

August 1, 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 1, 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, Brandon Finck, Nathan Peterson and Joe Pell. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Justin and Brandi Fletcher, Luke Ewald of Des Moines Valley Health and Human Services, John Weland of the Jackson County Animal Protection Society (JCAPS), Community and Business Development Specialist Dave Schmidt of Community and Economic Development Associates (CEDA), Interim Ambulance Director Crystal Nelson, Catherine Koppen, Paul Hargus, City Clerk/Council Secretary Dave Maschoff, Justin Lessman of the Jackson County Pilot and Mathew Grisham of KKOJ/KUXX Radio. Joining the meeting via Teleconference and Zoom was Shelley Pohlman of Community and Economic Development Associates (CEDA). (Alderman Chris Naumann was 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 the meeting in-person and by Teleconference and 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 Alderman Chris Naumann and Alderman Nathan Peterson. Mayor Polz noted Alderman Peterson would be arriving at the meeting later.

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.

Brandi Fletcher said she understands a moratorium on the sale of cannabis has been proposed to be considered by the Jackson City Council. She explained she and her husband have been looking at property in Jackson with plans to operate as a cannabis retailer in Jackson. Fletcher asked if the City Council wants her and her husband to cease and desist and back down from establishing anything in the City or if they can continue moving forward with their plans.

Fletcher claimed with the City's moratorium regarding the sale of cannabis in Jackson, they can't even purchase, discuss or do anything else with the City. She said she and her husband wanted to know where the City Council was at regarding the moratorium without trying to ruffle any feathers. Fletcher said they don't want to proceed or do anything that the City Council isn't comfortable with at this point in time. She said they are a long way off from even establishing or opening the doors of a cannabis retail store. Fletcher noted they can't even apply for a State license to operate a cannabis retail store without having established property.

Mayor Polz said it's his understanding that the purpose of the moratorium is that the City is following suit as far as what other cities are doing. He said currently there's no licensure that exists or regulations or anything of that nature. Mayor Polz said doing nothing kind of opens the City up to being the wild west so to speak. He said the City doesn't want somebody selling cannabis out of a van because it's legal now. Mayor Polz said the purpose of the proposed moratorium is to wait and see what the guidance is coming down from the State legislation. He said that's not even expected to happen until probably the end of the first quarter of 2025.

Skaret said the way the State of Minnesota set it up, all retail cannabis sellers have to be licensed through the new Office of Cannabis Management. He said the Office of Cannabis Management is not expected to be up and running until 2025. Skaret said the State is allowing cities to adopt moratoriums basically until January of 2025 so the Office of Cannabis Management can get up and running. He said during that time, there's probably going to be more changes and rules issued. Skaret said the law, as it was written, has a lot of unspecified details and it's pretty open ended.

Justin Fletcher explained the State of Minnesota said in 2024 is when they could start applying for a license to operate a cannabis retail store. Fletcher said if they don't have a property, they can't apply for a retail license. He said the State Office of Cannabis Management won't be open until 2025. Fletcher said the Office of Cannabis Management would start reviewing retail license applications at that time. He said they couldn't even apply for a retail cannabis license in 2024 so they couldn't get into the first round of applications to be registered in the State or obtain a retail license. Fletcher stressed the importance of submitting an application for the first round of licensing by the State. He noted the State of New York where it's been five years and they haven't opened up for a second round of licensing. Fletcher said the same thing has occurred in New Hampshire. Fletcher said his plans are to purchase property and construct a building which will cost him a quarter million dollars. He explained if he didn't get approved for a license, he would have a building he necessarily couldn't do anything with and would have to put it on the market.

Brandi Fletcher explained their intentions were going to have a development team purchase property and hopefully develop a payment plan with intentions to open a retail cannabis store on that property.

Brandi Fletcher claimed that she and Justin can't move forward with a payment plan or any kind of purchase with a moratorium in place. She said that takes them back down to their financials. Fletcher explained they just need certain things in place before they can even apply for a retail cannabis license. She said they are not trying to rush anybody. Fletcher said they're just trying to make sure that when the State opens up the first round of licensing, they have everyone on board. She said they want to make sure they have their property ready to go, they have an established address and they have agreements in place with the City. Fletcher said they can't even apply for a retail cannabis license from the State without agreements with the City that they're abiding by what the City wishes. She said if the City has a moratorium on retail cannabis, it will put them at a standstill and can't move forward at all with their plans.

