

**August 15, 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, August 15, 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 Mark Titus, Chris Naumann and Joe Pell. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Public Works Director Tony Oxborough, Engineer Troy Nemmers of Bolton and Menk, Jeff Anneke of the DBS Development Group, Luke Ewald of Des Moines Valley Health and Human Services, Jackson Chamber of Commerce Executive Director Corey Christopher, Jackson Fire Chief Dave Bond, Jackson Assistant Fire Chief and Park Board Chairman Michael Haeffner, Community and Business Development Specialist Dave Schmidt of Community and Economic Development Associates (CEDA), John Weland of the Jackson County Animal Protection Society, Tyler and Erika Koskovich, Catherine Koppen, Jim Syverson, Justin and Brandi Fletcher, City Clerk/Council Secretary Dave Maschoff, Justin Lessman of the Jackson County Pilot and Mathew Grisham of KKOJ/KUXX Radio. Joining the meeting via Zoom was Shelley Pohlman of Community and Economic Development Associates (CEDA), Engineer Richard Parr of SEH, Dennis Lyon of HomeServe USA, Angie Crees, and Derek Jass. (Aldermen Brandon Finck and Nathan Peterson were absent.) (A quorum of the City Council was present.)

PLEDGE OF ALLEGIANCE

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

CALL THE MEETING TO ORDER

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 Aldermen Brandon Finck and Nathan Peterson.

PUBLIC HEARING ON ORDINANCE NO. 134 CANNABIS INTERIM ORDINANCE

City Administrator Matt Skaret explained Ordinance No. 134 is the ordinance that would put a moratorium on the sale of cannabis within the City of Jackson through January 1st, 2025. He said the moratorium would pertain to the retail sale of cannabis whether it would be the THC Edibles or the cannabis that can be smoked.

Skaret said the public hearing on Ordinance No. 134 is required by law as part of the process.

Mayor Polz asked if there was anyone in the Council Chambers that was present for the public hearing.

Brandi Fletcher asked if the City was putting a cease and desist on anybody trying to establish a retail cannabis outlet until January 1st, 2025 or if Ordinance No. 134 was just to prohibit cannabis sales currently.

Skaret said Ordinance No. 134 would pertain to the sales of THC or the smokables right now. He said the moratorium would only go to January 1st, 2025. Skaret explained the purpose of Ordinance No. 134 is to allow time for the City to figure out what the rules and regulations are from the State. He said there's a lot of rules and regulations that haven't been made yet. Skaret noted the Office of Cannabis Management hasn't even been established yet. He said there's a lot of variables and a lot of unknowns right now. Skaret pointed out Economic Coordinator Dave Schmidt reached out to DEED (Minnesota Department of Employment and Economic Development) following the last City Council meeting and specifically asked if the City approving a moratorium would have an impact on businesses wishing to lawfully apply for licenses through the Office of Cannabis Management to sell cannabis products. He said the answer from the State is that a moratorium would not affect the process of someone lawfully applying for a State license.

Schmidt said what the Fletchers' and the Economic Development Office has been working on regarding opening a cannabis retail outlet in Jackson in 2025 can continue to be worked on during the moratorium. He said basically the City's moratorium is that no one can sell cannabis products in Jackson during the moratorium period.

Brandi Fletcher said they just wanted to make sure that was clarified.

Jim Syverson of Jackson said whatever the City does, and hopefully whatever it can be, the Council and everybody here and locally he thinks are in general agreement that we want to raise the level of what we are, what we can be, what we want the future to be. He said he thinks we understand that. Syverson said he really truly thinks we understand that. He said the cannabis business is quite doubtful.

Syverson said we have AGCO, we have the Motorplex and we have other things. He said he thinks about the very reputation of the City, who cares about the State, but we care at least about us.

Syverson said he thinks whatever it is that puts Jackson in a higher level is where we need to go. He said “just say no” is an old phrase but he don’t know how long we can just say “no” here at the Council, but hopefully, hopefully somehow administratively and otherwise we can figure out how to say “no” to cannabis sales for here. Syverson said the cannabis sales can go somewhere, but it doesn’t have to be here.

Mayor Polz thanked Syverson for his comments. He asked if anyone else had any comments for the public hearing. Seeing and hearing no further comments, Mayor Polz said the Council would proceed with the rest of the Council’s agenda.

There were no Bid Lettings or Open Forum.

Unscheduled Guests:

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

Brandi Fletcher said she just wanted to alert Mayor Polz and City Councilmembers that the State Office of Cannabis Management is actually holding their first meeting tomorrow (August 16th). She said it’s an informational meeting. Fletcher explained the session will provide a general overview of the early work to establish the O.C.M. (Office of Cannabis Management) and provide an update on temporary regulations for hemp-derived cannabis products and information about the upcoming O.C.M. rule-making.

Brandi Fletcher said the August 16th informational meeting was limited to 1,000 people to register but there will be a future video available. She said she's registered to watch the meeting via Zoom. Fletcher said she would let Mayor Polz and Councilmembers know when the video of the meeting was available for viewing.

Mayor Polz thanked Fletcher for that information.

Skaret said regarding the cannabis moratorium, the City Council can rescind that at any time. He said if everything is figured out by next July, the City Council can rescind the moratorium. Skaret said the moratorium on retail cannabis sales in Jackson isn't required to be in force until January of 2025.

