

City of Tyler
City Council Meeting 6:00 pm
Monday, June 5, 2023
Tyler Fire Hall 101 E. Lincoln St. Tyler, MN 56178

Members present: Joan Jagt, Keith Lindeman, Scott Dressen, and Cricket Raschke.

Members absent: None.

Others present: Stephanie LaBrune - City Administrator, Glen Petersen – City Attorney, AJ Anderson – Police Chief, Mark Wilmes- Tyler Tribute, Judd Guida- Utility Supervisor, Shelly Finzen – Library Director, Teri Ningen, Chris Ningen, Cynthia Rogers, Karen Meyers, Betty Jo Solberg, Sharon Kohle, Cindy Dunham, Craig Hess, Bill Clark, Rob Holmes, Ron Persoon, Larry Wytenback, Darron Lutterman, Monica Lutterman, John Bornhoft, Duane Possail, Patti Jurrens, Doyle Jurrens, and Tom Gladis.

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

B. Pledge of Allegiance

C. Oath of Office – Mayor Jagt issued the oath of office to newly appointed councilmember Keith Lindeman and recognized outgoing councilmember Ken Jensen for his seven years of service on the Tyler City Council.

D. Approval of Agenda

Mayor Jagt called for a motion to approve the agenda. Dressen made a motion to approve the agenda and Raschke seconded the motion. Approved by: Lindeman, Raschke, Dressen, and Jagt; Opposed: none. Motion granted.

E. Approval of Minutes

1. Mayor Jagt, asked for a motion to approve the minutes of the May 1, 2023 council meeting. Raschke motioned to approve the minutes of the May 1, 2023 council meeting and Dressen seconded the motion. Approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: none. Motion granted.

F. Declare Conflict of Interest – No conflicts declared.

G. Public Comment – Craig Hess stated that he was present to “hear more about the sewer ordinance and city hall.” Bill Clark addressed the council and stated that “he does not feel that it is the appropriate time or place for a new city hall.” Clark also said “congratulations to the council on the grant for the sewer.” Then finally Clark stated that “he feels that the atmosphere and lack of good customer service at city hall is not great,” and also said “he could help with customer service skills and training at city hall.” No other public comments were stated during public comment.

H. Public Hearing – Mayor Jagt opened the public hearing at 6:10p.m.

1. Ordinance 2023-01 Chapter 16A Floodplain Code Amendment; Resolution #2023-08

Summary of Publication – Administrator LaBrune, introduced the ordinance and Mayor Jagt asked if there were any public comments. With no public comments, the council discussed the new floodplain code and asked for a motion to approve Ordinance 2023-01 and Resolution 2023-08. Raschke made a motion to approve both Ordinance 2023-01 and Resolution 2023-08 and Lindeman seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.

2. **Ordinance 2023-02 Chapter 4A I&I Code Amendment; Resolution #2023-09 Summary of Publication** - Administrator LaBrune, introduced the ordinance and explained that following the adoption of the original ordinance the plumbers and staff members dealing with the ordinance felt that the ordinance needed to be cleaned up to eliminate discrepancies and also allow for inspections to remain valid for 10 years. Mayor Jagt asked if there were any public comments. Patti Jurens talked about having a water 10,000 gallon water bill during COVID from a toilet leak. She stated that the city should have caught the leak. Craig Hess said that he doesn't think the sewer lines need to be replaced and asked if anything besides PVC pipes need to be replaced. LaBrune answered that all residential pipes that are not PVC would need to be replaced if the property owner is selling their home. Craig then said that sump pumps are the issue and when his goes off it floods nearly everyone down the alley. Further discussion was held and Mayor Jagt stated that the city has to start somewhere. Monica Lutterman asked if the County residents have to replace their sewers? LaBrune responded stating yes, the County has a similar ordinance and many other communities have the same ordinance that Tyler has. Ron Persoon asked if the city has inspected its own pipes? Guida explained to Ron that the city has done smoke testing on all of their pipes. Councilmember Dressen then asked the crowd what do you suggest that we do? Then stated that the city has a problem and water is getting in somewhere. He said that the state has been on the city to do something and we need new houses. Following public comment, the council discussed the suggested amendments to the I&I code and Jagt asked for a motion to approve Ordinance 2023-02 and Resolution 2023-09. Dressen made a motion to approve both Ordinance 2023-02 and Resolution 2023-09 and Raschke seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.

Mayor Jagt, Closed the public hearing at 7:15pm

I. New Business

1. **TRED Development / Re-Zoning Hearing** - Mayor Jagt stated that TRED is working on a new development and asked Craig Hess if he wanted to speak. Hess explained to the council that the TRED board is planning to haul dirt from the school to the site and said that he is very frustrated that the council reps never bring anything back to the council. Hess talked about potential building projects and said that he wants updates from TRED to get to the council. Following discussion, LaBrune stated that the TRED board changed their mind from the last time Hess spoke to the council and are now wanting to re-zone the entire property south of Avera Tyler to Commercial/Industrial and asked the council if they would set a public hearing date for the re-zoning of the property. The consensus of the council was to set the re-zoning public hearing date to June 26th at 5:30p.m. at the Fire Hall. Duane Possail then spoke up and asked the council to do something because he feels the city is holding TRED back. Duane stated that TRED hired Dan Buetel to do the surveying of the property but Dan won't do anything without the city's approval. Following discussion, the full council agreed to follow TRED's motion and give Dan Buetel approval to put together a preliminary plat to bring back to the council.
2. **Resolution 2023-10 Accepting Resignation and Declaring a Vacancy** – Mayor Jagt announced that council member Kenneth Jensen has resigned from the council and asked for a motion to approve the resolution and begin advertising for a new council member. Raschke made motion to accept resolution 2023-10 and begin advertising. Dressen seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.
3. **Consider Appointment of new TRED member-** LaBrune stated that at the last TRED meeting, there were two applications considered to fill the open at-large position on the TRED board. She stated that the TRED board requested that the council make the appointment as they did not have a recommendation on just one candidate because they were both qualified. Jagt then asked for a motion to approve either AJ Anderson or Karen Meyers to serve on the