Justin Fletcher said the moratorium won't even allow them to talk to the City Council about their retail cannabis store plans. He said it will be like a cease and desist. Fletcher said that's how a lawyer explained it to them.

Finck said the City's proposed moratorium is to allow the City to investigate when the State's rules are issued and how to form the rules regarding retail cannabis sales in the City. He said the proposed moratorium is to create order in the process of what the City is doing. Finck noted the City has not said "no" and has not said "yes" to cannabis sales or marijuana sales within the City. He said the moratorium is really to have structure to the process. Finck said the City is waiting for guidance from the State.

Brandi Fletcher said if the City passes the moratorium regarding the establishment of any kind of recreational adult use of cannabis, unless that gets reversed, they can't move forward with the purchase of any kind of property.

Skaret explained First Consideration of Ordinance No. 134 regarding the moratorium was held at the July 18th City Council meeting. He said second consideration of the moratorium will be held at the August 15th City Council meeting. Skaret noted there will also be a public hearing on Ordinance No. 134 at that time as well.

Justin Fletcher thanked Mayor Polz and Councilmembers for their time.

Mayor Polz thanked Justin and Brandi Fletcher.

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

Mayor Polz again asked if there were any unscheduled guests in the audience.

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

Seeing and hearing no further unscheduled guests, Mayor Polz said there was no open forum scheduled and the Council would move onto the Consent Agenda.

CONSENT AGENDA

Mayor Polz entertained a motion to approve the Consent Agenda.

FINCK/TITUS 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 Maschoff said due to scheduling conflicts, Nora Ibarra was unable to attend the City Council meeting in-person or by Zoom. He noted the City Council could move on to the next agenda item.

Mayor Polz thanked Maschoff for the information.

APPROVE NON-FEDERAL REIMBURSABLE AGREEMENT BETWEEN THE FAA AND THE CITY OF JACKSON FOR RECONFIGURATION FLIGHT INSPECTION OF THE PAPIs ON RUNWAYS 14/32 (FORMERLY 13/31) AND COMMISSIONING FLIGHT INSPECTION OF THE REILs/MIRLs ON RUNWAYS 14/32 (FORMERLY 13/31) AT THE JACKSON MUNICIPAL AIRPORT

Skaret said this agenda item relates to the new Airport runway which is progressing along very nicely. He said as part of process, the FAA (Federal Aviation Administration) needs to do a flight check for the navigational aids. Skaret said the FAA will fly the approach and inspect the lights. He said they will probably not even set foot on the actual ground or runway.

Skaret said in order to have the FAA do the flight check for the navigational aids, which the Airport can't do without, the FAA will charge the City \$13,948.20 which must be prepaid before the FAA will schedule the check. He pointed out the cost for checking for the navigational aids is actually a reimbursable expense to the City as part of the bipartisan infrastructure law grant that was approved by Congress a couple of years ago.

MIX/PETERSON moved and it was unanimously carried to approve the Non-Federal Reimbursable Agreement between the FAA and the City of Jackson for reconfiguration flight inspection of the PAPIs on Runways 14/32 (formerly 13/31) and commissioning flight inspection of the REILs/MIRLs on Runways 14/32 (formerly 13/31) at the Jackson Municipal Airport.

SECOND CONSIDERATION: ORDINANCE NO. 135 REGULATION OF THC EDIBLES

Skaret said Ordinance No. 135 pertains to the sort of a surprise that was tucked into one of the bills that was passed in the 2022 Minnesota State Legislative Session that allowed for the sale of certain edible cannabis products such as the gummies, beer products and so forth. He said many cities, including Jackson, adopted moratoriums so they could get some more direction from the Legislature. Skaret said the Legislature often times leaves ambiguity and has to go back and fix the messes that it made before.