Alderman Naumann noted the moratorium will not stop anything from moving forward regarding planning for the opening of a retail cannabis outlet. He said that's one of the things he likes about the moratorium that it still allows work on the process to move forward.

Mayor Polz asked if there were any other unscheduled guests. Seeing no other unscheduled guests, Mayor Polz said the Council would move onto the Consent Agenda.

CONSENT AGENDA

Mayor Polz asked if there was any discussion on the Consent Agenda.

Skaret noted on the Consent Agenda, there was one item that missed the final publication of the Council's amended agenda before it was sent out. He said that item was a Sidewalk Reconstruction Program application that was included in the Council's amended informational packet, but did not get listed on the Council's Consent Agenda. He said the application was for 114 Thomas Hill Road that is located near the bottom of the hill.

Mayor Polz entertained a motion to approve the Consent Agenda.

TITUS/NAUMANN moved and it was unanimously carried to approve the Consent Agenda as presented.

Council Discussion Items

NORA IBARRA – REQUEST FOR PEDDLER/TRANSIENT MERCHANT’S LICENSE FOR FOOD TRUCK

City Clerk Dave Maschoff said Nora Ibarra was going to join the City Council meeting by Zoom but apparently had not joined the meeting yet.

Mayor Polz said the Council could come back to this agenda item if Ibarra joins the meeting later.

JANETTE SIMON FROM DES MOINES VALLEY HEALTH AND HUMAN SERVICES REGARDING ADA RESERVED SEATING FOR PARADES

Skaret said Luke Ewald of Des Moines Valley Health and Human Services would be speaking instead of Simon who was unable to attend the Council meeting.

Ewald explained he works with Janette Simon and would be providing information to the Mayor and Councilmembers. He said no action would be required by the Council and the information being provided was educational.

Ewald said he wanted to talk to the Mayor and Councilmembers about making events in Jackson ADA compliant, for example, like the parade route. He noted the community has an older population and outlined having ADA reserved seating for events and parades, not only in Jackson, but across the entire region.

Ewald referred to information displayed on the Council Chamber’s Smart Screen as part of his presentation. He pointed out according to 2010 census data, more than 21 percent of Americans age 15 and older and over 50 percent of Americans age 65 and older have a current disability. Ewald said at some point in their lifetime, 70 percent of all Americans will either have a temporary or permanent disability. When it comes to developing new infrastructure or fixing current infrastructure, Ewald suggested also looking at design standards and focusing on mobility issues for those who use wheelchairs, have ambulatory issues and for those who have visual, hearing and cognitive and other hidden disabilities as well.

Ewald, used as an example, the typical parade route in Jackson consisting of about one-third of a mile from Auto Value to Festival Park. He said that's the center of where the parade routes are held in Jackson. Ewald said suggestions for the parade route in Jackson would include providing ADA compliant seating and handicap accessible seating. He said there's different designs available for benches. Ewald noted the City already has picnic tables that are designed to accommodate people who are wheelchair bound in some of the City's parks.

Ewald said some communities just rope off viewing areas for people who are wheelchair bound for parades and events. He pointed out he also included information in the packet to the Mayor and Councilmembers pertaining to parking, designating areas to drop off and pick up people, having portable curb ramps to allow people who are wheelchair bound or using a scooter to get up onto the sidewalk if the sidewalk does not have a lift.

Ewald pointed out several resource guides the City could use regarding ADA reserved seating for parades and events. He said Des Moines Valley Health and Human Services is also working on their own resource guide that they'll be distributing to communities to make them aware of ways to make events more inclusive.

Titus asked Ewald what did he think the City should be doing differently from his personal perspective and what would he like to see. Titus noted Ewald mentioned having a roped off area for reserved seating for parades.

Ewald said in the metro area, some communities have designated areas for ADA reserved seating for parades. He said it might be something for Jackson to do a pilot run in designating ADA reserved seating for parades and see where it leads. Ewald said it may be a benefit for the City to at least try it. He said the City could focus on the Second Street (Main Street) area where parades in Jackson are typically held.

Titus said his concern would be that it would kind of force those in wheelchairs to come to that roped off area. He noted the attendance for parades in Jackson is not where we have thousands of people attending.

Ewald noted this was nothing immediate to look into, but information to perhaps look at for future parades.

Titus said he would certainly think the City would want to know if somebody is dissuaded from coming to a parade because of the access. He said the City needs to know that, obviously, and maybe make changes.

Ewald thanked Mayor Polz and Councilmembers. He said Skaret could contact Janette Simon for further information.

UTILITIES COMMISSION RECOMMENDATION: APPROVE NATIONAL LEAGUE OF CITIES SERVICE LINE INSURANCE PROGRAM

Skaret explained the National League of Cities has partnered with a company called HomeServe who administers a water and sewer line insurance program that can be offered to residents. He said the HomeServe insurance program is actually something the City Council had considered back in 2019. Skaret explained the Council at the time declined it primarily due to concerns about the use of the City's logo on marketing materials and the City possibly being dragged into any disputes that might arise.

Skaret said there is a lot of old private infrastructure in Jackson. He said there's both private water and private sewer lines. Skaret said there's also a program through HomeServe to cover internal plumbing such as if a water pipe breaks inside the house.

