

# City of Tyler

## City Council

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Monday, August 3, 2015

7:00 p.m.

Tyler Fire Hall

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1. **Call Meeting to Order**
2. **Approve Agenda, Previous Meeting Minutes**
3. **Public Express**

Members of the public are invited to make comment during this portion of the meeting.

4. **Reports**

- Correspondence
- Council Comments / Committee Reports
- Police Report
- City Attorney's Report
- Utilities Report
- Administrator Report

5. **Action Items**

- A. Dam property request
- B. Interconnection Agreement - Lyon-Lincoln Electric Co-op
- C. Heartland / WAPA meter agreement
- D. New TRED Board member recommendation
- E. Highland Court-Willow Street cross walk
- F. Schedule September council meeting date

6. **Adjourn**

*A special council meeting is scheduled for 7 p.m. on Friday, Aug. 7, 2015 at the Tyler Fire Hall.*

Tyler City Council  
Monday July 6, 2015  
Tyler Fire Hall  
7:00 pm (Pending)

Present, Mayor Peterson, Council Members Sanderson, Raschke, Petersen, Harper, City Administrator Wolfington, Legal Counsel Petersen, Clerk Powell, Mark Wilmes, and Bill Helget from Bolton & Menk, John Thomsen, Jim Boyle and Al Barber

Mayor Petersen called the meeting to order at 7:00 pm.

Approve Agenda: Motion made by Raschke, seconded by Sanderson and passed unanimously to accept the agenda.

Motion by Petersen seconded by Raschke and passed unanimously to approve the minutes of the June 1, 2015 meeting.

Motion by Petersen seconded by Raschke and passed unanimously to approve the minutes of the June 29, 2015 Special meeting.

Public Express: No one present

Correspondence: None

Council Comments: Sanderson asked if there was someone to contact with MNDOT about painting a cross walk on the highway going to the pool. Administrator Wolfington has a contact name and will ask to come and paint the crosswalk. Harper asked that the police pay a little closer attention to the truck traffic on Highway 14 now that it is open again.

Committee Reports: No committee reports

Police Report: Chief Spindler was not present for the meeting but his report was presented. There was nothing out of the ordinary and just a few tickets were issued. Chief Spindler has been working with the Lake Benton Police Department.

City Attorney Petersen stated that he wondered how he would get approval for a deferred loan agreement. Was it the city council or was this something TRED was responsible for? City Attorney Petersen stated that the council should consider a deferred loan for Kullen Stanek. City Attorney Petersen stated that if he meets certain criteria he could qualify for a deferred loan of \$5,000. City Attorney Petersen stated it is within the cities authority to offer incentive programs. Mr. Stanek has made a significant investment in his new building. The conditions of the deferred loan is to have \$50,000 in improvements and add 1 employee within five (5) years. After five (5) years and making

regular payments of \$10,000 per year the \$5,000 would be deferred. City Attorney Peterson stated that there is money in the Rehab Account. Motion by Harper seconded by Sanderson and passed unanimously to allow Kullen Stanek to be approved for a deferred loan.

City Attorney Petersen stated he had received some inquiries about the THC building and if the city owns the building. City Attorney Petersen stated that he would like the council to appoint a liaison to work with THC on the future of the THC building and the contents. Motion made by Harper seconded by Raschke and passed unanimously to have Mayor Peterson and the City Administrator work with THC.

Utility Report: Administrator Wolfington stated that there was a scheduled power outage to work on the substation on June 23, 2015. This was scheduled for early June but during the preliminary meeting it was discovered there were some wires that had melted in the substation. Without knowing what was causing the issue Administrator Wolfington made the decision to postpone the outage until June 22. On June 22 the weather conditions were not optimal and Administrator Wolfington postponed the outage until June 23. The contractor along with the support from the cities lineman were able to resolve the issue and install new wiring. The system will not be running on manual. There were concerns expressed to Administrator Wolfington but the Administrator wanted to get this outage done before temperatures rose to high and there would be demand air conditioner usage. Administrator Wolfington requested our lineman do a dry run. Through this work Administrator Wolfington feels the city would be looking at three days without power if anything happens to our substation.

Pool: Administrator Wolfington stated there was some issues with one of the pumps at the pool. Administrator Wolfington believes that problem has been resolved and he will be monitoring the situation.

