

City of Tyler
City Council Meeting 6:00 pm
Monday, April 3, 2023
Tyler Fire Hall 101 E. Lincoln St. Tyler, MN 56178

Members present: Joan Jagt, James Telgren, Kenneth Jensen (by phone), and Cricket Raschke.

Members absent: Scott Dressen.

Others present: Stephanie LaBrune - City Administrator, Glen Petersen – City Attorney, AJ Anderson – Police Chief, Mark Wilmes- Tyler Tribute, Owen Todd – Engineer Bolton & Menk, Judd Guida- Utility Supervisor, Theresa Keifer, and Amanda Reider.

A. Mayor Jagt called the meeting to order at 6:04 PM.

B. Pledge of Allegiance

C. Approval of Agenda

Mayor Jagt called for a motion to approve the agenda with the addition of 1a. MNDOT SRTS Grant Agreement and Resolution 2023-07 approving the SRTS Grant Agreement under G. New Business. Raschke made a motion to approve the agenda Telgren seconded the motion. Approved by: Jensen, Telgren, Raschke, and Jagt; Opposed: none. Motion granted.

D. Approval of Minutes

1. Mayor Jagt, asked for a motion to approve the minutes of the March 6, 2023 Conditional Use Permit hearing minutes. Telgren motioned to approve the March 6, 2023 CUP hearing meeting minutes and Jensen seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: none. Motion granted.
2. Mayor Jagt then asked for a motion to approve the minutes of the March 6, 2023 council meeting. Telgren motioned to approve the March 6, 2023 council meeting minutes and Jensen seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: none. Motion granted.

E. Declare Conflict of Interest – No conflicts declared.

F. Public Comment – None.

G. New Business

1. **SRTS Infrastructure Project Bids** – Engineer, Owen Todd stated that bids were opened on March 28th for the SRTS sidewalk project. Todd reported that four bids were received as follows: \$425,923.59 from A&C Excavating, LLC., \$452,988.50 from D&G Excavating, Inc., \$539,210.95 from Duinick Inc., and \$598,762.38 from M.R. Paving and Excavating, Inc. Todd stated that if the council had chosen to bid the initial project with the sidewalk going north of the railroad tracks, bids would have been approximately \$185,000 more. Todd said that the council made a good decision to keep the costs as close to the \$500,000 grant as possible. Todd then said that it would be his recommendation to award the bid to the low bidder A&C Excavating. Jagt called for a motion to award the bid. Telgren made the motion to award the bid of \$425,923.59 to A&C Excavating, LLC., Raschke seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: none. Motion granted.

a.MNDOT SRTS Grant Agreement and Resolution #2023-07 Approval of MNDOT SRTS Grant Agreement – LaBrune presented both the Grant Agreement and Resolution to the council. She stated that in order to begin any work or receive any funds from the state for the project, the council needs to approve Jagt and LaBrune to

sign the agreement and also approve resolution 2023-07 which acknowledges the council approving the SRTS grant agreement. Raschke then made a motion to approve both resolution 2023-07 and the grant agreement as discussed giving LaBrune and Jagt the authority to sign the grant agreement. Jensen seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: none. Motion granted.

