

August 2, 2022
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 2, 2022 with the meeting called to order by Mayor Wayne Walter. On the roll call, the following persons were present in-person, Mayor Wayne Walter and Aldermen Michael More, Jerome Palmer, Brandon Finck, Nathan Peterson, Marcus Polz and Dave Cushman. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Southwest Minnesota Broadband General Manager Travis Thies, Street Superintendent Phil Markman, Jackson Fire Chief Dave Bond, Bridget Kolander-Gilbert, Lee Porter, Mark Titus, City Clerk/Council Secretary Dave Maschoff, Pastor John Schuetz of Our Redeemer Lutheran Church in Jackson, Joshua Schuetz of the Jackson County Pilot and Mathew Grisham of KKOJ/KUXX Radio. Attending the meeting via Zoom was Jackson Fire Department Assistant Chief and Park Board Chairman Michael Haeffner. (A quorum of the City Council was present.)

PLEDGE OF ALLEGIANCE

Mayor Walter 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 via Zoom recited the Pledge of Allegiance.

CALL THE MEETING TO ORDER

Mayor Walter called the regular meeting of the Jackson City Council to order. He said the roll call showed all Councilmembers were present.

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

CONSENT AGENDA

Mayor Walter entertained a motion to approve the Consent Agenda.

Polz asked to have Consent Agenda Item 7(N) pulled for further discussion regarding the staff recommendation to approve pay for half of the invoice for re-landscaping at 103 Park Street due to damage from the South Street Street and Utilities Improvements Project.

Finck also asked to have Consent Agenda Item 7(K) pulled for further discussion regarding the Revolving Loan Fund Committee's recommendation to approve the Jackson Development Group Revolving Loan Fund application in the amount of \$140,000 at prime interest rate of 4.75 percent forgivable after 5 years for the Family Dollar/Dollar Tree Project.

Mayor Walter asked for a motion to approve the Consent Agenda minus Consent Agenda Items 7(K) and 7(N).

MORE/POLZ moved and it was unanimously carried to approve the Consent Agenda as presented minus Consent Agenda Items 7(K) and 7(N).

CONSENT AGENDA ITEM 7(K)

REVOLVING LOAN FUND COMMITTEE RECOMMENDATION: APPROVE JACKSON DEVELOPMENT GROUP REVOLVING LOAN FUND APPLICATION IN THE AMOUNT OF \$140,000 AT PRIME INTEREST RATE (4.75%) FORGIVABLE AFTER 5 YEARS (FAMILY DOLLAR/DOLLAR TREE PROJECT)

Finck said he just wanted to have City Administrator Skaret explain the Revolving Loan Fund Committee's recommendation regarding the Family Dollar/Dollar Tree Project.

Skaret said a new 10,500 square foot Family Dollar/Dollar Tree store is being built in Jackson. He said there's an excessive amount of dirt work that has to be done at the site of the new store which is above and beyond what the developer is accustomed to doing on these types of projects.

Skaret said the developer came to the Revolving Loan Fund Committee for assistance with the extra dirt work. He explained the loan is not for all the dirt work but for the dirt work above and beyond what they would normally encounter.

Finck noted that typically a developer would have applied for Tax Increment Financing (TIF) or Tax Abatement for the project. He explained by seeking assistance through the Revolving Loan Fund, the developer will not be able to seek TIF or Tax Abatement. Finck pointed out as soon as the project is completed, it will be on the tax rolls verses waiting 10 years if the project was funded through Tax Increment Financing or Tax Abatement.

Skaret noted the developer's original Revolving Loan Fund application was for \$130,000. He said the developer ran into some unforeseen circumstances when they started digging which added \$10,000 to the project.

FINCK/CUSHMAN moved and it was unanimously carried to approve Consent Agenda Item 7(K) – Revolving Loan Fund Committee's Recommendation to approve the Jackson Development Group Revolving Loan Fund Application in the amount of \$140,000 at Prime Interest Rate (4.75%) forgivable after 5 years (Family Dollar/Dollar Tree Project).

Consent Agenda Item 7(N)

Staff and Engineer Recommendation: Approving paying one-half of invoice for re-landscaping at 103 Park Avenue due to damage from South Street Street and Utilities Improvements Project.

Polz said he pulled Consent Agenda Item 7(N) for clarification. He noted that the landscaping existed in the City's right-of-way and there are setback requirements. Polz asked if the City has ever run into a similar situation in the past and whether paying one-half of the invoice would set a precedent.

Skaret said the City really hasn't run into any situations like this with street projects in the past.

Skaret said the landscaping at 103 Park Street ran all the way to the curb. He said there were three rose bushes that were destroyed during the street project.

Discussion ensued on whether the City should pay for one-half of the landscaping considering it was in the City's right-of-way.

City Attorney Brad Anderson concurred with the questions regarding setting a precedent by having the City pay for one-half of the re-landscaping costs unless the property owners had a permit to plant their landscaping in the City's right-of-way.

Skaret the landscaping was installed around 2010 and the property owners did not have a permit from the City to place landscaping in the City's right-of-way.

Peterson noted the new landscaping was installed back into the City's right-of-way again. He said if the City has to do any work in the right-of-way in the future, the City will be faced with the same issue.

Finck said to get the issue to discussion, he would make a motion.

FINCK/CUSHMAN moved to approve the Staff and Engineer recommendation to approve paying one-half of the invoice for re-landscaping at 103 Park Street due to damage from the South Street Street and Utilities Improvements Project.