Natural Gas Dialer: Administrator Wolfington stated there is a special dialer installed that will let them know if the gas pressure drops below an appropriate level.

New Hire: Administrator Wolfington stated that Dane LaRock had been hired as the summer part time help the end of June. Because of limited time the council was not informed of the hiring but Administrator Wolfington did have approval from the personnel committee before hiring. Administrator Wolfington would like council approval now. Motion by Harper seconded by Petersen and passed unanimously to hire Dane LaRock as the cities summer help.

Variance Request- Jim Boyle: At the June 1 meeting Jim Boyle had requested a building permit for a chain link fence. The chain link fence would be on his property line. According to ordinance he would need a variance to see if any neighbors object. After letters were sent to neighbors within 300 feet no one had any objections. Motion by Harper seconded by Sanderson and passed unanimously to approve Jim Boyle building a chain link fence.

Mr. Boyle requested that the City Council give the city administrator permission to ok a building permit without council giving approval. Mayor Peterson stated for a general building permit that is within the

setbacks and after all the utilities have examined the permit the City Administrator has the ability to approve the building permit. If there is a variance there are procedures to follow. City Attorney Petersen stated that the ordinance is so that everyone is treated fairly. Mr. Boyle stated that maybe the applicant should be requested to attend the meeting.

Variance Request – Mindi Gordon/Joe Stiner: Mindi and Joe are requesting a variance to build an addition on the house that is six (6) feet from the Joe Stiner property line. Letters were sent to the residents that are 300 feet away and there were no replies. Motion by Harper seconded by Petersen and passed unanimously to approve the building permit for Mindi Gordon/Joe Stiner.

St. Dionysius request for an exempt permit for their fall festival. This is an annual event. Motion by Harper seconded by Cricket and passed unanimously to approve the exempt permit.

The council discussed allowing City Administrator to approve this annual event permit annually, no motions were made or passed.

Bill Helget from Bolton & Menk was present to discuss the street maintenance for the City of Tyler. For seal coating there are 4 equal phases and far as equal means this is dollar wise. Phase 1 is low budget about \$73,000 the other 3 phases are a little more about \$85,000. They phases are broken down into equal parts. Seal coating should be on a 5 or 7 year cycle. The last time the streets in Tyler have been seal coated was 2005. Bill stated that looking at all the streets most of the streets in Tyler are in seal coat mode ready for an overly. The average cost of seal coating is \$4,100 per block. The streets are in pretty good shape. The sanitary sewer is in pretty good shape, but when something breaks it should be fixed all the way to the main. Then there is preventive maintenance, as the street starts to dry out seal coating picks it up after awhile seal coating doesn't work and you have to overlay. After some discussion the council will try to work something in the budget and keep in contact with Bolton & Menk.

Fire Department- Fire Truck Purchase – John Thomsen and Al Barber were present to update the council on the fire truck they would like to purchase. The Pumper the Fire Department has is 20 years old. The Fire Department would like to keep the equipment reliable. The truck they are looking at is not elaborate. They have looked at used truck but that option is not an advantage for the fire department. Barber stated that when the truck is delivered is when the payment is due. The council can lock in an interest rate now for leasing. This is a purchase not a lease but the contract states lease. The lease is for 5 or 7 years so that a capital outlay can be established so this not having any money set aside for a fire truck does not happen again in 20 years. There is a USDA- Rural Development grant being worked on and all that is needed is the Letters of Support from the Townships and then it will be determined if the fire department qualifies for the grant then the amount of the lease will be determined. When the letters get back we will notify the council and if there is a special meeting needed to proceed that will be scheduled.

Motion by Sanderson seconded by Petersen passed unanimously to pay the bills for June

Motion by Harper seconded by Raschke and passed unanimously to adjourn the meeting

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Approved: Mervyn Peterson, Mayor

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Attested: Barb Powell, City Clerk

# Memo

TO: Mayor and City Council  
FROM: City Administrator  
DATE: Aug. 3, 2015  
SUBJECT: Correspondence

The League of Minnesota Cities has notified us that Sen. Bill Weber, our representative, has been recognized as a League of Minnesota Cities Legislator of Distinction for 2015. The LMC has requested the attached letter be presented to the Council regarding the recognition.

