

**April 4, 2023  
Jackson, Minnesota**

**The Jackson City Council met in regular session in the Council Chambers of City Hall and also by Teleconference and Zoom at 6:30 p.m. on Tuesday, April 4, 2023 with the meeting called to order by Mayor Marcus Polz. On the roll call, the following persons were present in-person, Mayor Marcus Polz, Alderwoman Sara Mix, and Aldermen Chris Naumann, Brandon Finck, Nathan Peterson and Joe Pell. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Street Superintendent Phil Markman, Water/Wastewater Superintendent Tony Oxborough, Jackson County Sheriff Shawn Haken, Luke Ewald of Des Moines Valley Health and Human Services, Engineer Troy Nemmers of Bolton and Menk, Community and Business Development Specialist Dave Schmidt of Community and Economic Development Associates (CEDA), Jackson Fire Chief Dave Bond, Jackson Fire Department Rescue Captain Rob Bass, President of the Jackson County Animal Protection Society John Weland, Janice Lepinski of PAWS (Precious Animals Worth Saving), Catherine Koppen, Paul Hargus, City Clerk/Council Secretary Dave Maschoff and Justin Lessman of the Jackson County Pilot. Joining the meeting via Zoom and Teleconference were Alderman Mark Titus, Engineer Eric Hanson of HDR, Engineer Richard Parr of SEH, MRES Jackson Distribution Maintenance Foreman Tony Nitchals, and Matthew Grisham of KKOJ/KUXX Radio. (A quorum of the City Council was present.) (Note: Alderman Dr. Mark Titus participated in discussion only and did not vote on action items since he was attending via Zoom with no address of his whereabouts previously published.)**

#### **PLEDGE OF ALLEGIANCE**

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Mayor Polz announced the Pledge of Allegiance would be recited before the City Council meeting was called to order. All those attending the meeting in-person and by Teleconference and Zoom recited the Pledge of Allegiance.

## **CALL THE MEETING TO ORDER**

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Mayor Polz called the regular meeting of the Jackson City Council to order. He said the roll call showed all Councilmembers were present except for Alderman Dr. Mark Titus who was joining the Council meeting via Zoom.

**There were no Public Hearings, Bid Lettings or Open Forum.**

### **Unscheduled Guests:**

Mayor Polz asked if there were any unscheduled guests in the Council Chambers.

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Mayor Polz asked for a third time if there were any unscheduled guests in the audience.

Seeing and hearing no unscheduled guests, Mayor Polz said the Council would move onto the Consent Agenda.

## **CONSENT AGENDA**

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Mayor Polz entertained a motion to approve the Consent Agenda.

**FINCK/PETERSON moved and it was unanimously carried to approve the Consent Agenda as presented.**

### **Council Discussion Items**

#### **CLOSED SESSION REGARDING REAL ESTATE NEGOTIATIONS PURSUANT TO MN CHAPTER 13D.05, SUBD. 3(C)**

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Mayor Polz entertained a motion for the City Council to move into Closed Session regarding real estate negotiations pursuant to Minnesota Chapter 13D.05, Subd. 3(C).

**MIX/PETERSON moved and it was unanimously carried for the City Council to move into Closed Session at 6:32 p.m. regarding real estate negotiations pursuant to Minnesota Chapter 13D.05, Subd. 3(C).**

Mayor Polz said the City Council was now in Closed Session.

Mayor Polz, Councilmembers, City Administrator Matt Skaret, City Attorney Brad Anderson, Community and Business Development Specialist Dave Schmidt of Community and Economic Development Associates (CEDA) and City Clerk/Council Secretary Dave Maschoff moved to the adjacent conference room in City Hall for the Closed Session.

### **COMING OUT OF CLOSED SESSION**

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Mayor Polz entertained a motion for the City Council to go out of Closed Session.

**PETERSON/FINCK moved and it was unanimously carried for the City Council to go out of Closed Session and return to Open Session at 7:11 p.m.**

Mayor Polz said the City Council was now out of Closed Session.

**PETERSON/NAUMANN moved and it was carried, with one abstention, for the City to enter into an agreement with DBS Development Group and enter into negotiations to develop a development agreement and approve the conceptional design proposal for a housing project in Jackson.**

**Voting in favor of the motion were Alderman Chris Naumann, Alderman Nathan Peterson, Alderwoman Sara Mix and Alderman Joe Pell.**

**Abstaining was Alderman Brandon Finck.**

### **AIRPORT PAY REQUEST APPLICATION NO. 4**

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Engineer Eric Hanson of HDR explained last year the Minnesota Department of Transportation Aeronautics was slow in providing reimbursement to the City for the runway reconstruction project. He said the contractor, Svoboda Excavating of Jackson, elected to wait for payment on Pay Request Number 4 which pays for all the work that was finished last fall plus for some electrical materials that were stored.