Skaret said the City's moratorium expires on August 25th. He explained essentially what Ordinance No. 135 would do is set down the framework and the rules for which a business could come into Jackson and sell edible THC products. Skaret said some of the rules would be that the sale of edible THC products would have to be out of a fixed structure and can't be out of back of a van, food truck, tent or anything like that. He said the rules also include that the person buying THC products must be at least 21 years of age. Skaret said Ordinance No. 135 would also prohibit the sale of edible THC products at a location within 300 feet of any school, park, library, public sports fields, sports arenas and all government owned properties. He said Ordinance No. 135 also prohibits the sale of edible THC products at a location within 300 feet of a daycare, residential treatment facility or an attraction within a public park that is regularly used by minors, including a playground or athletic field. Skaret said Ordinance No. 135 was recommended by the Planning Commission.

PETERSON/FINCK moved and it was unanimously carried to approve the Second Consideration of Ordinance No. 135 regarding the regulation of THC edibles.

SECOND CONSIDERATION: ORDINANCE NO. 136 UPDATING CHAPTER 30 OF THE CODE OF ORDINANCES PERTAINING TO CITY GOVERNMENT

Skaret said Ordinance No. 136 was discussed at prior City Council meetings during the Council's ordinance review. He said this would incorporate the changes Councilmembers discussed into an ordinance format such as giving the Council more flexibility to set the dates, times and frequency of Council meetings and requiring the use of the City Seal on all major contracts.

Skaret said Ordinance No. 135 would also update the present practice of getting information out to the Mayor and City Councilmembers by allowing City staff to use electronic means instead of postal mail which is something the City has been doing for quite some time already. He said Ordinance No. 135 is just really doing some updating to make the ordinance reflective of present-day reality.

FINCK/MIX moved and it was unanimously carried to approve Ordinance No. 136 updating Chapter 30 of the Code of Ordinances pertaining to City Government.

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

Skaret explained there was what appears to be a loophole that was created by the State Legislature. He said a lot of cities are in the process, or have already adopted ordinances, that would attempt to close that loophole by prohibiting the use of cannabis, whether it be edible or via smoking or other forms of consumption in a public space. Skaret said a public space would be on a sidewalk, a street, alley, public right-of-way, a City-owned property, City vehicle, City equipment and on sidewalks and trails. He said Ordinance No. 137 does not prohibit someone from using marijuana on their own private property.

City Attorney Brad Anderson said it's similar to regulations pertaining to beer. He explained you can drink beer in your house and drink it on your front lawn, but you can't drink it in your car when you're driving down the road and you can't walk down the street and drink it. Attorney Anderson said that's what Ordinance No. 137 is pertaining to regarding the use of cannabis in public spaces.

With the legalization of recreational cannabis use, Titus asked if the City Council wanted to have included in Ordinance No. 137 that someone could request permission from the City Council to have cannabis in a public place, such as the park, similar to the City's ordinance that allows someone to seek permission for the consumption of beer in a public place. Titus said that question might come up in the future.

Peterson said that request would be on a case-by-case basis similar to allowing the consumption of beer in public places with permission from the City Council.

Titus said he was looking at consistency as the City allows beer in the parks after receiving permission. He said the question about allowing cannabis in the parks may legitimately come up at some time. Titus said maybe at that point, the City Council can decide.

Finck asked since not all the rules regarding cannabis have been formulated yet, is the issue of allowing cannabis use in public places upon receiving permission something that could be addressed at a later date.

Attorney Anderson said Ordinance No. 137 could be amended later to allow cannabis use in public spaces upon receiving permission similar to the ordinance that was amended for those public gatherings when people want to drink beer in public spaces upon receiving permission from the City Council.

Finck said Ordinance No. 137 could be a starting point and the ordinance could be amended as the rules are known from the State.

Mix noted a child wouldn't be given alcohol, but cannabis smoke would be in the air and it would be an atmosphere issue. She said the City Council really needs to do their research to see if they want to allow cannabis use in public spaces similar to allowing the consumption of beer in public space with permission. She said the City needs to protect themselves right now as things unfold regarding cannabis rules from the State. Mix said the City Council could look at Ordinance No. 137 in the future to amend it.

Finck asked if Ordinance No. 137 could be reviewed every six months as the State's laws progress.

Mayor Polz asked if Ordinance No. 137 should be reviewed every three months as things regarding cannabis are moving so quickly.

Finck said it could be reviewed quarterly. He said it just needs to be reviewed.