July 15, 2015

The Honorable Bill Weber  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul MN 55155

Dear Senator Weber,

On behalf of our 832 member cities, I want to thank you for your efforts this past legislative session and to recognize you as a League of Minnesota Cities Legislator of Distinction for 2015. League staff and member city officials appreciate your accessibility and your consultation with us on legislation affecting cities.

Your work as co-author of legislation creating a workforce housing grant program, one of the League's 2015 legislative priorities, along with your strong advocacy for cities on issues related to local government aid, water and solid waste policies, and infrastructure funding is greatly appreciated.

Our members know that in order to be successful in serving our common constituents, state and city officials must work together as partners to reach solutions that meet the unique needs of rural, suburban, and urban communities all across Minnesota. City leaders also understand that without the support of legislative leaders like you, this state-local partnership would not be possible.

To acknowledge your contributions last session, mayors of each city in your legislative district will receive notification of your recognition. A press release will also be issued to media in your area. City officials and League staff look forward to continuing to work with you in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Nasby", written in a cursive style.

Steve Nasby  
Administrator, City of Windom  
President, League of Minnesota Cities

Enclosure

# Memo

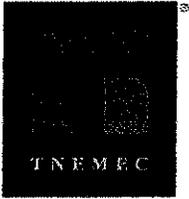
TO: Mayor and City Council  
FROM: City Administrator  
DATE: Aug. 3, 2015  
SUBJECT: Utilities Report

Water tower update – The review of the paint issue at the water tower has been completed and there are plans to sand blast the tank to remove loose paint from the tank. A crew will come in and re-paint the remaining portion of the tank. According to the report from the inspection, the recoat window was exceeded during the work process not allowing the final product to fully finish. There was talk of doing the work sometime in the July-August time window but I have not heard a set date for the work to begin. Prior to any work being done we will need to empty the water tower.

The paint on the interior of the tank appears to be sound and isn't presenting any issues. See the attached report for full details.

TNEMEC COMPANY INCORPORATED

101 WEST 26TH AVENUE NORTH KANSAS CITY, MO 64116 TEL: 816-474-3400 FAX: 816-326-4332 WWW.TNEMEC.COM



**Date:** May 6, 2015  
**To:** Randy Bartz (092)  
**From:** Dan Savage  
**Subject:** 150K Spheroid Water Tank – Tyler, MN  
**Customer:** Caldwell Tanks, Inc., St. Germain Sandblasting, City of Tyler, MN, Bolton & Menk, Inc.  
**Copies:** Joe Davis, Chase Bean, Terry Wallace, Doug Hansen, John Laird (093), Ted Server (030)

## Tnemec Technical Service Preliminary Research Summary

### PURPOSE / BACKGROUND INFORMATION

Tnemec Technical Service received samples that are reported to have originated from the exterior of the Subject steel water tank. You have reported observing poor adhesion between the finish coat and the intermediate coat.

The following additional information was reported to Tnemec Company, Inc.:

- The surface preparation specified was SSPC SP-6/NACE No.3.
- The coating system specified was a prime coat of Series 91H<sub>2</sub>O, an intermediate coat of Series N140, and a finish coat of Series 740.
- It is reported that Caldwell Tanks, Inc. located in Louisville, KY performed the steel surface preparation and prime coat application. The timeframe in which this was thought to have occurred is not known.
- Field surface preparation needed and the remaining specified coating application work was performed by St. Germain Sandblasting located in Negaunee, MI from May 2012 through June 2012.
- The original Series 740 product data sheet submitted to the engineer for this tank project stated there was a 45 day maximum recoat between Series N140 and Series 740. It was discovered after the project was completed that a revision to the product data sheet now indicates a 21 day recoat window at a surface temperature of 75°F. Based upon the "daily application reports" provided, it appears the recoat timeframe between these two layers of coating ranged from about 19 to 23 days.

Research of the intermediate coat and finish coat batches reported to have been used were reviewed and resulted in finding that 9,000 gallons have been shipped to various customers with no valid product complaints having been reported to date.

### ANALYSES

Computer aided microscopic examinations as well as FTIR spectral analyses of the supplied samples were performed to assist in understanding what may have occurred.

#### **"Base Cone Intermediate Coat Shavings"**

##### FTIR Spectral Analysis:

- The white shavings appear to be standard Series N140.

