. Guida reported that he will be attending a line class in the cities next week. He also stated that the ice rink is currently closed due to warm temperatures and responded to Sanderson’s request last council meeting saying that a temporary speed limit sign has been placed on West Hughes St.
4. **Mayor Jagt** – Told the council that she had a virtual meeting with the Secretary of State and the call was relating to COVID-19 and how it impacted Tyler. She said that the Secretary was also interesting in finding out if things should be done differently in the event of another pandemic.
5. **Council member Jensen**- Asked if the school was still responsible for cleaning the old high school sidewalks. Discussion was held and Guida stated that there had only been one snowfall where the school district did not get the sidewalks cleaned and added that it remains their responsibility until the property is transferred to the city.

J. Financial Reports

1. Statement of Revenues & Expenditures

- a. LaBrune presented the financial reports from December, 2021 as well as the annual 2021 financial report. Reports were discussed and Jensen made a motion to accept the financial reports as presented. Raschke seconded the motion. Approved by: Jagt, Sanderson, Jensen, and Raschke; Opposed: None. Motion granted. LaBrune also stated that the TRED board has asked the city to provide a letter to Harvey and Kathy Dressen accepting their donation of the residence at 391 N. Tyler St. that was recently demolished by TRED. LaBrune asked if the council would make a motion accepting the donation. Jensen made a motion accepting

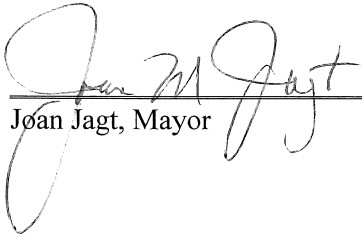
the donation as discussed and Raschke seconded the motion. Approved by: Jagt, Sanderson, Jensen, Dressen, and Raschke; Opposed: None. Motion granted.

2. Approve Claims


- a. LaBrune presented the claims from December, 2021. Sanderson made a motion to accept and approve the payment of bills as presented and Dressen seconded the motion. Approved by: Jagt, Jensen, Sanderson, Dressen, and Raschke; Opposed: None. Motion granted.

K. Adjourn

With there being no further items before the Council, at 7:30p.m. Jagt asked for a motion to adjourn the meeting. Motion to adjourn was made by Jensen and seconded by Raschke. At 7:30pm the meeting was declared adjourned.


Joan Jagt, Mayor

ATTEST:


Stephanie LaBrune, City Administrator / Clerk