Hanson said the total pay request is for \$609,074. He said about \$184,000 of that amount is for stored materials that will be used for lighting.

Skaret said the pay request to Svoboda Excavating is in the amount of \$609,074.

**PETERSON/PELL moved and it was unanimously carried to approve Airport Pay Application No. 4 in the amount of \$609,074 payable to Svoboda Excavating.**

### **WATER PLANT MEDIA FILTER REPLACEMENT AND BACKWASH TANK IMPROVEMENT PROJECT ENGINEERING CONTRACT FOR REBIDDING AND CONSTRUCTION ADMINISTRATION SERVICES**

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Skaret said Engineer Richard Parr of SEH was joining the City Council meeting via Zoom.

Skaret noted at the March 21<sup>st</sup> City Council meeting, the Council rejected the bids for the project at the Water Plant and authorized the rebidding of the Water Plant Project. He said to rebid the project, there are some extra engineering costs of \$8,000 to \$9,000.

Engineer Richard Parr of SEH said the extra engineering costs for rebidding the project would be \$8,154. He explained that would be for doing some updates to the Water Plant and specifications, changing the dates, taking some things out of the project, re-advertising the project, conducting on-line pre-bidding meetings with contractors, educational questions, reviewing the bids and all those items related to the re-advertising of the project.

Skaret noted the extra engineering costs also includes the construction administration services assuming that the City receives an acceptable bid next time around and the project moves forward. Skaret asked Parr if the extra engineering costs would also include the additional fees for the construction and administration.

Parr said that was correct. He said the overall proposal before the City Council is for \$102,201. Parr noted the \$8,154 he mentioned earlier was for rebidding the project and there's a cost of \$85,903 that's directly related to construction and administration services which is for their time involved with construction observation, reviewing submittals and items pertaining during construction. He said of the total of \$102,201.....\$8,143 of that is for general project management.

Parr explained this is assuming an overall construction schedule of 12 months with only six months of that being active on-site construction so there's time for phasing of the work, approval of submittals and other associated items pertaining to the project.

Peterson asked when the Water Plant Project will be rebid.

Parr said the project will be advertised on April 11<sup>th</sup> seeking bids. He said bids will be due on May 2<sup>nd</sup> with the intention of presenting bids to the City Council at their May 16<sup>th</sup> Council meeting.

Mayor Polz asked for a motion to approve the project engineering contract with SEH for rebidding the Water Plant Project.

**PETERSON/FINCK moved and it was unanimously carried to approve the Water Plant Media Filter Replacement and Backwash Tank Improvement Project Engineering Contract for rebidding and construction administration services with SEH (Short Elliott Hendrickson).**

## **AUDIT PRESENTATION – ABDO**

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Abby Schmidt of Abdo was in attendance to present the City of Jackson's 2022 audit. Schmidt noted she's been the auditor in charge for the City of Jackson for the last few years. She said she would be using a power point presentation to outline the City of Jackson's 2022 audit.

Schmidt reviewed the City's Fund Balance Policy pertaining to the General Fund. She said the City is sitting well regarding the General Fund but should be aware of the transfers that will be done to take care of some of the City's upcoming projects. Schmidt also outlined the General Fund Budget to actual amounts and the variances with the final budget.

Schmidt outlined the City's General Fund revenues by type pertaining to taxes, intergovernmental charges, charges for services, fees collected for licenses and permits and other revenue sources in 2022 compared to 2021 and 2020. She noted there was a steady increase in taxes as expected and the intergovernmental charges for services are really consistent. Schmidt also outlined the City's General Fund expenditures by type. She noted the City's departments such as General Government, Public Safety, Streets and Highway, Culture and Recreation all experienced a steady increase with inflation in the City's expenses.

Schmidt outlined the City's Capital Projects, Special Revenue Fund Balances and Debt Service.

Schmidt explained the cash flows, operating receipts, operating disbursements and debt payments for the City's Water Fund, Sewer Fund and Electric Fund.

Regarding the Airport Fund, Schmidt said it's been right in line with the disbursements year over year. She noted there's a large cash deficient that has been growing. Schmidt said she thinks a large portion of that relates to the timing of receiving the Federal and State funds for the Airport Project. She said it was also discussed whether there's going to be a General Fund transfer to kind of cover what the Federal and State funds don't cover because they don't cover 100 percent of those projects. Schmidt said it's something to keep an eye on to determine is the Airport Fund really running into a deficient. She said right now it's right about break even but the cash deficient does keep growing.