Skaret said people find out often times too late after the fact that their homeowners' insurance doesn't cover a water leak or the failure of a sewer line or anything like that. He said the HomeServe Program is endorsed by the National League of Cities. Skaret said Dennis Lyon representing HomeServe was joining the City Council meeting through Zoom to answer any questions.

Skaret said the Utilities Commission looked at the HomeServe Insurance Program quite extensively at their last regular meeting. He said the Utilities Commission recommended the City allow HomeServe to offer their insurance program to the City's utility customers.

Skaret said there is a monthly insurance premium fee. He said HomeServe does all the billing and handles all the marketing. Skaret said HomeServe will utilize the City's logo on their materials.

Skaret said HomeServe's fees for water line coverage is \$6.75 per month, \$7.75 per month for sewer and \$9.99 per month for the internal plumbing coverage. He said there is an option for the City for a Royalty Agreement in which 50 cents out of every account would be paid back to the City. Skaret said the Utilities Commission didn't think the 50 cent Royalty Agreement was necessary. He said typically about 10 to 20 percent of the utility customers in a particular community might sign-up for the HomeServe utility line insurance program. Skaret said the City of Jackson has about 1,700 utility customers so it would be a relatively small amount of money that the City would receive through a Royalty Agreement with HomeServe. He said the Utilities Commission thought it would be best to give that 50 cents back to the customer which would reduce the customer's monthly fee by 50 cents on each item.

MIX/PELL moved and it was unanimously carried to allow the HomeServe/National League of Cities Service Line water line, sewer line and in-home plumbing insurance program to be offered in Jackson.

DBS HOUSING PROJECT/FALLBROOK HEIGHTS SUBDIVISION

- 1. PLANNING COMMISSION RECOMMENDATION: APPROVE PLANNED UNIT DEVELOPMENT**
 - 2. APPROVE EXCEL ENGINEERING (IN COORDINATION WITH DBS GROUP) TO ADVERTISE FOR BIDS FOR THE FALLBROOK HEIGHTS PHASE ONE PUBLIC INFRASTRUCTURE PROJECT**
 - 3. APPROVE PHASE ONE PROJECT SCOPE IN GENERAL CONFORMANCE WITH PROGRESS PLANS PROVIDED BY EXCEL ENGINEERING ON AUGUST 9, 2023. FINAL BID DOCUMENTS AND CONSTRUCTION PLANS TO BE REVIEWED BY CITY STAFF.**
 - 4. APPROVE DBS GROUP AS CONSTRUCTION MANAGER AND ADVISOR FOR THE FALLBROOK HEIGHTS PHASE ONE PUBLIC INFRASTRUCTURE PROJECT, SUBJECT TO FINAL REVIEW AND APPROVAL OF CITY STAFF AND CITY ENGINEER**
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Skaret explained the Planning and Zoning Commission held a public hearing on Monday, August 14th and approved the Planned Unit Development for the Fallbrook Heights Subdivision.

Skaret explained essentially the Planned Unit Development is just an overlay over the entire development setting uniform setbacks under the current zoning regulations. He said for example, front-yard setback is 30 feet from the street right-of-way. Skaret said what they are doing here is doing an overlay in order to meet the density requirements. He said that's primarily what we're aiming to do here while still allowing, for instance, a car to be parked in the driveway of a townhome. Skaret said the Planned Unit Development is just allowing having a uniform standard throughout the whole district.

Jeff Anneke of the DBS Group concurred with Skaret and added it's also to really try and maximize the value of that land.

Mayor Polz said the next item is approving Excel Engineering, in coordination with the DBS Group, to advertise for bids for the Fallbrook Heights Phase One public infrastructure project.

Skaret said Excel Engineering is getting close to finalizing the plans and specifications to go out to bid for the street, water, sewer, storm sewer and related items. He said the plans are to start advertising for bids in late August and opening bids on September 12th. Skaret said the bid opening information will be available for City Council approval at their September 19th Council meeting. He said there's been a lot of discussion between City staff and the City's Engineer, Troy Nemmers of Bolton and Menk, on the plans for the Fallbrook Heights Phase One housing project. Skaret said it's requested to have the Council approve Excel Engineering to advertise for bids contingent upon City staff and the City engineer's approval.

Mayor Polz said another item is approving the Phase One project scope in general conformance with progress plans provided by Excel Engineering on August 9th, 2023 with the final bid documents and construction plans to be reviewed by City staff.

Mayor Polz said the final item is to approve DBS Group as Construction Manager and Advisor for the Fallbrook Heights Phase One public infrastructure project, subject to final review and approval of City staff and the City Engineer.

Titus asked who came up with the name “Fallbrook” for the housing project.

Skaret said the name “Fallbrook” came up through the EDA (Economic Development Association). He explained the EDA liked it. Skaret said the EDA felt the name fit well with the golf course across the road and the meadows up in that area and the river. He said the EDA recommended the name “Fallbrook Heights” at their meeting on August 15th.

Mayor Polz entertained a motion to approve the items regarding the DBS Housing Project/Fallbrook Heights Subdivision.