MIX/PELL moved and it was unanimously carried to approve the First Consideration of Ordinance No. 137 prohibiting the use of cannabis in public spaces to be reviewed on a quarterly basis.

FIRST 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 relates to the ordinance review that was done at the July 18th City Council meeting. He said Ordinance No. 138 basically updates the City's Boards and Commissions. Skaret said there's been some Boards and Commissions that are obsolete such as the Star City Commission, Housing Appeals Board, Hospital Board and then updating the Ordinance to reflect that the City has a Public Works Director now instead of a Street Superintendent. He said the change also reflects that the City contracts out its electric distribution maintenance services at this time.

Mayor Polz asked for a motion regarding Ordinance No. 138.

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

THOMAS HILL ROAD/PATTERSON PARK SAFE ROUTES TO SCHOOL SIDEWALK PROJECT BID

Skaret said in 2022 the City applied for and was awarded Safe Routes to School Grant Funding to fill-in the sidewalk gap on the south side of Thomas Hill road in front of Patterson Park. He said there was a gap in the sidewalk on the south side of the street. Skaret said the plan was to fill-in that gap and replace broken sidewalk that was on both sides of that gap.

Skaret said Thomas Hill Road is a pretty heavily traveled road and is a main throughfare on the east side of Jackson. He said it's a residential neighborhood and there are a lot of children that live in that area. Skaret said installing a sidewalk would help enable children to safely walk instead of walking on the street, especially during busy morning and afternoon commutes. He said it would improve safety.

Skaret said bids were received for the sidewalk project in early July. He said there was one official bid received and that was from MR Paving of New Ulm for \$234,000 which was much more than the funding that was received from the State at the time. Skaret said the Grant funding from the State was \$118,753 and the City's match was to be \$51,121 based on the engineer's estimate of \$170,274. He said Jackson County Public Works Director Tim Stahl lobbied the State to see if more funding could be provided due to the increase in price since the funds were awarded. He said the State was able to bring the funding up to \$153,381. Skaret said the City of Jackson's share would be \$85,000.

Skaret said the decision the City Council needs to make is does the City want to accept the bid that's been submitted. He said he discussed rebidding the project with Tim Stahl. Skaret said the contractor actually had three bids for the concrete work. He explained the reason it shows as only one bid is because MR Paving is a larger contractor and more accustomed to doing the extra paperwork that comes with a project funded in-part with State Grant dollars. Skaret said Stahl does not believe that rebidding the project would result in more favorable bids.

Pell asked if the entire sidewalk all the way down Thomas Hill Road was going to be completely replaced.

Skaret said it would not be replaced all the way down Thomas Hill Road.

Paul Hargus asked how many linear feet of sidewalk would it amount to for a quarter million dollars. He said it seems like a lot of money for installing a sidewalk. Hargus noted his children walk on Thomas Hill Road so he's kind of vested in this project.

Skaret said he didn't have the exact number of linear feet of sidewalk to be installed.

Hargus said it just seems like a ridiculous amount of money if it's just for sidewalk that's literally in front of the park.

Pell said it would be good to have a sidewalk north of Patterson Park so children aren't walking on the street. He noted the sidewalk at the bottom of Thomas Hill is in horrible condition. Pell said for the amount of money that was quoted, he's surprised that replacing the sidewalk at the bottom of Thomas Hill wasn't also included.

Mayor Polz said maybe the project could be rebid.

Pell said he would like to see new sidewalk all the way down Thomas Hill Road.

Peterson agreed a new sidewalk should go all the way down Thomas Hill.

Mix said she would hate for the City to miss out on \$150,000 in grant money by waiting on doing the project. She said the City's share of \$80,000 is a lot of money, but she noted the City Council has talked about making sure the City's properties are taken care of and making the community look better.

Finck noted the grant project would entail only two blocks.

Pell said he was disappointed the entire sidewalk down Thomas Hill is not included.

There was further discussion regarding rebidding the project or looking at not accepting the State Grant and having the City seek bids from local contractors for the City to do a sidewalk project on their own.

PETERSON/MIX moved and it was unanimously carried to table action on moving forward with the Thomas Hill/Patterson Park Sidewalk GAP Safe Routes to School (SRTS) Project until the City's Council's next regular meeting on August 15th until more information is available.