#### **"Base Cone Top Coat Sample"**

##### Microscopic Examinations:

- One blue layer was visibly distinguishable.
- The average dry film thickness of the blue layer was 3.0 mils.
- The back appeared textured with some indentations observed in the film.

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Information, suggestions, and opinions in this report are based upon what is conveyed from the Painting Contractor/General Contractor/Architect/Engineer/Owner/Tnemec Representative; including but not limited to, the Analytical Analyses of the samples Tnemec receives from the Subject Project/Representatives. Therefore, the comments contained herein may or may not be pertinent to and reflective of all aspects of the Project.

**"Base Cone Top Coat Sample" (Continued)**

FTIR Spectral Analysis:

- The front and back of the blue sample appears to be standard Series 740.

**"Roof Intermediate Coat Shavings"**

FTIR Spectral Analysis:

- The white shavings appear to be standard Series N140.

**"Roof Top Coat Sample"**

Microscopic Examinations:

- One gray layer was visibly distinguishable.
- The average dry film thickness of the gray layer was 2.7 mils.
- The back appeared textured with some indentations observed in the film.

FTIR Spectral Analysis:

- The front and back of the gray sample appears to be standard Series 740.

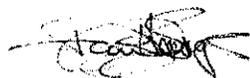
**CONCLUSION**

Research of the batch numbers of material reported to have been used for the intermediate coat and finish coat revealed no product issues or product complaints. FTIR spectral analysis showed what appeared to be standard Series N140 and Series 740 in the supplied samples. Based upon documents reviewed and conversations had with Doug Hansen, Tnemec's Director of the Water Tank Market, and Randy Bartz, Tnemec's Sales Representative in the Minnesota market, it appears the main cause for the problem observed at the Subject tank may be related to an exceeded recoat window time frame between the Series N140 and Series 740 layers. Doug Hansen, Randy Bartz, and John Laird (Wisconsin Tnemec Sales Representative) are working with the various clients involved in this project to resolve this issue. Doug and Randy asked that a repair procedure be included in this report.

**SUGGESTED REPAIR**

- Prior to these surface preparation steps being performed, clean all surfaces to be prepared and coated in accordance with SSPC SP-1, "Solvent Cleaning". Upon completion of the surface preparation steps listed below, ensure that all residual debris resulting from the surface preparation process is fully removed prior to the coating application occurring.
- Uniformly sweep blast all exterior tank surfaces in accordance with SSPC SP-7/NACE No.4, ensuring that all poorly bonded Series 740 is fully removed during this process. All coating that remains shall be thoroughly and uniformly dulled and abraded through this process. It has been Tnemec's experience that this is best achieved through abrasive sweep blasting of the coating with a fine abrasive and reduced nozzle pressure. The efficacy of this procedure will depend on the contractor's confidence in his equipment, abrasive media chosen, methodology used, and his personnel's ability to obtain the desired result.
- Prepare any bare metals areas in accordance with the original specification.
- All remaining coating edges should be sound, tightly adhered coating, feathered back (beveled) to create a smooth transition. The coating may be considered tightly adhering if an edge cannot be lifted with a dull putty knife.
- For any areas where bare metal may exist after this surface preparation process is complete, spot prime these prepared spot areas with the originally specified prime coat.
- To a clean, dry and contaminate free surface, apply a full tie coat of Series 135 and a full finish coat of Series 1074U over all properly prepared surfaces in accordance with the latest corresponding product data sheet.

Regards,



Dan Savage  
Tnemec Company, Inc.  
Senior Technical Service Representative

# Memo

TO: Mayor and City Council  
FROM: City Administrator  
DATE: Aug. 3, 2015  
SUBJECT: Dam property request

Arnold Dam has requested an amendment to the zoning of his property on Lawton Street for the purpose of building a storage building. The property is not currently zoned to hold such a structure and it would need to be rezoned from R1 to C1 in order to have a commercial style building on the land.

There are currently neighboring structures that are zoned commercial but the lot is currently in a residential zoned area.

Letters have been sent out to the neighbors of the property informing them of this evenings meeting and inviting any comment on the proposed change.