Regarding the Ambulance Fund, Schmidt reported the cash balance went down from \$1 million in 2020 to around \$795,000 in 2022. She said there were some increases in repairs and collections were definitely down. Schmidt pointed out the operating model of the Ambulance Department also changed so the City is going with more part-time than full-time staff which causes expenses to increase. She said efforts are underway to get those collections back up to at least try and get it back into a break-even spot where you want the Enterprise Funds to be.

Schmidt said the City's Liquor Fund has been steadily growing and building up reserves after the cost of the new building. She said there was nothing to really note there. Schmidt said it's below the target, but it has increased approximately \$150,000 in cash in the last four years so it's definitely on the right track.

Schmidt also outlined the City's Cash and Investment Balances by fund type. She said it's fairly consistent with last year.

Schmidt reviewed the Key Performance indicators that compares the City of Jackson to other Class 4 cities in the 5,000 to 10,000 population range. She explained the tax rate and taxes per capita are comparable. Schmidt said the City of Jackson is pretty much in-line with other Class 4 cities. She said it looks like the City has done a good job of monitoring their tax rate and keeping it relatively flat over the years.

Schmidt said in taking a look at the Key Performance Indicators regarding debt, it appears the City of Jackson has a bit of a higher debt per capita than the City's peers. She noted there's a lot of projects going on in the City of Jackson and funding some those just brings upon a little more debt than cities in Jackson's peer group of Class 4 cities, but really nothing worrisome.

Regarding Key Performance Indicators pertaining to the City's expenditures and Capital expenditures, Schmidt said the City of Jackson is right in line in comparison with their peer group pertaining to expenditures. She said Capital Expenditures really vary from year to year but there's nothing of concern that looks out of line compared with the City's peer groups.

Schmidt also reported on the City's Liquor Fund in comparison to the statewide reports that Abdo receives. She said the gross profit for the Liquor Store is 27.1 percent and the statewide average was 26.5 percent in 2021. Schmidt said all in all, the City of Jackson's Liquor Fund is in-line, if not above the City's peer groups regarding the Statewide Liquor gross profit.

Schmidt concluded her presentation by answering several questions from Mayor Polz and several Councilmembers.

Mayor Polz asked for a motion to approve the City's Audit Report as presented.

**FINCK/NAUMANN moved and it was unanimously carried to approve the City of Jackson's 2022 Financial Statement Audit.**

#### **ACTIVE LIVING PROJECT UPDATE – LUKE EWALD**

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Luke Ewald of Des Moines Valley Health and Human Services provided an update to Mayor Polz and Councilmembers on Jackson's Active Living Project. He said he wanted to outline some of the work that the Trails Group and Park Board have done.

Regarding the Health Rankings in Minnesota, Ewald said Jackson County was ranked 20<sup>th</sup> in the State in 2022 and this year's it's ranked 27<sup>th</sup> out of 87 counties. In his work with the Statewide Health Improvement Partnership, Ewald said he works in communities, worksites and healthcare in Cottonwood, Jackson and Nobles Counties. He said he spends a lot of time in Jackson and Jackson County.

Ewald went on to provide information about the health and economic benefits of trails and recreation. He noted the projects that the Friends of the Jackson County Trails have done such as the completion of the Off Road Trails in Belmont County Park, the Dewey Street Trail Connection near the High School, the Sayles Drive Trail behind Sanford Health, and the crack filling in 2021 on the trail system in Jackson. Ewald also noted the installation of a sidewalk along Patterson Park on Thomas Hill Road.

Ewald also provided information on how many people used the trail systems. He explained the usage is determined by using both manual and infrared counters. Ewald said over the course of three years, just over 4,800 people were counted using the trails through the infrared counting system. He said just over 2,300 people were counted over the same three-year period using the manual counting system.

Ewald showed Mayor Polz and Councilmembers the Master Plan that's being developed and should be completed before June. He said funding was received from the State to develop the Master Plan that would connect the City of Jackson's trails to the trails in the County Parks at Loon Lake, to Kilen Woods and to Alpha using the former railroad bed.

Skaret said this has been a really great project. He said it was fortunate to receive a grant from the State of Minnesota to develop the Master Plan for the trails. Skaret said in order to apply for a grant for the larger projects to construct the trails, a Master Plan has to be in place. He said having the Master Plan sets things up to apply for grants in the future.