NUISANCE ABATEMENT PROCESS UPDATE – CITY ATTORNEY BRAD ANDERSON

City Attorney Brad Anderson presented information to Mayor Polz and Councilmembers showing photographs and specific information on properties in Jackson that may be considered nuisances or need to be abated. He said the photographs and details were provided to give the Mayor and Councilmembers information on properties being referenced.

Attorney Anderson explained the City has already in place three basic paths to follow to abate a nuisance. He said those three include criminal enforcement, civil enforcement and administrative enforcement.

Attorney Anderson said once a nuisance is identified, whether it's by observation by City staff, the Sheriff's Department or by a complaint registered at City Hall, the first thing that City staff or the Sheriff's Department needs to do is investigate the circumstances of the alleged nuisance and determine whether or not it is a nuisance under the City's ordinance or possibly State Statute.

Attorney Anderson said if there's an issue that's not clear cut and questions whether it's a nuisance or not, it's proposed to have a new Committee formed known as the Nuisance Abatement Committee. Attorney Anderson said the reason for having a Nuisance Abatement Committee is to have a Committee that could probably deal with issues much more quickly. He explained if there's a two, three or four person Committee set up to review appeal requests, the process will be much quicker, plus those wanting to make appeals won't have to appear before the full City Council. Attorney Anderson said right now the way things are set up, if the person who had been cited for the alleged nuisance questioned whether there was a nuisance, the issue would have to be brought before the full City Council for determination as to whether or not there's a nuisance that needs abatement.

Attorney Anderson said if it's determined that there's a nuisance, then a notice will be sent to the property owner. He said it will give the property owner the opportunity to correct whatever is wrong.

Attorney Anderson said if corrections are not made, then it will need to be decided if the City will follow the criminal enforcement path, the civil enforcement path or the administrative path.

Attorney Anderson said the criminal enforcement path is pretty simple. He said the Sheriff will issue a citation. Attorney Anderson said although the person would correct the nuisance, they would still have to go to court. However, he said maybe an arrangement could be made where the person would have a diversion agreement so as long as the nuisance is corrected and stays corrected for 12 months or some a certain time period and then the case might be diverted and actually dismissed.

Attorney Anderson said civil enforcement is a little bit more complicated and the City has already gone down that path in the past. He said if there's a nuisance and a notice is sent and it's not abated, then the nuisance would ultimately be brought before the City Council. Attorney Anderson said if the City Council determines that there is a nuisance and it does need to be abated, then the City Council can issue an order like was done last year with the former Prairie Winds Motel property. He said a court order would be sought to allow the City to move in and abate the nuisance even though the landowner might not agree with it.

Attorney Anderson said the civil enforcement process can be complicated, can be expensive and can be very time consuming, but it's probably the most effective way to make sure the abatement ends. He said the downfall and the problem is the City will have to pay for it so the City will incur expense which could be minor or it could be great. Attorney Anderson said the City could theoretically recover the cost by putting a lien on the property, but usually when you have a nuisance issue, money might be a real issue for that property owner. He said in those cases he wouldn't expect a quick payment or getting repaid the full amount.

Attorney Anderson said administrative enforcement has been on the books for a while. He explained it was created to be a quicker, more cost-effective way to proceed but its downfall is that it's totally voluntary. Attorney Anderson explained the City would issue an abatement order to the property owner that would include an administrative fine. He said that administrative fine is collected and kept by the City. Attorney Anderson said the property owner is supposed to correct the nuisance and pay the fine. He said the trouble is it's all voluntary. Attorney Anderson said if the property owner doesn't correct the nuisance, then the City's choice reverts to a civil enforcement or possibly a criminal enforcement. But hopefully he said in many cases, a property owner will correct the nuisance when they realize it is a nuisance.

Attorney Anderson said the enforcement chain of command basically is the City Council. He said below them would be the Nuisance Abatement Committee and below them would be the City Staff, the Sheriff's Office, the City Attorney's Office and below that it's the citizen making a complaint. Attorney Anderson said there's one other entity involved and that would be the District Court because the only recourse left after appeal to the full City Council by a property owner is going District Court and having the District Court overturn the City's determination.