MIX/NAUMANN moved and it was unanimously carried to approve the Planning Commission recommendation to approve the Planned Unit Development for the Fallbrook Heights Subdivision, approve Excel Engineering, in coordination with the DBS Group, to advertise for bids for the Fallbrook Heights Phase One public infrastructure project, approve the Phase One project scope in general conformance with progress plans provided by Excel Engineering on August 9, 2023 with final bid documents and construction plans to be reviewed by City staff and also approve DBS Group as Construction Manager and Advisor for the Fallbrook Heights Phase One public infrastructure project, subject to final review and approval of City staff and the City Engineer.

WATER PLANT MEDIA FILTER REPLACEMENT PROJECT PAY APPLICATION NO. 1

Skaret said Engineer Richard Parr of SEH was attending the City Council meeting via Zoom. He explained Project Pay Application No. 1 is essentially to pay for some of the localization and upfront costs that have been incurred by the contractor prior to construction at the Water Plant.

Parr said this is the first pay application for the Water Plant Media Filter Replacement Project and is the initial upfront overhead costs including bonds, insurance and things the contractor has to pay upfront. He said some additional costs are expected next month for materials being delivered and additional mobilization. Parr said Pay Application No. 1 is the first initial overhead cost for the project.

Skaret said Water Plant Media Felter Replacement Project Pay Application No. 1 is in the amount of \$39,134.00.

Mayor Polz asked for a motion to approve Pay Application No. 1.

TITUS/PELL moved and it was unanimously carried to approve Water Plant Media Filter Replacement Project Pay Application No. 1 in the amount of \$39,134.00 to Rubin Construction, LLC.

CHAMBER DIRECTOR COREY CHRISTOPHER – JACKSON DAYS PARADE AND BLOCK PARTY STREET CLOSURES

Jackson Chamber of Commerce Executive Director Corey Christopher distributed flyers to Mayor Polz and Councilmembers outlining all the activities taking place in Jackson August 16th through August 18th during the Jackson Nationals at the Motorplex. Christopher said the flyers will be available to those visiting Jackson for the Nationals outlining the activities including the parade on August 16th, the Jackson Block Party on August 17th, Cruise-in on August 18th and listing all the other activities that will be taking place those days in Jackson. He noted the flyer also included a map showing where businesses and amenities are located in Jackson.

Christopher said there is a full schedule of events and activities. He said the Chamber of Commerce has worked closely with a group that represents the Motorplex this year for the Jackson Nationals. He said the Chamber has been a little bit more aggressive with activities. Christopher said a parade will be held through downtown Jackson on Wednesday night, August 16th. He said right now, there are approximately 90 entries for the parade. Christopher said there's been a lot of community participation for the parade and the Chamber is excited about that. He said there's a drumline from the Twin Cities that will be in the parade along with three groups of Shriners. He's said it's expected the parade will be a lot of fun.

Christopher said the Block Party will be held on Thursday night, August 17th. He said some street closures will be requested for the Parade and Block Party events. Christopher said he met with Public Works Director Tony Oxborough and City Administrator Matt Skaret last week.

For the parade on August 16th, Christopher said the Chamber is requesting to have Second Street (Main Street) closed starting at 4:30 in order to clear the street for the parade that will start at 6:30.

Christopher said he's been in contact with Sheriff Shawn Haken and the Sheriff's Department is on board to help the Chamber for all the events to make sure everything gets done correctly and safely.

For the Block Party on Thursday, August 17th, Christopher said they plan on closing the downtown streets at 3 p.m. He explained one of the reasons they will need to close the streets at 3 p.m. is because they have some really cool inflatables that the Chamber has leased for the evening that will take up one block. He said it takes a little bit of time to set up the inflatables.

Christopher said the Farmer's Market likes to set up shortly after 3 p.m. so that's why they chose to request the downtown streets be closed at that time.

Christopher said there will be a lot of fun things going on in Jackson during the Nationals. He said he would like to thank the Chamber Board and the Jackson Convention and Visitor's Board for making a lot of the events and activities possible. Christopher said they look forward to a great weekend.

Christopher noted the Trunk and Treat event will be held in Downtown Jackson in October. He pointed out Holiday Fest has been moved up one week so it will be held on the Saturday after Thanksgiving this year. Christopher explained Holiday Fest was moved up a week with hopes of having a lot more people in town and a lot of families and friends that are here for the weekend.

Regarding the request for street closures for the Parade and Block Party, Christopher said the parade route will actually start at the intersection of Highway 71 and North Highway. He explained the parade is starting at that point to accommodate the race haulers because they are very limited on where they can go and how they can maneuver. Christopher said the haulers will travel off of Highway 71, travel one block east on North Highway, then turn south onto Second Street and travel down to Ashley Street where they will turn east and travel up to the Motorplex. He said the parade route will follow the same route as the race haulers except the parade will end in front of City Hall. Christopher said everyone that's going to be involved in the parade are encouraged to travel back on River Street for practical purposes as well as for safety purposes. He said the parade route ends up being about seven blocks total.

Christopher said staging for the parade will take place on North Highway starting by United Prairie Insurance and heading west up North Highway as far as they need to go. He said that may go a distance up North Highway as there will be roughly 72 entries after the haulers that will need to be staged for the parade. Christopher said the Jackson Lions Club will be getting all the entries staged for the parade. He said the Chamber is very thankful for the Lions Club's support and helping to line up the parade on North Highway.