Ewald outlined the developments that have occurred in Belmont County Park regarding the Off-Road biking trails. He said the vision to revive Belmont County Park began in 2017 with the Friends of the Jackson County Trails Committee and the Jackson County Parks/Recreation Department. Ewald said the goal is to have a grand opening of Belmont County Park in May hosted by the Jackson County Parks and Recreation Committee. He noted Belmont County Park is the only mountain bike park this far south of Mankato and is a first for the area. Ewald said he anticipates mountain bikers will be drawn to use Belmont County Park.



Regarding the Jackson Park Board, Ewald said Safety First seems to be the main topic since 2019 in getting new playground equipment and making the equipment ADA compliant. He noted other past projects have included the Memorial Park Plan that was done in 2019, the resurfacing of the basketball and tennis courts resurfacing in 2020 and adding the pickle ball court. Ewald said the construction of the disc golf course wrapped up last year. He pointed out the Community Gardens and Green Thumbs project, Memorial Park kayak launch, plans for the EZ rink boards and hockey gear for the skating rink and the updated dog waste receptacles. Ewald also noted future Park Board projects such as the musical playground equipment will be installed this summer. He said he thinks the Park Board has been doing a pretty nice job with the parks in Jackson. Ewald thanked Street Superintendent Phil Markman and the Street Department for putting together the kayak launch. He also noted the story strolls hosted by the Library and the Splashpad that opened last year which also included Park Board representation.

Ewald noted the Statewide Health Improvement Partnership's (SHIP) impact in Jackson from grant funding. He said the 2020 leverage grant funding totaled \$33,132, the 2021 leverage grant funding totaled \$434,532, 2022 leverage grant funding totaled \$329,904 and 2023 leverage grant funding to date is \$185,000. He explained some of the grant funding may include some funding for the Trails Group and for the Farmer's Market. Ewald said he just wanted to show the impact that has been made with Public Health and some of the work the Trails and Park Board have been doing.

Mayor Polz thanked Ewald for what he has been doing.

Ewald thanked Mayor Polz and Councilmembers.

## **WORKERS COMPENSATION INSURANCE QUOTE FOR 2023**

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Skaret reported the City's insurance premium for Workers Compensation Insurance through the League of Minnesota Cities Insurance Trust for 2023 went down about \$5,000 from the previous year. He said the year's premium went from \$76,000 last year to \$71,099 for 2023. Skaret explained the drop is largely due to the City's improved safety record dropping the City's experience mod factor from 1.17 to 1.03. He said the goal is to get to an experience mod factor under 1.0. Skaret said the City is on its way to getting under 1.0.

Mayor Polz asked for a motion to approve the Workers Compensation Quote as presented.

**MIX/PELL moved and it was unanimously carried to approve the Worker's Compensation Quote of \$71,099 for 2023 from the League of Minnesota Cities Insurance Trust.**

## **FIRST CONSIDERATION – ORDINANCE NO. 129 PROHIBITING THE FEEDING OF DEER, CATS AND WATERFOWL**

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Skaret said improving community beautification was one of the top priorities and common themes coming out of the Strategic Planning sessions held in March. He said there's a lot of different components regarding community beautification and part of that which was talked about was the issue of cats, especially those in the downtown area.

Skaret said there's been a lot of comments about the cats downtown. He said he knows there's multiple sides to that issue. Skaret said it was brought up at the March 21<sup>st</sup> City Council meeting that it was the Council's desire to try and take some action regarding the feeding of cats. He said what's before the City Council is an ordinance that would prohibit the feeding of deer, cats and waterfowl, such as geese. Skaret said the ordinance would also require bird feeders to be a minimum of five feet off the ground so animals that the feeders are not intended for can't get to the feeders.

Skaret explained as Ordinance No. 129 is drafted, this would be a City-wide feeding ban, but there are some options the City Council could consider. He said the Council could narrow the scope of the ordinance to pertain to certain zoning districts or certain areas of town. Skaret explained the ordinance could also be tailored to pertain to downtown or any other particular neighborhood. He said first consideration of Ordinance No. 129 is really just to "get the boat in the water" and see what direction the Council would like to go with this.

Mayor Polz said he always likes to use caution when trying to implement more regulations. He said it would be interesting to hear conversations about this.

Mix said she thinks it kind of defeats the purpose to ban the feeding when the cats are spayed and then released again. She said those cats are never going to be domesticated cats. Mix said they're always going to be wild cats so she really doesn't understand why the cats are re-released in the same spot and things are expected to change. She said nothing against cats and taking care of things, but it makes no sense re-release cats into our downtown.