Attorney Anderson said that was a brief overview of what the City has in place. He said it's pretty typical throughout cities in Minnesota and probably in a lot of States.

Attorney Anderson said there are some considerations that the City Council needs to think about when they decide how aggressively they want the City staff to pursue this. He said there are things to consider such as one man's treasure is another man's junk. Attorney Anderson said another issue is citizen's property rights to a limited extent. He said probably a more practical concern or consideration is cost.

Attorney Anderson said right now there are 23, probably more buildings that are on the City's radar. Of those 23, he said in his opinion he would categorize eight of them as "bad" meaning they're a "no-brainer" that have to be removed. Attorney Anderson said he would put another eight buildings in the "questionable category" which means they could go either way by being beyond repair and should be removed or they might be repairable. He said he put seven of those 23 in the "repairable" category which means they can probably be saved economically. Attorney Anderson said the issue comes down to cost. He said to abate the eight houses that are categorized as "bad", it could cost \$80,000-plus if the City wanted to abate all those houses and bring the lot up to grade this year. Attorney Anderson noted when it comes to cases where houses may need to be repaired, the landowner may not have the financial or physical means, or both, to do it. He said looking at the pictures of the houses shown in his report to the City Council that need repair, most of them are probably situations where the landowner doesn't have the financial means to do it or physical ability to do it or both. Attorney Anderson said that becomes a real problem as to trying to decide how to move forward and what those costs would be.

Attorney Anderson said cost and physical ability could also be a consideration when it comes to junky yards. He said a lot of times the citizen doesn't have the financial ability or the physical ability to make those changes and those corrections.

Attorney Anderson also noted costs for enforcement expense, not for removing a building, but City staff time to abate a nuisance, the City Attorney's time if there's a need to go to court to get a court order and expert costs if an issue goes to court and it's a disputed situation. He said that can add up quickly. Attorney Anderson said those are all considerations that the City Council needs to take into account.

Attorney Anderson suggested things that may help with the nuisance abatements such as a short-term one-year nuisance abatement loan to a property owner who needs financial help to clean up their property or make some necessary repairs. He said maybe there could be “in-kind” assistance from the City where the City could send a truck, a skid loader and two people to clean up the property and once it’s cleaned-up, the property owner keeps the property clean beyond that. He said it would be a one-time chance to get some help from the City. Attorney Anderson suggested maybe developing a specific arrangement that could be made with a property owner to clean-up their property over a period of time. He said private and civic groups could also be encouraged to help those that are financially strapped or can’t physically clean up their property.

Attorney Anderson said City staff wants the City Council to be aware of all these issues and take them into consideration. He suggested the City Council probably putting some money in the City budget if they are going to be doing things to abate nuisances because we’re talking about doing things that are generally pretty expensive.

Skaret suggested setting aside money in next year’s City budget for the Nuisance Abatement Fund for tearing down dilapidated houses if necessary or doing nuisance abatement loans or whatever the circumstance warrants.

Finck asked to move things forward, is it recommended that the City set up a Task Force or Committee to deal with nuisance issues?

Attorney Anderson said it’s recommended to have the City Council set up a Nuisance Abatement Committee.

Mayor Polz said the Nuisance Abatement Committee could be made up of Councilpersons and people from the community.

FINCK/PETERSON moved and it was unanimously carried to form a City Nuisance Abatement Committee which will consist of three Councilmembers and three at-large members.

Mayor Polz asked Councilmembers who would like to volunteer to serve on the Nuisance Abatement Committee.

Titus, Pell and Mix all volunteered to serve on the Committee with Peterson as an alternate.

Mayor Polz said Jim Hatten has already volunteered to serve on the Committee as an at-large member.

John Weland said he would also volunteer.

Mayor Polz said the Nuisance Abatement Committee members could then select the third at-large member to the Committee.

Mix suggested having the Sheriff's Department attend the Nuisance Abatement Committee meetings as well since they drive around the community and see properties throughout the day.

Finck suggested having Skaret, City Attorney Anderson and Sheriff Haken at the Nuisance Abatement Committee meetings. He said they won't be members of the Committee but should attend and be a part of it. Finck said the six members of the Committee will be the deciding group regarding action.

