

**Tyler City Council
Tyler Fire Hall
Tyler, MN 56178
Monday September 10, 2012
Minutes (Pending)**

The Monday September 10, 2012 meeting was called to order by the Mayor Thomsen at 7:00 p.m.

Present: Mayor Thomsen, Council Members Denney, Harper, Mundt and Peterson. Others present included City Administrator Williams, City Attorney Petersen, Utility Superintendent Beck, Gas Supervisor VanDevere, Utility Worker Haroldson, Police Officer Bloch, and Deputy Clerk Powell. Guests present included Bill Helget, Jessica Thouson, Robert Wolfington III, Darwin Lutterman, Carolyn Lutterman, Bev Vos, George Ruhman, Daniel Ellefson, and Lori Ellefson.

Approval of Agenda and Minutes: One addition to the Agenda (11.5 "Airport Updates"). Motion by Mundt seconded by Denney and passed unanimously to approve the agenda with the added 11.5 agenda item.

Motion by Peterson seconded by Harper and passed unanimously to approve the minutes of the August 6, 2012 City Council meeting.

Correspondence: Food Shelf representatives were available to discuss a letter sent by them to the City Council. The Food Shelf is in need of a new place to operate out of as they have been asked to move out of their present location. The Food Shelf volunteers wanted to know what the city had to offer as far as a location for them to operate out of. The food shelf has recently been offered space at "The Rock" as a temporary place to operate out of but would prefer something more permanent. There was much discussion relating to several possible sites in town, such as the old Chat and Chew building but no site was determined to be immediately available. Mayor Thomsen informed the Food Shelf volunteers that the City would check with the Tyler Regional Economic Development group and see what they might have available. The City Attorney told the group that he would check into grants that might be available to fix up a site, such as the old Chat & Chew building. The Food Shelf volunteers told the Council that they would also pursue grants. The Mayor requested that the group to share any grant possibilities found with the City Administrator.

Public Express: Mic VanDevere was present to announce his resignation as the Gas Superintendent for the Utility Department. Mic recommended that the Council appoint Dave Haroldson, City Utility Worker as the Gas Superintendent. Mic will retire in 12 to 18 months which would allow him to be available to answer any questions or assist Dave should he require it. Mic thought Dave was a logical choice as Dave has been and will continue to be a long term City employee. Mic would like Dave to be the primary contact in the gas audits this year (October 1st) so he will be prepared for subsequent years. As there are new people going in as auditors and MMUA personnel, having Dave work with them this year would be beneficial. The City Administrator noted that while this type of transaction wasn't typical in municipal

operations, it seemed to fit in this instance and he recommended that the Council approve Dave's promotion but refer the salary discussion over to the Personnel Subcommittee for a recommendation to the full Council. Motion was made by Harper seconded by Mundt and passed unanimously for the job title of Gas Superintendent to be transferred from Mic VanDevere to David Haroldson effective immediately and the Personnel Subcommittee will meet to work out the details such as salary, etc.

Police Chief Report: The police report was given by Police Officer Eric Bloch. There have been a lot of dog complaints this month. Councilman Mundt asked the City Attorney if the issues with the administrative citation process had been resolved. The City Attorney informed the Council that it still required work and that he would meet with the Police Department and report back to the Council.

Proposal of Lease of Stony Point Park: Dan and Lori Ellefson were present to give a presentation on their business plan of expanding Stony Point by buying the land next to Stony Point and making more camp sites. The Dan and Lori Ellefson would like to lease Stony Point Park as their plan to build campsites on the adjoining property rely on their being able to merge the facility with Stony Point Park. They plan on improving Stony Point Park with better facilities. City Attorney Peterson noted that selling the park would be complicated but leasing it could be more straightforward and that typically, municipal leases are for 5 years. Dan Ellefson would like an agreement that would give them some sort of renewal ability in order to run the lease period out to at least 15 years. Mayor Thomsen noted that he was not in favor of selling the park but could see how a lease could be beneficial. Councilman Peterson noted that an additional 70 campsites would be good for Tyler as the campers would come to Tyler for shopping and dining. City Administrator Williams noted that Stony Point Park had created profit this year for the City and that the lease payment to the City should probably cover the profit that Stony Point Park was currently providing to the City. After further discussion regarding issues such as the need to have continued public access for boaters, public access shoreline fishing and possible property tax ramifications, the City Council decided to have the Financial Subcommittee meet with the Ellefsons along with the City Administrator and City Attorney to work out a proposed lease agreement. This committee of Williams, Peterson, Mundt, Denney and Ellefson will meet and come back to the council in October with recommendations.

Water Project: Bill Helget was present to give the water system updates. The new water tower has been disinfected and the tower will be filled for service soon. Once full, the tank will be tested and after two consecutive bacteria passing tests, the tank will be ready and be placed in service. This should occur sometime between now and October 1st. Demolition of the old tower would start sometime in late October or early November.