Janice Lepinski of PAWS, explained the reason for re-releasing the cats is if you don't re-release the cats that are spayed and neutered into the same area, there will be just different cats that will move in or there will be rats that will come into the downtown area as there had been before the cats. Lepinski said the cats that are spayed and neutered and released are healthy. She said if the stray cats are moved out onto a farm, the cats will not be accustomed to their surroundings as they are in town. Lepinski also noted that most farms are overrun with cats already.

Lepinski said the building at 101 West Ashley Street that's being allowed to fall down on its own into the street is a lot more of a public hazard than the cats.

Pell said the building at 101 West Ashley Street is a different subject. He said the public is welcome to attend a City Council meeting via Zoom, in person or read the minutes and the public would then know that the building is coming down.

Regarding the cats downtown, Pell said in her letter, Lepinski stated that she walked the downtown neighborhood and the cat urine is barely noticeable, so it's still noticeable.

Lepinski said she stated it's barely noticeable because there's a few people that do notice it, but if you wait five minutes, the odor is gone.

Pell said the reason he brought up the issue of the cat urine is because there was an individual who parked their pickup downtown in front of Anytime Fitness. He said the individual then drove home and put his pickup in the garage and his garage smelled like cat urine.

Pell said if people want to feed the cats on their own property, that's fine.

Lepinski noted the cats downtown are being fed on private property.

Pell said he understands if someone has received permission to feed cats on private property, but if an ordinance is going to be put in place, the ordinance should be that the cats are fed on your own property, not on somebody else's property even with permission. Pell said he thinks there should be a barrier where cats are not fed downtown or the geese.

Catherine Koppen asked if having sick and dying cats downtown wouldn't be more of a problem.

Mayor Polz interjected and acknowledged John Weland who wanted to speak.

Weland said he wanted to provide information to Mix's question about why the vaccinated and neutered cats are re-released downtown. Weland reiterated Lepinski's point that cats are territorial. He said in the findings that JCAPS compiled about three years ago, if all the cats were removed from downtown it would create a power vacuum. Weland explained there would then be resources with no competition so new cats would move in. He said if the cats are spayed and neutered and kept from reproducing, typically it's suggested that some of the cats are re-released back to the property that they came from. Weland explained what that does is the cats keep new cats from moving in because cats are territorial. He said the cats that have been spayed and neutered will live out their lives no longer reproducing but holding off waves of new animals moving in.

Mix said that information was very helpful. She asked what is the right number of cats to be re-released.

Weland said he didn't have that number but could do some research regarding that.

Regarding Lepinski's comments made earlier about rats downtown, Street Superintendent Phil Markman said he started working for the garbage company in Jackson in 1990. He said he drove through the alleys four out of six days a week. Markman said he could count on one hand how many rats he's seen in 16 years of garbage service. He said he's worked for the City of Jackson for 18 years and hasn't encountered any mice or rat infestations and never heard any complaints.

Markman said since veterinarian Dr. Fell retired, the population of cats downtown has grown. He said it is a huge problem. Markman said he has businesspeople coming to him and he refers them to the City Council.

Lepinski responded by saying the number of cats currently being fed downtown is between five and six. She said the rest of the cats that are friendly are taken in by PAWS (Precious Animals Worth Saving). She said PAWS has taken in dozens of cats from downtown over the past few years.

Koppen said when a friendly cat shows up, PAWS takes it in.

To the point of feeding cats on public property verses private property, John Weland pointed out there's a City Ordinance regarding the number of cats a resident can have, which is five cats. He said if there's the feeding of cats on private property, one could argue that it's private property so the City's can't make a rule prohibiting feeding cats on private property. However, Weland noted if the number of animals is above that ordinance limit, that is a violation of yet another ordinance, is it not?

City Attorney Brad Anderson said there are two things he wanted to interject as the City Council considered Ordinance No. 129. Attorney Anderson said first, as you read the ordinance, it would prevent a private individual from feeding their cat on their deck or anyplace outside on their property. He said he's not sure if that's what the City Council intends or wants to do with this ordinance. Attorney Anderson said the second part of Ordinance No. 129 is that there could be some real enforcement issues regarding the residential areas. He said from a lot of conversations that he's heard brought up at the City Council meeting now and in year's past, it's seems like the primary issue is with the downtown area. Attorney Anderson said the Council may want to give some consideration to focus the ordinance to the downtown area, try it out and see how it works before the City ventures into the residential areas because there could be some real issues out there.