Christopher said the Block Party on Thursday, August 17th will be an interesting event because there's a lot that will be going on and you really don't know who's all going to show up until they actually show up. He said from Ashley Street going north for three blocks on Second Street will be closed to foot traffic only. Christopher said Sherman Street from Bob's Fleet to Second Street will also be closed for foot traffic only. He said two blocks of Second Street going south from Ashley Street will also be closed for the Jackson Cruisin' Club. Christopher said the Cruisin' Club has graciously accepted the offer to join the Chamber's event this year. He said the Cruisin' Club is hoping to have roughly 40 to 50 vehicles attending. Christopher said when you combine those events with the things the Chamber has coming including the Farmers Market, the inflatables, the food trucks, along with other booths and vendors, it will be essential to use the real estate wisely.

Christopher said events begin Wednesday morning with the Security Bank Golf Tournament and activities run all the way through the end of the Nationals. He said he encourages everyone to get involved. Christopher said he thinks there will be something for everyone.

Christopher thanked Mayor Polz and Councilmembers.

Mayor Polz thanked Christopher. He entertained a motion for the street closures requested by the Chamber.

NAUMANN/MIX moved and it was unanimously carried to approve the street closures requested by the Chamber of Commerce for the Jackson Nationals Parade on Wednesday, August 16th and the Jackson Block Party on Thursday, August 17th, 2023.

APPROVE JACKSON NATIONALS AS A SPECIAL DESIGNATED EVENT AUGUST 16TH TO AUGUST 21ST IN THE CITY OF JACKSON

Skaret explained approving the Jackson Nationals as a Special Designated Event will essentially relax the City's parking restrictions and other restrictions regarding vendors as far as special events, such as the Nationals. He said the Special Designation is modeled after Knoxville, Iowa during their Nationals.

Skaret said the Special Designation would basically allow people to park on a lawn or allow people to rent out space in their yard for campers and also allow vendors to be set up on public streets and so forth.

PELL/NAUMANN moved and it was unanimously carried to approve the Jackson Nationals as a Special Designated Event August 16th to August 21st, 2023 in the City of Jackson.

2020-21 STREET AND UTILITIES IMPROVEMENTS PROJECT CHANGE ORDER NO. 1

Engineer Troy Nemmers of Bolton and Menk said efforts have been underway to try and close out the 2020-21 Street and Utilities Improvements Project pertaining to the work on North Highway and South Street. He explained this specific change order is in regards to some sanitary sewer services that were installed during the project. For those who may recall, Nemmers said in 2013, there was a City-wide slip-lining of the sanitary sewer system and a lot of manhole structure rehabilitation. He said when those streets were reconstructed, the sanitary sewer main was left in place and new sanitary sewer services were installed.

Nemmers said during the televising on the final inspections going through the project, it was noticed that a few of the service laterals were protruding into the sewer main which is kind of a problem when you're hoping that flow continues by. He said he worked with the contractor and a subcontractor to go through and identify the areas that were problems. Nemmers said the contractor came in and removed those protruding taps. He said that's what Change Order No. 1 is for. Nemmers said the contractor came in and televised everything, cleaned it, removed the taps and then televised and took pictures afterward.

Nemmers said Change Order No. 1 is in the amount of \$16,290.00 to have the taps cleared and to have a clear sanitary sewer main on South Street.

Skaret noted the contractor has offered to cover up to 25 percent of the costs.

Nemmers said that was correct.

Mayor Polz asked for a motion regarding 2020-21 Street and Utilities Improvements Project Change Order No. 1.

TITUS/MIX moved and it was unanimously carried to approve 2020-21 Street and Utilities Improvements Project Change Order No. 1 in the amount of \$16,290.00 payable to Duininck's Incorporated.

2022 STREET AND UTILITIES IMPROVEMENTS PROJECT PAY ESTIMATE NO. 5

Engineer Troy Nemmers of Bolton and Menk said 2022 Street and Utilities Improvements Project Pay Estimate No. 5 pertains to the work that was completed on River Street. He said that included the water main replacement, water services installed on River Street as well as on Emily Street. Nemmers said the curb and gutter and driveways were also installed and the first lift of paving was completed on Emily Street as well.

Nemmers said the recommendation is to approve Pay Estimate No. 5 in the amount of \$736,638.27 payable to Duininck's.

PELL/NAUMANN moved and it was unanimously carried to approve 2022 Street and Utilities Improvements Pay Estimate No. 5 in the amount of \$736,638.27 payable to Duininck's.

DOWNTOWN ALLEY PROJECT PAY ESTIMATE NO. 4

Engineer Troy Nemmers said Pay Application No. 4 pertains to the Downtown Alley Project. He explained a couple of the alley removals were completed. Nemmers said Pay Estimate No. 4 is relatively smaller. He explained during the last couple of weeks there was some natural gas line relocation that was going on so the contractor wasn't able to get a lot of work accomplished. Nemmers said he talked with the contractor on August 15th and the concrete crews are scheduled to be in Jackson next week to get going on those remaining three alleys.

Nemmers said they're going to try and keep that project moving and get it wrapped up by the first part of September.

Nemmers said Pay Application No. 4 is in the amount of \$67,631.31 and is recommended for approval.