# CITY OF TYLER ZONING PERMIT APPLICATION

230 North Tyler Street, Tyler, MN 56178

Phone: 247-5556 Fax: 247-5557

Name <i>Arnold H Dam</i>	Date Received <div style="border: 1px solid black; padding: 2px; display: inline-block;">RECEIVED JUN 17 2015</div>
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Address <i>305 W Hughes St</i>	BY: _____
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Home Phone Number <i>507-241-3428</i>	Other Phone Number <i>507-828-8877</i>
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<b>Type of Construction (please check)</b>		<b>Zoning District (please check)</b>	
<input type="checkbox"/>	Addition	<input type="checkbox"/>	Residential
<input type="checkbox"/>	Deck/Patio	<input type="checkbox"/>	General Business
<input type="checkbox"/>	Fence (specify material)	<input type="checkbox"/>	Downtown
<input type="checkbox"/>	Garage	<input type="checkbox"/>	Commercial-Industrial
<input type="checkbox"/>	New or Manufactured Home	<input type="checkbox"/>	Agricultural
<input checked="" type="checkbox"/>	Storage Building	<input type="checkbox"/>	New Commercial Construction

<b>Size of Proposed Structure</b>	<b>Setback from Property Lines</b>
Height: <i>10'</i> (Accessory Bldg. Max. Sidewall 10')	Front: <i>25</i>
Width: <i>30'</i>	Rear: <i>71</i>
Length: <i>54</i> (Accessory Bldg. Max. Length 40')	Side: _____

**Estimated Cost of the Project** *\$240,000* *117 Lawton St.*

I hereby certify that the information contained in this building permit application is correct. I agree to do the proposed work in accordance with all laws and ordinances. I understand that this permit is valid for a period of twelve months.

*Arnold H Dam* *Priscilla K. Dam 6-17-15*  
**Applicant's Signature and Date**

**FOR OFFICE USE ONLY- Must be reviewed by Utility Department and City Administrator**

Recommend Approval: Water/Waste/Streets: *OK - 6/30* Electric: *OK* N. Gas: *OK*

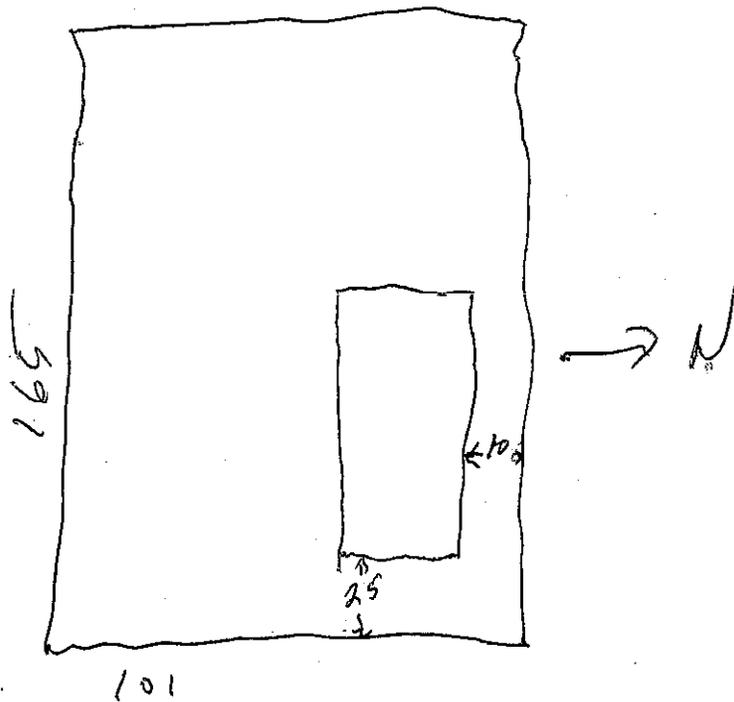
Approved by City Administrator: *[Signature]*

*Lot 3  
Block 35*

# ZONING PERMIT APPLICATION SKETCH

Please sketch the following information below:

- North arrow
- Lot dimensions
- Property lines
- Location and size of existing and proposed structures
- Distance from structures to property lines



**IT WILL TAKE APPROXIMATELY 7 TO 10 BUSINESS DAYS TO GET A PERMIT ONCE THE PLANS AND APPLICATION HAVE BEEN SUBMITTED. YOU MAY NOT BEGIN CONSTRUCTION UNTIL A BUILDING PERMIT HAS BEEN ISSUED.**