Attorney Anderson noted there are ordinances on the book as part of the ordinance enforcement as part of the City's Strategic Plan and some of the other issues that go along with that. He said there was a meeting with law enforcement on April 4<sup>th</sup> looking at how to enforce what the City has on the books. Attorney Anderson said some of those issues could potentially be a criminal matter, for example, all those cat houses on a particular alley which appear to house cats which he has personally observed. He noted if there's more than five cats on that property, that property owner may be responsible and in violation of the City's ordinance. Attorney Anderson said that has been a difficult thing to enforce because the City doesn't have any place to take the cats. He said a ticket can be issued to the property owner, but that's about all that law enforcement can do. Attorney Anderson said he believes it's a petty misdemeanor. He said he thinks there's going to be some other thought that's coming down the road as to how the City is going to better enforce these rules if that's the kind of rules the City is going to put in place.

Alderman Titus said he doesn't think he has the information to vote on Ordinance No. 129 at this point. He said he doesn't know what the correct cat census is. Titus said he's told there are 50 cats downtown and is told by those attending the Council meeting that there's five. Titus said between five and fifty feral cats downtown, he doesn't know what the right number is.

Titus said the City doesn't have an Animal Control Officer and the City doesn't have a place to take animals. He said he thinks the Council should move very carefully in any direction the Council decides to go. Titus again noted the absence of someone in charge of animal control and the lack of some place to take animals.

Mayor Polz said he doesn't think the way Ordinance No. 129, as written, fits the needs of the community. He said he doesn't know if it's something that should be discussed by a committee to be determined or to table the ordinance.

Finck said the ordinance under consideration is not enforceable and does not do the intention of what he would call control downtown. He pointed out the discussion is not eradicating, nobody is talking about that. Finck said if that impression is out there, that's not the Council's intentions or what they're trying to relate. He said the proposed ordinance doesn't accomplish anything but create more animosity. Finck said he thinks there needs to be work done on whatever an animal shelter looks like and what true animal control should be. He said he could go either way on whether it's feral cats released or what that all looks like, but without a plan, this is a nightmare for Sheriff Shawn Haken and his group. Finck said all the Council is doing with Ordinance No. 129 is creating a mess.

Finck said regarding wild, or feral cats, he would hope that citizens would let nature do its thing sometimes too. He said he understands that people take care of things and help the cats along, but also let nature do its course. Finck said nature has a way of taking care of nature and it's been that way for thousands of years. He said some of that is part of that and if we stay out of the way some of these problems go away, they do. Finck said mother nature will do what she does best and we have to remember that. Finck said he's not talking about domesticated cats, that's a different deal, he wanted to be clear about that regarding what is being talked about.

Finck said Ordinance No. 129 needs to be tabled or go away.

Peterson said he doesn't even think the Council needs to discuss this ordinance anymore.

Finck asked Skaret what the City Council could do.

Skaret said the City Council can just let action on Ordinance No 129 die. For everyone's benefit present at the Council meeting, Skaret said this issue regarding feral cats has been going on for a long time. He said back in 2020, the Council was having a very similar discussion. Skaret said the Mayor at that time formed a task force. Skaret explained there was a task force of what could be called the pro-cat people, anti-cat people, middle-of-the road people, law enforcement and other people from the community that served on that task force. Skaret said the task force met a few times at the Pizza Ranch and it was decided that an animal shelter needed to be built. He said what spun off from that group was JCAPS (Jackson County Animal Protection Society). Skaret said John Weland of JCAPS has been working very hard at heading up those efforts. He said JCAPS is a 501C-3 and are raising money. Skaret said that's the main mission of JCAPS is to raise money eventually one day for an animal shelter. He asked Weland if that was correct.

Weland said it was.

Finck asked Skaret if the City Staff could be tasked to reach out to communities as to what a small scale animal shelter really looks like and what it costs to operate. He said the City has building options they could look at. Finck said the City needs to move forward with something. He said he would task City Staff to reach out to other communities.

Skaret said City Staff has already done a lot of that.

Finck asked if that information could be brought to the Council as part of discussing it. He said he thinks we're there. Finck said before tensions get out of hand between everybody, lets start talking about it.

Naumann asked Weland if he's done some of the research on an animal shelter.

Weland said he has but it's worth noting that a "shelter" is different than a "kennel". He explained if it's owned by a private organization, it has to be considered as a "kennel" by State ordinance. Weland said if it's municipality owned and operated, it's considered as a "shelter". He said those are two very different operating procedures.