PELL/TITUS moved and it was unanimously carried to approve Downtown Alley Project Pay Estimate No. 4 in the amount of \$67,631.31 payable to Jensen Excavating and Trucking LLC.

CITY HALL SERVER UPGRADE – TYLER QUOTE HOSTED SOLUTION

Skaret explained the City is due to upgrade and replace the computer server in City Hall. He said the Technology Committee has looked at this a couple of times and have been looking at several options during the last couple months.

Skaret said the Technology Committee feels the best option is to work with Tyler Technologies who is the City's software company. He explained the City's financial, payroll and utility billing are all through Tyler Technologies software.

Skaret said the City also has a shared in-office network for internet and office files which require a smaller, much less expensive server for on-site services.

Skaret explained the advantage of working with Tyler Hosted Solution will ensure the City has the latest updates and really have more of a seamless transition between upgrading different versions of a software program. He said another benefit would be for security redundancy purposes and data recovery should the City ever have an incident.

Skaret noted the cost is more expensive than what the City is used to paying. He said there would basically be a \$35,000 per year cost. Skaret said improvements in technology often times comes with a cost and having adequate security and updates is essential, especially with all the data that the City has at City Hall.

Titus asked if Tyler Technologies is the company that has the software for the City's automatic electric and water meter readings.

Skaret said that was correct.

Titus asked what the status was on completing the installation of the automatic water and electric meter readers.

Skaret said the installation of the AMI water meters has been taking place on and off and the installation of the AMI electric meters are completed except for about two or three meters.

Public Works Director Tony Oxborough said the Water Department has 243 antennas sitting on the shelf. He said there's 500 on order that will round things out and hopefully will arrive by Christmas. Oxborough said more of the AMI water meters will be installed this winter.

MIX/NAUMANN moved and it was unanimously carried to approve the quote from Tyler Technologies for their hosted server solution for an annual fee of \$35,604.

FIRE DEPARTMENT CASCADE COMPRESSOR QUOTES

Jackson Fire Chief Dave Bond said the Fire Department needs to upgrade their cascade system. He explained the cascade system is the compressor that the Fire Department uses to fill their air bottles for their SCBA (Self-Contained Breathing Apparatus) air packs.

With the new platform truck coming, Bond said the Fire Department's current cascade system is not capable of getting that much p.s.i. (pounds per square inch) to fill air bottles. He said right now they are actually cutting their air packs short because they can't fill them properly.

Bond said the Fire Department's compressor was recently serviced and there's starting to be metal filings found in the oil. He said he thinks it's just a matter of time before the compressor doesn't work anymore.

Bond said the Fire Department reached out and received quotes on cascade systems from three vendors. He said quotes were received from Alex Air Apparatus, Heiman Fire Equipment and MacQueen Equipment.

Bond said the quote from MacQueen Equipment was \$49,603.53, the quote from Heiman Fire Equipment was \$58,750.00 and the bid from Alex Air Apparatus was \$59,694.00. He explained the Fire Department reviewed the quotes. Bond noted Alex Air Apparatus offers 10-year service and warranty on the compressor. He said the bid also includes all the plumbing work they have to do, the installation of the compressor and everything involved.

Bond said regarding the bid from Heiman Fire Equipment, Heiman's warranty on their compressor is 24 months and they have a five-year service contract. He said there was no information regarding doing all the plumbing, installation and related items.

Bond said he didn't even see a warranty regarding the compressor from MacQueen Equipment or anything regarding all the work that goes into installing the cascade system.

Bond said Alex Air Apparatus reached out to the Fire Department again in the last couple of days and indicated they would give the Fire Department \$2,250 for a trade value for the old cascade system. He said Heiman Equipment and MacQueen Equipment would not offer a trade value and the Fire Department could sell the old cascade system on their own.

Bond said he brought up the specifics of the three quotes at the Fire Department's meeting on August 7th and the Fire Department members recommended accepting the quote from Alex Air Apparatus. He noted Alex Air currently does all of the service work on the Fire Department's SCBA's and current compressor. Bond said Alex Air Apparatus is phenomenal to work with and the Fire Department just feels it's a better product.

Titus asked Bond how long has the current compressor lasted.

Bond said the current compressor has been in service for well over 30 years and has done its job, but unfortunately, it's starting to wear out. He also mentioned the compressors sold by Alex Air are made in the United States where as the compressor sold by Heiman Fire Equipment is made in Italy and it sounds like that could be an issue if they need to try and get parts. Bond mentioned that was another reason the Fire Department wanted to purchase a compressor from Alex Air Apparatus.

Mayor Polz entertained a motion to accept the Fire Department's recommendation and move forward with approving the quote from Alex Air Apparatus.

PELL/TITUS moved and it was unanimously carried to approve the Fire Department's recommendation to accept the quote of \$59,694.00 from Alex Air Apparatus of Alexandria, Minnesota for the purchase of a new Cascade Compressor System for the Fire Department.

Bond thanked Mayor Polz and Councilmembers.

Mayor Polz thanked Bond.

SECOND CONSIDERATION: ORDINANCE NO. 137 PROHIBITING THE USE OF CANNABIS IN PUBLIC SPACES

Skaret said Ordinance No. 137 is the ordinance that would prohibit the use of cannabis whether it be edible or the kind that is smoked in public spaces. He said public spaces are defined as public sidewalks, trails, parks, City owned or government property, equipment, vehicles and so forth.