RECEIVED  
JUN 17 2015

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Arnold H &amp; Priscilla K Dam</u>	NAME: <u>Same</u>
ADDRESS: <u>305 W Hughes ST</u>	ADDRESS: _____
CITY: <u>Tyler</u>	CITY: _____
STATE: <u>MN</u> ZIP: <u>56178</u>	STATE: _____ ZIP: _____
PHONE: <u>507-828-8877</u>	PHONE: _____
CONTACT PERSON: <u>Arnold Dam</u> PHONE: <u>507-828-8877</u>	
CONTACT'S E-MAIL: <u>ahdpkd@mediacombb.net</u>	

\*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>R</u>	BUILDING/LEASED SQUARE FEET: <u>1620</u>
LAND DISTRICT(S): _____	LAND LOT(S): <u>3</u> Block <u>35</u>
ACREAGE: _____	
ADDRESS OF PROPERTY: <u>Lawton St.</u>	
SPECIAL USE REQUESTED: _____	
_____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

(over)

I wish to build a 30 x 54 ft

Storage building on my 101.3 x 165 ft lot.

Since it is zoned residential, the building is too large. I would prefer a zoning change to commercial to allow future ease of sale.

APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Arnold H. Dam Priscilla K. Dam

Signature of Applicant

6-17-15

Date

Arnold H. Dam Priscilla K. Dam

Type or Print Name and Title

Barbara Jean Powell 6-17-15

Signature of Notary Public

Date



Notary Seal

# Memo

TO: Mayor and City Council  
FROM: City Administrator  
DATE: Aug. 3, 2015  
SUBJECT: Interconnection Agreement

Lyon-Lincoln Electric is looking to build a small solar project on the southeast corner of their property in Tyler. The project would generate a small amount of electricity that LLE would utilize at their offices in Tyler. In order to move forward with the project, the City of Tyler would need to enter into an Interconnection Agreement. I have invited Tim O'Leary, manager for Lyon-Lincoln Electric to come before the council and present the agreement.

Our attorney Glen Petersen has reviewed the agreement and didn't see any issues entering into the agreement. I also had Heartland review the agreement and they had no objections.

It looks to be a good agreement to enter into and I recommend approval.

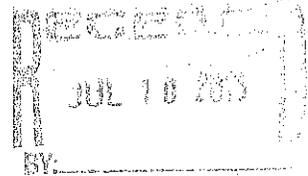
# Memo

TO: Mayor and City Council  
FROM: City Administrator  
DATE: Aug. 3, 2015  
SUBJECT: Heartland / WAPA Meter

The Western Area Power Administration and Heartland are requesting approval to install new metering equipment at our point of measurement for load usage within the City of Tyler. The new equipment will give a more detailed look at load usage throughout our service area to help in forecasting usage through Heartland's service area.



**Department of Energy**  
Western Area Power Administration  
Upper Great Plains Customer Service Region  
P.O. Box 35800  
Billings, MT 59107-5800



6520.13

JUN 25 2015

Contract No. 15-UGPR-65

B6206.BL

Mr. Russell Olson  
General Manager and CEO  
Heartland Consumers Power District  
P.O. Box 248  
Madison, SD 57042-0248

Mr. Bruce Williams  
City Clerk/Administrator  
City of Tyler  
230 North Tyler Street  
Tyler, MN 56178

Dear Mr. Olson and Mr. Williams:

Heartland Consumers Power District (Heartland) serves as a co-supplier for several customers served by Western Area Power Administration (Western). Heartland has requested that Western modify or install equipment on Western's meters at their customers' sites to allow Heartland to monitor load data for use in operations and planning, including daily and hourly forecasting of loads. Western owns the meter at the point of measurement for the City of Tyler, Minnesota (Tyler) where Heartland is requesting modifications or new equipment. The meter for Tyler's point of measurement is located in a meter building owned by Tyler at 101 East Bradley Street in Tyler, Minnesota.

Therefore, Western, Heartland, and Tyler, herein referred to collectively as the Parties, agree to the following terms and conditions:

1. This Letter Agreement, Contract No. 15-UGPR-65 (Letter Agreement), shall be effective on the date of signature by all Parties and shall continue in effect for two years from that date, or until the work set forth herein has been completed, whichever occurs first.
2. Western, at Heartland's expense, shall provide DNP data via RS-232 serial port on one Western-owned meter for Tyler's point of measurement located in a meter building owned by Tyler at 101 East Bradley Street in Tyler, Minnesota.