Finck said he's was talking a municipality owned shelter. He said a private facility is different and if there's private numbers, that's part of the discussion, but for this group it would be a municipality owned shelter. Finck said they would like to know information on what it costs, how do we do this, what's the right way, what is the spay and neuter policy, and what's the eradication. He said he knows the eradication is uncomfortable, but it's part of the discussion. Finck said the City has to start heading somewhere because he has served on the City Council for eight years and we've had the same discussion and it's gone nowhere.

Weland said absolutely.

Finck said we need to figure it out.

Mayor Polz said he thinks the Council will take no action on the first consideration of Ordinance No. 129.

Skaret said the issue of an animal shelter can be revisited.

Pell said he would end by apologizing. He said he didn't mean to offend anybody on this issue or anything. Pell said it was an issue that was brought to his attention and the deer and waterfowl was added to the ordinance because he's had numerous people talk to him about the deer also. Pell said he wanted to be clear, it's not just about the cats, it's about the deer, it's about the waterfowl and that's why the ordinance was pursued. Again, Pell said if he offended anybody, he apologizes, that was not his intention. He said he's not a cat-hater, not an animal hater, he has two dogs of his own so he's clearly not an animal hater.

Lepinski said she did not mean to offend anyone either.

Mayor Polz said as a Council and Mayor, it's that they listen to all of the constituents and they bring an issue to everybody's attention and they come to a resolution, they come to a compromise. Mayor Polz said he gives Pell credit for bringing the issue up before the Council. He also thanked Lepinski, Koppen and Weland for attending the meeting and educating himself and Councilmembers. Mayor Polz said he appreciates that.



Skaret said for the Council's benefit, he and Street Superintendent Phil Markman, Water/Wastewater Superintendent Tony Oxborough, MRES Jackson Distribution Maintenance Foreman Tony Nitchals and MMUA Safety Trainer Dan Nath met on Monday morning, March 27<sup>th</sup> and spent approximately an hour talking about the cats downtown and what can be done with them. Skaret said one common theme is there's a lot of communities that have a small animal pound. Skaret said at the community he lived in before coming to Jackson, the City had a small animal pound at the City's Wastewater Facility. He explained it was a block building that had four different kennels for dogs as each animal needs to be kept separate. Skaret said you don't have to have a fixed cage, but can have individual portable kennels for each cat. Skaret said the City hired an Animal Control person part-time to come in and feed and take care of the cats, and sometimes dogs when they had them. He said the thing is the City must hold the animal for a minimum of five days. Skaret said after the five days, the City can either adopt the animals out, or if they're not adoptable, they can be humanely put down.

Lepinski said that's when PAWS will rescue an animal after five days. She said that's how PAWS began by rescuing instead of having animals put down.

Peterson asked John Weland if he had information regarding private and public animal facilities and if he could send that information to him or the entire Council.

Weland said he could compile information to send to the Mayor and Councilmembers.

Mayor Polz said the Council would move on to the next item on the agenda.

#### **RESOLUTION NO. 14-0423 AMENDING THE BOUNDARIES OF TIF DISTRICT 3-10**

Skaret explained the Tax Increment Financing (TIF) District was created back in 2017 when the Jackson Economic Development Commission (JEDC) constructed its latest spec building located in the Industrial Park. He said the building was sold to AGCO in early 2022 and the TIF was transferable with the sale.

However, Skaret said there are only a few years left on the TIF District and there has to be a minimum of five years left even to do another project. He said the City's Financial Advisor Shannon Sweeney recommends amending the TIF District to remove everything except the spec building parcel. Skaret said if another project comes along where TIF is needed, a new district can always be created.

Mayor Polz asked for a motion to approve Resolution No. 14-0423 amending the boundaries of TIF District 3-10.

**PELL/NAUMANN moved and it was unanimously carried to approve Resolution No. 14-0423 amending the boundaries of Tax Increment Financing (TIF) District 3-10.**

## **SECOND CONSIDERATION – ORDINANCE NO. 128 REZONING JEDC TRACT OF LAND TO R-3**

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Mayor Polz asked for a motion to approve Ordinance No. 128.

**PETERSON/FINCK moved and it was unanimously carried to approve Second Consideration of Ordinance No. 128 rezoning the JEDC tract of land from R-2 to R-3.**

## **STRATEGIC PLAN CHECKLIST**

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Skaret noted at the March 21<sup>st</sup> meeting, Councilmembers requested some sort of checklist to be reviewed or at least included in the packet for each Council meeting regarding the status of the goals and priorities established by the Strategic Planning Session.