Pell suggested getting a meeting of the Nuisance Abatement Committee scheduled in the next couple of weeks to keep moving forward.

FORMER COAST TO COAST BUILDING UPDATE

Skaret reported two of SEH's environmental field technicians spent a full day examining the former Coast to Coast building on Wednesday, July 26th and were able to complete the hazardous materials sampling on the roof and second floor with the assistance of the Electric Department's bucket truck to get up to the roof. He said there's far more there than the Environmental Field Technicians expected and in order to finish the job they need to come back.

Skaret said SEH anticipated an additional \$3,400 will be required to complete the field work and complete testing on the additional samples. Skaret said he gave SEH the authority to go forward to finish the field work and complete the testing. He said the SEH Environmental Field Technicians will be returning soon.

Skaret said he wanted to give the City Council an update. He said right now the hold-up is the completion of the environmental assessment.

REVOLVING LOAN FUND COMMITTEE RECOMMENDATION: APPROVE A \$30,000 LOAN FROM THE REVOLVING LOAN FUND FOR 90 DAYS AT PRIME INTEREST RATE (8.25%) WITH THE CITY BEING THE TAKE OUT CONTINGENT UPON LITTLE HUSKIES LEARNING CENTER OBTAINING A 90-DAY EXTENSION ON THEIR PURCHASE AGREEMENT

Finck asked if the loan to Little Huskies was being drawn up as needed. Economic Coordinator Dave Schmidt said that's how he understood it. Mayor Polz asked for a motion.

PETERSON/TITUS moved and it was unanimously carried to approve the Revolving Loan Fund Committee's recommendation to approve a \$30,000 loan from the Revolving Loan Fund for 90 days at Prime Interest Rate (8.25%) with the City being the take out contingent upon Little Huskies Learning Center obtaining a 90-day extension on their purchase agreement.

CEO PROGRAM

Mayor Polz said he's heard from Jay Moore that the CEO Program that the City of Jackson had sponsored will be having their kick-off meeting on August 8th at 5:30 p.m. at the Community Center in Lakefield. He said the CEO program is looking for a representative from the City Council to represent the Jackson community at the August 8th kick-off meeting.

Peterson suggested having Alderman Chris Naumann serve as the Council's representative.

MIX/PETERSON moved and it was unanimously carried to nominate Chris Naumann as the Jackson City Council's representative at the CEO Program's kick-off meeting on August 8th, 2023 at the Community Center in Lakefield.

Other:

Alderman Joe Pell

Alderman Joe Pell asked if it was known when the City Council would receive a report about the swimming pool.

Skaret said a report on the pool will probably be available in two to three weeks.

Mayor Polz pointed out when the pool was drained, it did not float or collapse. He said, as a matter of fact, the pool is in excellent condition. Mayor Polz said he was informed the pool was tiled all the way around and was completely dry around the exterior of the pool.

Skaret said the inspection showed it was a very well-designed pool, very well constructed and very contemporary for its time.

Mayor Polz said he was glad to see that the pool maintained its integrity.

Skaret said the pool was very well designed and had a very well-designed drain system around it to take away any excess moisture.

Finck asked if the pool has been reopened since it was drained and inspected.

Skaret said the pool has not reopened yet. He said it's been refilled and the temperature of the water is being brought up before the pool reopens.

Peterson said the pool water was up to 75 degrees on August 1st.

Skaret said they are trying to get the water warmed up to 80 to 82 degrees.

Titus asked if the drains in the pool have been fixed.

Skaret said new drain covers were installed.

Mayor Polz said the news regarding the pool was encouraging.

Missouri River Energy Training

Pell asked if any Councilmembers were planning to attend the Missouri River Energy training in Sioux Falls in September. He said he was thinking about attending.

Skaret said he has attended the training and it's excellent. He said he would highly recommend it.

Pell said he had been looking at the agenda and it appeared there were some interesting topics.

Alderwoman Sara Mix

Alderwoman Sara Mix asked if there was any news regarding the former Prairie Winds Motel property.

City Attorney Brad Anderson said the Judge hasn't issued a ruling yet.

Mix also asked about the Lusk property on Ashley Street. She said she understood the Lusk's have a 90-day revolving loan from the City.