Skaret noted the City Council discussed at their August 1st meeting about reviewing Ordinance No. 137 every three months or so, at least in the beginning, as this is all very new and uncharted waters.

Mayor Polz noted there's nothing in Ordinance No. 137 that prevents the use of cannabis on private properties or anything of that nature. He asked for a motion to approve the Second Consideration of Ordinance No. 137.

MIX/NAUMANN moved and it was unanimously carried to approve Second Consideration of Ordinance No. 137 prohibiting the use of cannabis in public spaces.

SECOND CONSIDERATION: ORDINANCE NO. 134 ADOPTING AN INTERIM ORDINANCE ON CANNABIS

Skaret said Ordinance No. 134 is the interim ordinance that would put a moratorium on the sale of cannabis products in the City of Jackson through January 1st, 2025. He said as noted earlier, Ordinance No. 134 does not have to be in effect until January 1st, 2025. Skaret said the City Council can revoke Ordinance No. 134 at any time.

Skaret said Ordinance No. 134 allows the "dust to settle". He said let the Office of Cannabis Management get established and let the State of Minnesota get the rules made as more is learned about this. Skaret said dialogue can continue with those who wish to have a cannabis retail store in Jackson and the moratorium also allows the City to get their regulations right when the time comes.

Naumann asked if Ordinance No. 134 stops anything the Fletcher's are working on regarding opening a retail cannabis store in Jackson.

Skaret said it will not stop anything the Fletcher's are working on.

MIX/TITUS moved and it was unanimously carried to approve Second Consideration of Ordinance No. 134 adopting an Interim Ordinance on Cannabis.

SECOND CONSIDERATION: ORDINANCE NO. 138 AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES PERTAINING TO CITY DEPARTMENTS, BOARDS, COMMISSIONS AND THE LIKE

Skaret said Ordinance No. 138 would essentially clean-up the City's ordinances to make them reflective of today's reality. He noted the City doesn't operate a hospital so the City doesn't need a Hospital Board, the Star City Program is obsolete so there's no need for a Star City Commission and the City no longer has a cable tv system so the City no longer needs to refer to that in their ordinances.

Skaret said the City has a new Public Works Director and that is now incorporated into the City's ordinances where that's referred to. He said it's just those types of things.

Mayor Polz asked for a motion.

NAUMANN/MIX moved and it was unanimously carried to approve Second Consideration of Ordinance No. 138 amending Chapter 32 of the Code of Ordinances pertaining to City Departments, Boards, Commissions and the like.

DECLARE JACKSON BLOCK PARTY ON THURSDAY, AUGUST 17TH AS A "COMMUNITY FESTIVAL", GRANT PERMISSION TO ALLOW ALCOHOL ON THE CITY STREET IN FRONT OF BRIDGET'S BUCKSNORTS BRU HA HA AND GRILL AT 105 SHERMAN STREET FROM 5 P.M. TO 8:00 P.M. AND ALSO CLOSE SHERMAN STREET FROM FIRST STREET TO SECOND STREET (MAIN) FROM 5 P.M. TO 8 P.M.

Mayor Polz said if there was no discussion, he would ask for a motion.

MIX/TITUS moved and it was unanimously carried to declare the Jackson Block Party on Thursday, August 17th as a "Community Festival", grant permission to allow alcohol on the City Street in front of Bridget's Bucksnots Bru Ha Ha and Grill at 105 Sherman Street from 5 P.M. to 8:00 P.M. and also close Sherman Street from First Street to Second Street (Main Street) from 5 p.m. to 8 p.m.

DECLARE SURPLUS PROPERTY AND AUTHORIZE TO SOLICIT BIDS ON PURPLEWAVE.COM

- **950 John Deere Tractor with Rake**
 - **1050 John Deere with loader and PTO mower**
 - **Box Blade attachment for 3-point hitch**
 - **Disk attachment for 3-point hitch**
 - **Gehl Skid Loader**
 - **Flail mower tractor with boom attachment**
 - **GMC 8500 Dump Truck**
-

Public Works Director Tony Oxborough said the items requested to be declared surplus are from the Street Department. He said as far as mowing, the City actually rents through John Deere so the Street Department no longer needs their mower with the boom attachment. Oxborough said that started the conversation of looking at the equipment the Street Department doesn't use anymore.

Oxborough explained the City gets a discounted rental rate of \$40 an hour from John Deere for the tractor used for mowing. He said if the tractor just sits and is not being used, then there is no charge. Oxborough said a snow blower will be used on the tractor this winter.

Oxborough said as far as the other pieces of equipment requested to be declared surplus, they get used every once in a while. He said more or less they could be sent down the road.

Oxborough said it's his intention to use the profits from the sale of the equipment to purchase a unique piece of equipment that can be used for multiple purposes. He said with the new piece of equipment, the City could start spraying their own parks and things like that.

At this point, Oxborough said he was asking if the list of equipment presented to the Council could be declared surplus and sold.

Skaret said the piece of new equipment Oxborough was mentioning, if enough money is raised from the sale of the surplus equipment, is called a Toolcat.

Mayor Polz asked if the Toolcat would allow the Street Department to remove snow on the trails during the winter.