TRED board. Dressen made a motion to put Karen Meyer on the TRED board. Lindeman seconded the motion. Motion approved by: Jagt, Lindeman, and Dressen; Opposed: Raschke. Motion granted.

4. **SRTS Project Partial Pay Estimate No. 1 to A&C Excavating** - Administrator LaBrune presented the pay estimate in the amount of \$60,106.03 for council approval. Jagt then called for a motion. Dressen made a motion to approve paying A&C \$60,106.03 and Raschke seconded the motion. Motion approved by: Jagt, Jensen, Dressen, and Raschke; Opposed: none. Motion granted.
5. **Resolution 2023-11 Approving County Project within City Limits-** LaBrune explained the resolution as it pertained to the ADA improvements that Lincoln was planning to do on Tyler Street. Following discussion, Dressen made a motion to approve resolution 2023-11 and Raschke seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.
6. **MNDOT Aeronautics Operations and Maintenance Agreement Resolution 2023-12-** Mayor Jagt presented the MNDOT Aeronautics Operations and Maintenance Agreement and asked for a motion to approve Resolution 2023-12. Dressen motioned and Raschke seconded the approval of resolution 2023-12. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.
7. **Resolution 2023-13 Juneteenth Holiday Amending City Personnel Policy and MOU's amending Police Chief and Police Officer Union Contracts-** LaBrune stated that the legislative session resulted in the need to add Juneteenth as a holiday recognized by the city. Mayor Jagt read the resolution and called for a motion. Raschke made a motion to approve resolution 2023-13 and approve the MOU's amending both the Police Chief and Police Officer union contracts to include the new Juneteenth holiday. Lindeman seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.
8. **First Independent Bank Account Change** – LaBrune explained to the council that with the change in banks, the city has only been receiving their Utility Savings account statements quarterly when they should be received monthly. LaBrune requested that the council make a motion to change the utility savings account to an investment account so the city is able to receive monthly bank statements. Raschke made a motion to change the Utility savings account to an investment savings account and Dressen seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.
9. **Personnel-** LaBrune requested the approval to hire a new fill in librarian, Elizabeth Keith. Raschke made a motion to hire Elizabeth Keith as a part-time/fill in librarian and Lindeman seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.
10. **July City Council meeting date-** LaBrune asked the council to consider a new council meeting date for July as two council members would be absent due to the holiday. Dressen made a motion to change the July meeting date to July, 10th and Raschke seconded the motion. Motion approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.

J. Past Business

1. **Blight Property-** Mayor Jagt stated that the police department has been looking a blight property and advised the council members to work with the department to put together a list for the next meeting.

2. **Sanitary Sewer Project Update-** LaBrune announced that the city received an appropriation of \$3.792 million from the cash only bonding bill and said that Bolton & Menk was working on finalizing the plans so the city could advertise for bids in the fall.
3. **City Hall-** Mayor Jagt gave an update to the crowd on the city's past discussions revolving around the need for a new city hall building. LaBrune then explained the different funding options that the city has and provided the city with two different payment schedules for project estimates of 1 million and 1.5 million. Finzen then made a request to the council to continue moving forward with the project so that she could begin seeking grant funding. The council discussed and a motion was made by Raschke to move forward with grant applications for a new multipurpose building contingent upon financing. Lindeman seconded the motion. Motion approved by: Jagt, Jensen, Dressen, and Raschke; Opposed: none. Motion granted.

K. Council / Staff Reports-

1. **Administrator LaBrune** – Reviewed her monthly report included in the council packets.
2. **Police Chief Anderson-** Handed out his report.
3. **Utility Supervisor Guida-** Gave an update on the sidewalk project. Announced that the pool liner installation crew is in Tyler. Told the council that there has been water pressure issues and problems with the water tower phone line ringing out to notify staff when there are issues with the water tower. Guida also brought up the topic of replacing the main water valve that comes into the city from LPRW. He said that it is something that needs to be planned for in the near future.
4. **Councilmember Dressen-** Stated that he spoke with the fire chief about billing for hoses and nozzles that were damaged during the Dan Shak fire and the fire chief said that since the equipment was damaged in the fire the city needs to bill for it.

I. Financial Reports

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

J. Adjourn

With there being no further items before the Council, Dressen made a motion to adjourn at 8:27pm and Raschke seconded the motion. Approved by: Jagt, Lindeman, Dressen, and Raschke; Opposed: None. Motion granted.



Joan Jagt, Mayor

ATTEST:



Stephanie LaBrune, City Administrator-Clerk