Skaret said he enclosed a sample checklist in the Councilmember's informational packets. He explained it's a list of action items that were developed as the Council's first year goals. Skaret said the list breaks the action items down by category, what the current status is, latest updates and what's been done.

Skaret said as you look at the list, work has actually started on a fair number of the action items that are listed. Skaret said what he would propose is to keep that list in every Council packet. He said the Council can look at it at every meeting or every other meeting, whatever Councilmembers prefer. Skaret said that way Councilmembers can see where the progress is at on projects, see what is being done and what needs to be done.

Peterson said he thinks it's a great idea to have the list to review.

Pell asked if a goal or end date could be set for some of the items on the list.

Mix suggested giving each of the items on the list a priority value so the Council is working on the most critical items first.

Mayor Polz said he's reluctant to use arbitrary dates as end dates.

Skaret noted the Council, in a way, already has an end date as these are the goals they want to accomplish in the first year.

Mix said she thinks the Council needs to prioritize their goals for their first year. She noted the Council needs to prioritize what they're going to get done in the first year. Mix said otherwise, Councilmembers will look at the list and not make progress.

Finck suggested having Councilmembers email Skaret ranking the items on the list, 1, 2, 3.

Mix said Councilmembers could rank what they think is the first priority that should be addressed and so forth.

## **STRATEGIC PLANNING QUARTERLY REVIEWS**

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Skaret said he heard back from MRES Strategic Planning Facilitator Marcy Douglas regarding her returning to Jackson to conduct quarterly reviews for the first year since the initial Strategic Planning Session held in March.

Skaret said Douglas presented a list of dates of when she would be available to conduct quarterly reviews. He said Douglas is willing to come to Jackson roughly on a quarterly basis at \$1,000 per trip to help defray some of the time and travel costs. Skaret said the quarterly reviews could start at 5 p.m. and would probably be approximately two hours in length.

Mayor Polz and Councilmembers reviewed the list of dates of when Douglas could conduct quarterly reviews in Jackson.

After reviewing the list of dates, Councilmembers agreed to schedule quarterly reviews on Monday, June 12th and Monday, October 2<sup>nd</sup>.

**REMINDER – BOARD OF EQUALIZATION ON TUESDAY, APRIL 18<sup>TH</sup> BEGINNING AT 6:00 P.M.**

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Mayor Polz said the Board of Equalization will be held on Tuesday, April 18<sup>th</sup> beginning at 6 p.m.

Skaret said Mayor Polz is the only person that is currently certified for the Board of Equalization.

Peterson noted he will be certified for the 2024 Board of Equalization.

**Other:**

**Alderman Nathan Peterson**

Alderman Nathan Peterson reported the closing on the sale of the building known as the “Alamo” at 101 West Ashley Street will be taking place on Wednesday, April 5<sup>th</sup> and there should be progress at the site shortly thereafter.

**City Administrator Matt Skaret – Update on Sales Tax Bills at the Legislature**

City Administrator Skaret reported the City’s Sales Tax Bill for the proposed athletic complex is moving along in the Minnesota Legislature. He said the Minnesota House has basically tabled all of the Sales Tax requests and have voted to form a task force to study the larger sales tax issue at hand. Skaret said the Minnesota Senate, on the other hand, held a hearing on March 28<sup>th</sup>. He said the City of Jackson’s Sales Tax Bill was in that mix of bills. Skaret said he testified at the hearing via Zoom. He said the Sales Tax Bill went before a Committee and the testimony went well. Skaret said on March 28<sup>th</sup>, there were 17 Local Option Sales Tax bills presented at the hearing. He noted there were a number of Local Option Sales Tax bills that were also considered on March 14<sup>th</sup>.

Skaret said what happens beyond this is anyone's guess when you're dealing with the political winds up in St. Paul. Skaret said things are moving along.

### **Housing Project a Major Accomplishment**

Skaret said what the City Council did at their April 4<sup>th</sup> meeting was really a major accomplishment regarding housing.....a major step forward. He noted the City has committed to a developer. Skaret said he just wanted to thank everybody that's been involved in the process, the Housing Task Force, the EDA, the JEDC members, Finance Committee and Dave Schmidt in the Economic Development Office.

Skaret said everyone has really put a lot of ground work in and he thinks the City has the foundation for something really, really exciting and beneficial for our community.

### **ADJOURNMENT**

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**With no further business, Mayor Polz declared the Jackson City Council meeting adjourned at 8:32 p.m.**

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**David A. Maschoff, Council Secretary**

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**Marcus Polz, Mayor**