3. Heartland, at its own expense, shall:

3.1 provide necessary communication channels, software licensing, and equipment necessary to connect to Western's meter; and

3.2 provide and install equipment required to connect Heartland's communication equipment to Western's meter at the physical connection listed in Paragraph 2 above.

4. Heartland shall pay Western, in advance, the fixed fee amount of \$860, which is payment in full for Western's costs for the work specified in Paragraph 2 above. Western will not commence work until after the payment is received.

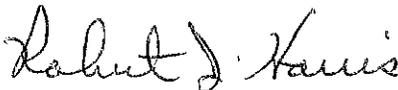
5. Tyler hereby grants license to authorized agents and employees of Western and Heartland to enter the right(s)-of-way or substation(s) of Tyler for purposes of doing work pursuant to this Letter Agreement. All construction, installation, inspection, testing, operation, maintenance, and removal of equipment by Western or Heartland under this license shall be coordinated with and approved by Tyler's Authorized Representative. Prior advance notice is required so as to eliminate or minimize any interference with the operation and maintenance of Tyler's facilities.

6. This Letter Agreement shall be subject to all applicable provisions of Contract No. 89-BAO-344, dated December 28, 1995, and Contract No. 89-BAO-367, dated November 26, 1989, as amended.

A Bill for Collection for the advance payment by Heartland, in the amount of \$860, is enclosed. Please forward the payment to the address stated on the Bill for Collection. This Letter Agreement is in form for signature and is being sent first to Heartland. Heartland should sign, date, and attest all copies, then forward all copies of this Letter Agreement to Tyler for signature. Tyler should sign, date, and attest all copies, then return all copies of this Letter Agreement to Western for completion. Western will keep one copy and return one original each to Heartland and Tyler for their records.

As provided in Paragraph 1 above, this Letter Agreement becomes effective as of the date of signature all Parties. If this Letter Agreement is not executed and returned to Western within 60 days of the date stamped above, this Letter Agreement shall become null and void. Any changes or alterations made to this Letter Agreement shall render it null and void.

Sincerely,



Robert J. Harris  
Senior Vice President and  
Upper Great Plains Regional Manager

Enclosure

IN TRIPLICATE



Attest:

By Kathie Lewis  
Title Executive Assistant

(SEAL)

Attest:

By \_\_\_\_\_

Title \_\_\_\_\_

HEARTLAND CONSUMERS POWER  
DISTRICT

By [Signature]

Title CEO

Address P.O. Box 248

Madison, SD 57042-0248

Date 7/8/15

CITY OF TYLER, MINNESOTA

By \_\_\_\_\_

Title \_\_\_\_\_

Address 230 North Tyler Street

Tyler, MN 56178

Date \_\_\_\_\_

# Memo

**TO: Mayor and City Council**  
**FROM: City Administrator**  
**DATE: Aug. 3, 2015**  
**SUBJECT: New TRED Board Member recommendation**

The Tyler Regional Economic Development board has made the recommendation of appointing Lonnie Lambertus to fill the vacancy on the TRED Board. Lambertus is the manager for Tyler Lumber and has expressed an interest in service on the TRED Board.

# Memo

TO: Mayor and City Council  
FROM: City Administrator  
DATE: Aug. 3, 2015  
SUBJECT: Highland Court-Willow Street cross walk

Back in April, Robert Larson on the corner of Highland Court made the request for assistance in extending his sidewalk to the corner at Willow Street to allow for a cross walk to the Tyler Healthcare Center.

At the April meeting the council indicated it would entertain the idea of participating in the project but wanted cost estimates before it would move forward.

Mr. Larson presented me a quote of \$6,250 from Mike Thooft. Thooft based his estimate on other sidewalks in Tyler.

# Memo

TO: Mayor and City Council  
FROM: City Administrator  
DATE: Aug. 3, 2015  
SUBJECT: Schedule September council meeting date

The Tyler City Council meets each month on the first Monday of the month. For the month of September that would fall on Labor Day on Monday, Sept. 7, 2015.

I am recommending the council consider rescheduling the meeting for another date in September.