Bill presented a partial pay estimate for Caldwell Tanks in the amount of \$23,626.50 and requested Council approval. Motion by Peterson seconded by Mundt and passed unanimously to pay Partial Pay Estimate #8 in the amount of \$23,626.50.

Bill then presented two change orders. The first is to the Automatic Systems in the amount of \$29,960.00 for new meters at the base of the tower as the old meters will not work on the new tower. The City Administrator Williams added that this change order is in part due to the City's decision to have

the old Utility Building converted to cold storage. Therefore, the old equipment that was previously planned to be used with the new elevated tank could no longer be used. The Utility Superintendent Beck added that the old equipment was outdated and likely illegal at this point to use. This change order will be contingent with MGH final approval. Also, Caldwell will be reduced by \$4,600 in order to help pay for this change order. Motion by Denney seconded by Mundt and passed unanimously to approve these two change orders.

DSG has requested a time extension for the new valves that have to go in until March 29, 2013. New meters will continue to have the original deadline of October 5, 2012. Since the valves were added after the project was initiated, the time extension to install the valves is justified. Motion to approve time extension by Peterson seconded by Mundt and passed unanimously to approve a time extension to DSG for the meter valve installations.

Preliminary Property Tax Levy: City Administrator Williams presented the Preliminary Levy for property taxes collected in 2013. He explained that he had set the preliminary levy with a ten percent increase over the levy collected this year and noted that the Council could reduce the levy (should the increase not be fiscally required) when the City Council sets the final levy in December. Motion by Mundt, seconded by Denney passed unanimously to set the preliminary levy at \$255,640.

WAPA Proposed Contract for Firm Electric Service: City Administrator Williams presented the City Council with the proposed WAPA contract for electric service. He explained that this contract replaced the temporary contract previously approved by the Council several months ago and covers service starting in 2020 and running through 2050. He noted that the City Attorney had reviewed the contract with him and didn't find anything amiss. The Administrator noted that WAPA power is the least expensive electric service received by the City and keeping the City's allotment of WAPA power was important to keeping electrical service costs down. Motion by Denney seconded by Peterson and passed unanimously to accept the contract with WAPA for the years 2020 to 2050.

Sidewalk Survey – South of Lincoln Street: The City Administrator presented the sidewalk survey map for the south side of town (south of the tracks). He noted that many of the City's sidewalks are in pretty bad condition. He believes the next step would be to rate the existing sidewalks and then have the Council approve a sidewalk route map and policy. Williams will present a survey of sidewalk condition and a proposed policy at a later date.

Update on Possible Old Utility Building Demolition: The City Administrator updated the Council on the proposed plan to demo the old utility building and, instead, build a new storage building at the site of the new Utility Building. Williams presented a recently received labor bid for the proposed new building and updated the Council on the results of the asbestos survey conducted at the old utility building. Based on the labor and materials bids, the proposed preliminary budget and the asbestos survey results, Williams requested that the Council approve of taking the insurance proceeds for the proposed roof repair of the old utility building and instead demolishing the old utility building and building a new storage building adjacent to the new utility building. Motion was made by Denney seconded by Mundt and passed unanimously for Williams to proceed with this project as presented.

Airport Update: Councilman Mundt gave an airport update. He informed the Council that he had met with the Administrator and proposed telling the Airport users that the Council would pay up to \$3,800 this winter for snow removal. He noted that this was the amount available to the City from Minnesota DOT for reimbursable airport maintenance costs. Motion was made by Harper seconded by Peterson to pay up to \$3800 towards snow removal this winter and that when those funds were expended, the airport users will be responsible for keeping the runway cleared of snow. Councilman Mundt also noted that it might be a good idea to install a lock on the pilot ready room in order to secure the facility. City Administrator stated that he would install a map in the room as well for pilot use. Motion by Peterson seconded by Denney and passed unanimously to get a keypad lock on the pilot ready room.

Utility Superintendent Report: Dean Beck had nothing to report.

City Administrator Report: Williams started his report by having the Council review two gambling applications that he had approved in August. One was for Tyler Healthcare and the other for Prairie Highlands QDMA. Both will be used at the Tyler Golf Club.

Williams then updated the Council on the replacement of a street light that was destroyed by the storm. After several discussions with the insurance provider, they have agreed to pay for the replacement of the street light in front of City Hall and have approved the City replacing the street light with a different type of street light as long as the initial cost estimate obtained for a similar light is not exceeded. Williams requested Council consent to proceed with the replacement. Motion made by Peterson seconded by Denney and passed unanimously to replace the street light in front of the city office with the type and style presented.

Williams then addressed the old wooden community sign that is in front of the Fire Hall. TACC was asking what the status of this sign would be now that the new electronic community sign is up and running. The Council decided that the old wooden community sign could stay in place and be used in addition to the new community sign.

Motion by Denney seconded by Peterson and passed unanimously to pay the bills for August 2012.

Motion by Harper seconded by Mundt and passed unanimously to adjourn the meeting.