Oxborough said the Toolcat could be used to remove snow on the trails in the winter and the City could spray their own parks with the Toolcat which would be a smaller unit. He said he would feel confident having the seasonal park employees use the Toolcat because it's actually not a skid loader. Oxborough noted the Toolcat could be used on the trails instead of driving a pickup truck on the trails. He said he thinks the Toolcat would be kind of a "catch-all" piece of equipment. Oxborough said he thinks the Toolcat would actually do a better job of doing snow removal on the sidewalks.

Oxborough said he's hoping he can raise enough money so the Toolcat can be purchased this year without having to budget for it next year. But he said if enough money can't be raised from the sale of the surplus equipment, then he will put the purchase of the Toolcat in the budget for next year.

Mayor Polz asked for a motion to declare the equipment Oxborough listed as surplus property and authorize him to solicit bids on Purplewave.com.

NAUMANN/PELL moved and it was unanimously carried to declare as surplus property a 950 John Deere tractor with rake, a 1050 John Deere with loader and PTO mower, Box Blade attachment for a 3-point hitch, Disk attachment for a 3-point hitch, a Gehl skid loader, a Flail mower tractor with boom attachment and a GMC 8500 dump truck and to authorize Oxborough to solicit bids on Purplewave.com.

Other:

Alderman Chris Naumann

Alderman Naumann asked Skaret if there were any updates yet regarding the swimming pool.

Skaret said there were no updates as of yet. He said he's expecting a report on the pool at any time.

Alderwoman Sara Mix

Alderwoman Sara Mix asked if the City has received the rest of the assessment report on the condition of the former Coast to Coast building.

Skaret said the people that reviewed the building were in Jackson during the week of August 7th finishing up their assessment. He said the City should be receiving the final report soon.

Alderman Joe Pell

Alderman Joe Pell noted it had been discussed at the beginning of the year about burying the electric utility lines as part of the beautification efforts in the City. He asked if that was underway.

Skaret said the Electric Department has been doing a lot of burying of the utility lines.

Pell asked if the burying of the utility lines has been ongoing.

Skaret said it's been ongoing.

Oxborough said all the electric utility lines on Emily Street were buried as part of the Emily Street Project.

City Administrator Matt Skaret

Skaret said Rudy Jackson is the recruiter in the City's search for a new Ambulance Director. He said Jackson is in town this week. Skaret said Jackson flew in on August 15th from the Dallas-Fort Worth area and finds the weather very refreshing here compared to the 100-plus temperatures that have been occurring for weeks and months in the Dallas-Fort Worth area. Skaret said Jackson is very happy to be here. He said a busy few days are scheduled for Jackson through Thursday. Skaret said Jackson is interviewing various stakeholders of the City's Ambulance Service.

Skaret reported the remodeling of the City Council Chambers is scheduled to start on Wednesday morning, August 16th.

CLOSED SESSION REGARDING THE PURCHASE OF REAL ESTATE PURSUANT TO MINNESOTA CHAPTER 13D.05, SUBD. 3(C)

Mayor Polz asked for a motion for the City Council to go into Closed Session.

MIX/PELL moved and it was unanimously carried for the City Council to go into Closed Session at 7:32 p.m. regarding the purchase of real estate pursuant to Minnesota Chapter 13D.05, Subd. 3(C).

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

COMING OUT OF CLOSED SESSION

MIX/PELL moved and it was unanimously carried for the City Council to go out of Closed Session at 7:39 p.m.

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

MIX/TITUS moved and it was unanimously carried to accept the settlement agreement between the City and A.J. and Bridget Lusk regarding the property at 106 Ashley Street (Site of the former Alamo Building) and adjacent parcels in Jackson, Minnesota.

PELL/NAUMANN moved to authorize accepting bids or proposals on the sale and development on the property formerly known as the “Old Alamo” building and the adjacent parcels that are part of the settlement agreement.

City Attorney Brad Anderson asked Councilmembers if they wanted to include a price in the motion.

Councilmembers discussed pricing of the three lots that are part of the settlement.

Mix said the City should find out what the lots are really worth before the City puts a price tag on the property.

Attorney Anderson suggested the City could get an appraisal of the property.

Mix said she doesn't want the City to offer the property at too low a price and she doesn't want to start with the price too high. She said she doesn't want the City to sit on the property. Mix said the City wants a business to develop those lots.

Attorney Anderson said the City could get some information about the property regarding an appraisal.

Economic Coordinator Dave Schmidt said an appraiser can take a look at the property and provide the City with an estimate of what it's worth.

Mix said one or two of the realtors in Jackson could be contacted to provide an estimate of what the property is worth.

Pell said he would amend his previous motion.

PELL/NAUMANN amended the previous motion and it was unanimously carried to put the three lots that were part of the settlement agreement up for sale pending the appraisal and recommended valuation from a realtor.

Mix asked if the weeds could be cleaned up on the former Alamo property.

Skaret said cleaning up the lots has been discussed. He said the weeds will have to be dug out.

ADJOURNMENT

With no further business, Mayor Polz asked for a motion to adjourn the meeting.

NAUMANN/MIX moved and it was unanimously carried to adjourn the Jackson City Council meeting at 7:45 p.m.

David A. Maschoff, Council Secretary

Marcus Polz, Mayor