Economic Coordinator Dave Schmidt said there is a 90-day loan which expires on September 12th.

Mix asked if there was a plan for the property.

Schmidt said he had no information regarding plans.

Pell asked if something could be done with the weeds that have grown on that property.

Skaret said a mowing notice could be sent to the property owner.

Pell suggested a phone call could maybe be made to the property owner.

Alderman Nathan Peterson

Alderman Nathan Peterson asked when sealcoating of the streets would begin.

Skaret said the last starting date he heard was August 10th.

Peterson asked if property owners on the streets that will be sealcoated could be notified so they have their vehicles off the street.

Skaret said normally the contractor comes to town a day or two ahead and puts up "no parking" signs for sealcoating.

Alderman Brandon Finck

Alderman Brandon Finck said parking still remains an issue for the disc golf course when there's higher usage. He said parking is still an issue.

Skaret said the Street Department is working on making a better-defined parking lot at the disc golf course off of North Highway.

Finck asked if signage could be installed showing where the disc golf course parking is located.

Alderman Mark Titus

Alderman Mark Titus said he had a First Ward constituent concerned about the rough railroad track crossing at the east end of Center Street. He asked what can be done about abandoned rail lines.

Mayor Polz said there's going to be a group of Mayors along with County Commissioners that are going to be meeting to look at the possibility of turning the former railroad beds into a trail system.

Titus said the crossing on Center Street is a very rough crossing.

Skaret said there's one railroad crossing where the Street Department patched over the crossing. He said he would suspect that the same thing will need to be done to the former railroad crossing on the east end of Center Street.

City Attorney Brad Anderson said the railroad crossing spurs may belong to Crystal Valley Coop.

Skaret said the City can reach out to Crystal Valley regarding the crossing on the east end of Center Street.

City Administrator Matt Skaret

City Administrator Matt Skaret said he and Economic Coordinator Dave Schmidt attended the Coalition of Greater Minnesota Cities Conference in Thief River Falls. He said the highlights of the conference included having the State's Housing Commissioner as one of the guest speakers. Skaret said what was really the highlight was when he and Schmidt got to be a part of about a 12-person roundtable discussion with State Senator Lindsey Port of Burnsville who is the Senate Housing Committee Chairperson. He said they talked about housing and some of the barriers and obstacles that are faced and what it takes to make housing projects work and not work in Southern Minnesota. Skaret said there was a very good discussion. He said they talked about the issues the City of Jackson is facing with their current housing projects with TIF (Tax Increment Financing) and the low-income requirement and all the bureaucracy associated with DEED (Department of Employment and Economic Development) and the Small Cities Program and just the overall costs of getting infrastructure installed to the housing developments.

Skaret said State Senator Port is actually very familiar with Jackson. He said Port's family lives in Sioux Falls and she travels through Jackson all the time. Skaret said they made a special invitation to Senator Port to stop in Jackson when she has the time to show her the community, projects and potential project sites.

Schmidt said Senator Port was very interested in bringing the entire Senate Housing Committee to look at Jackson. He said the Minnesota Housing Commissioner is also invited again to visit Jackson. Schmidt said the Housing Commissioner and Senator Port were both willing to listen, especially in the Housing Roundtable. He said they were very open to listen to a lot of the issues that Jackson is having regarding housing.

Skaret said meeting with the Housing Commissioners, State Senator Lindsey Port and being a part of the Housing Roundtable was worth the trip to the Conference in Thief River Falls.

Mayor Polz

Mayor Polz noted he really likes and appreciates everyone's input and opinions but going forward, in operating to maintain order, he would kindly ask people to raise their hand, be acknowledged and step up to the podium to speak. He said that would be appreciated to maintain order in the future. Mayor Polz said tonight's meeting wasn't an issue, but it can present itself to be an issue in certain circumstances.

City Attorney Brad Anderson

City Attorney Brad Anderson said his family wants to thank the City for the nice plant they sent for his mother's funeral.

ADJOURNMENT

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

PETERSON/PELL moved and it was unanimously carried to adjourn the Jackson City Council meeting at 8:04 p.m.

Mayor Polz thanked everyone for attending.

David A. Maschoff, Council Secretary

Marcus Polz, Mayor