2. **At Home in Lincoln County** – Guest Theresa Keifer gave a presentation to the city council on the newly developed At Home in Lincoln County website and Facebook page. Keifer stated that the county received a grant from the Blandin Broadband initiative that covered the creation of the sites and the first year's costs which were approximately \$35,000. Keifer stated that each city in the county has also been designated a community connector who is tasked with posting things to Facebook and introduced Amanda Reider who was also present. Keifer explained that the goal is to show others that Lincoln County is a great place to live and work. She explained that once funding runs out, she may be coming back to the council around September to request financial assistance in order to keep up the website.
3. **DNR Flowage Easement**- LaBrune reported to the council that she and Jagt recently met with three DNR employees to discuss the removal of the flowage easement on the land that the city purchased from DeZeeuws for the purpose of being able to develop the land for either a new medical facility or housing. LaBrune said that after some research was done by the DNR it was determined that the easement was only put in place as a way to compensate the DeZeeuws for times when the water from North Swan Lake backed up onto their land. She said that the DNR is willing to allow the easement to be removed and that it will cost \$2,000 to apply to the DNR to have the easement removed as well as a per acre fee which would be required to pay back the DNR easement since the DeZeeuws were initially paid a lump sum for the easement. Jagt stated that the city should consider speaking with DeZeeuws to see if they would help with some of the costs to remove the easement. LaBrune then went on to say that the DNR would like the city to replace the storage are either by digging a deeper storage area to contain water during heavy rainfalls or by building a larger retention pond in the event that Avera moves forward with developing the area. LaBrune said that it would be in the best interest of the DNR and the city to do so to reduce the chances of flooding over Highway 14. She added that she plans to speak with the DNR to find out if the city would have to pay back the DNR for the easement acres if the city re-creates a storage are of the same size in a different location. Finally, LaBrune asked the council if they approved of her working with the DNR to have the easement removed? Jensen stated that, now the process has been started, he feels the city should continue and try to get the issue taken care of. Raschke agreed and made a motion to allow LaBrune to continue working on the easement removal. Telgren seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: none. Motion granted.

Mayor Jagt then stated that the council will be going into closed session to discuss police and library personnel. Before doing so, she moved the staff reports and financial reports up on the agenda so they could be discussed before the closed session.

I. Council / Staff Reports

1. **Administrator LaBrune** – Reviewed her monthly report included in the council packets.
2. **Police Chief Anderson**- Handed out his report and stated that the weather kept residents home and there was not a lot of activity for the month.
3. **Utility Supervisor Guida**- Shared with the council that the pool liner will be installed towards the end of May or beginning of June. He also informed the council that the snow pusher that was ordered last fall finally arrived. He then explained that there was another water main break along county road 7 near the golf course. Guida said that this is an old line and there have been several breaks over the past 4 or 5 years. Guida said that the water tower was close to running out when the break happened. He advised the council that something will need to be done soon to replace

the line that goes to the golf course. Raschke then commented saying that she has been very impressed with the utility staff and how they have cleared the streets this winter.

J. Financial Reports

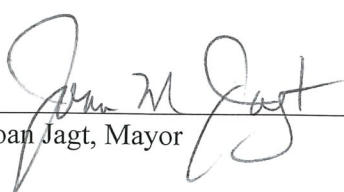
1. **Statement of Revenues and Expenditures-** LaBrune presented the financial reports from March 2023. Reports were discussed. Telgren made a motion to accept the financial reports as presented and Jensen seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: None. Motion granted.
2. **Approval of Claims-** LaBrune presented the claims from March, 2023. After discussion, Jensen made a motion to accept and pay the bills as presented. Raschke seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: None. Motion granted.

H. Closed Session – Mayor Jagt closed the public meeting at 7:03p.m. to discuss personnel items.

1. **Police Personnel –** Following closed session Jagt, reopened the public meeting at 7:30p.m. Jagt then made a motion to make an offer for employment to full time police officer candidate, Samuel Klimmek, with an effective start date of April 10, 2023 if Klimmek accepts the position. The position will also be subject to a 1-year probationary period and the starting hourly rate would be the rate that was established by the 2023 Police Officer union contract. The motion was seconded by Raschke. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: none. Motion granted. Following the motion, discussion was also held on purchasing a new firearm for the new hire as well as Anderson. The council was in full consensus to approve Anderson making the change from 40mm to 9mm handguns for the department due to cost and ammunition compatibility with surrounding departments.
2. **Library Personnel -** Following closed session, Raschke made a motion to move Librarian, Shelly Finzen from part-time to full-time status with the city at the same rate of pay effective June 19, 2023. Telgren seconded the motion. Motion approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: none. Motion granted. LaBrune explained that Finzen will perform administrative tasks for the remainder of the year and hours of operation for the library would be planned to take place in 2024.

I. Adjourn

With there being no further items before the Council, Raschke made a motion to adjourn at 7:31pm and Telgren seconded the motion. Approved by: Jagt, Jensen, Telgren, and Raschke; Opposed: None. Motion granted.



Joan Jagt, Mayor

ATTEST:



Stephanie LaBrune, City Administrator-Clerk