During further discussion, City Attorney Anderson said he thinks it would be a pretty dangerous precedent to pay for the re-landscaping that was in the City's right-of-way. He noted every time there was a street project in the future, the City would need to be aware of what type of trees and landscaping may be in the City's right-of-way that may be removed or damaged, especially if the landscaping is put back into the right-of-way. Attorney Anderson said the City should be careful in moving forward in permitting this recommendation.

Finck said he would amend his motion to include that a letter be sent to the property owner that if the landscaping is re-established in the City's right-of-way and it's damaged or removed in the future, it will be up to the property owner to pay the cost to replace the landscaping.

Peterson said he thinks approving paying for one-half sets a bad precedent in his opinion.

FINCK/CUSHMAN moved to approve the Staff and Engineer recommendation to approve paying one-half of the invoice for re-landscaping at 103 Park Street due to damage from the South Street Street and Utilities Improvement Project and that a letter be sent to the property owner that any future landscaping that needs to be replaced in the City's right of way due to street or utility work will be paid for at the property owner's expense.

Voting in favor of the motion were Aldermen Brandon Finck and Jerome Palmer.

Voting against the motion were Aldermen Michael More, Nathan Peterson, Marcus Polz and Dave Cushman.

Mayor Walter noted it appeared to be a 4 to 2 vote against the motion.

Finck said he was voting the same way as he voted on the issue regarding Jackson Cycle.

Polz said he would like to reconsider his vote. He said he agreed with Finck that this issue follows along the same line as assisting Jackson Cycle with paying for half the cost of their lift station that burned out.

Voting in favor of the motion were Aldermen Brandon Finck, Jerome Palmer and Marcus Polz.

Voting against the motion were Aldermen Michael More, Nathan Peterson and Dave Cushman.

Mayor Walter broke the Council's tie-vote by voting against the motion.

Mayor Walter said he voted "no" because of the fact that the City would be paying for half of the entire landscaping bill. He said his opinion would still be the same if the bill was for half of what was just involved in the right-of-way.

Unscheduled Guests:

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

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

Seeing none, Mayor Walter said the meeting would proceed with Council Discussion items.

Council Discussion Items

BRIDGET KOLANDER-GILBERT – REQUEST TO DECLARE JACKSON BLOCK PARTY ON THURSDAY, AUGUST 18TH AS A “COMMUNITY FESTIVAL”, GRANT PERMISSION TO SERVE ALCOHOL ON THE CITY STREET IN FRONT OF HER BUSINESS AT 105 SHERMAN STREET FROM 4 P.M. TO 10:30 P.M. AND CLOSE SHERMAN STREET FROM FIRST STREET TO THE ALLEY

Kolander-Gilbert said she was seeking permission from the City Council to serve alcohol on the street in front of her business at 105 Sherman Street from 4 p.m. to 10:30 p.m. on August 18th.

Mayor Walter noted Kolander-Gilbert has made similar requests in the past which the City Council has granted.

Kolander-Gilbert also requested barricades and six picnic tables from the City. Street Superintendent Phil Markman said the Street Department would provide barricades and picnic tables.

City Clerk Maschoff noted in the past, the Council approved two separate motions declaring an event as a Community Festival and granting the request to close the street and allowing alcohol to be served on the street.

FINCK/CUSHMAN moved and it was unanimously carried to declare the Jackson Block Party on August 18, 2022 as a Community Festival.

FINCK/CUSHMAN moved and it was unanimously carried to close Sherman Street in front of Bridget’s Bucksnots Bru Ha Ha and Grill from First Street to the alley and grant permission to serve alcohol on the City Street in front of Bridget’s Bucksnots at 105 Sherman Street from 4 p.m. to 10:30 p.m. on Thursday, August 18, 2022.

Mayor Walter thanked Kolander-Gilbert.

Kolander-Gilbert thanked Mayor Walter and City Councilmembers.

SOUTHWEST MINNESOTA BROADBAND UPDATE

Southwest Minnesota Broadband General Manager Travis Thies said he wanted to give a brief annual overview to the Mayor and Councilmembers of what's been going on at Southwest Broadband over the past 12 months, where the company is headed and provide the opportunity for the Mayor and Council to ask any questions if they have any.

Thies reported the financial position of Southwest Broadband remains extremely strong. He said Southwest Broadband had another outstanding year in 2021. Thies noted throughout the last 12 months, Southwest Broadband has had a five percent increase in broadband subscriptions alone.

Thies said Southwest Broadband currently provides internet service to roughly 2,700 customers and provides other wholesale internet connectivity to about 1,500 more. He said Southwest Broadband has approximately 1,200 voice customers across their network and roughly about 850 video subscribers. Thies said in Jackson alone, Southwest Broadband's voice customers make up about 54 percent of their total voice customers, about 50 percent of their total video customers, and about 48 percent of their internet subscribers of their total service area.

Throughout the last year, Thies said Southwest Broadband has made significant capital investments and reinvestments in their fiber optic broadband network. He said Southwest Broadband continues to install new fiber optic drops to unserved homes and businesses across their service area. Thies said in the last 12 months, about 110 new internet drops have been installed up to homes. He noted 31 of those new drops have been within the City of Jackson.

Thies said Southwest Broadband has completed two main line additions. He said one main line addition was done in Lakefield to serve a new housing addition and the other main line addition was to serve the newly constructed areas through the Industrial Park in Jackson.

Thies also outlined new technologies that Southwest Broadband has deployed throughout their entire network. He said the new technology increases the amount of shared bandwidth that's available, for example, to a cluster of homes. Thies said the new technology will also provide for higher speed internet services for homes and businesses.

Thies said Southwest Broadband rolled out new residential and business broadband packages back in April which included significant price reductions along with broadband speed increases.

Thies said the technology is always changing in communications. He said Southwest Broadband tries to stay on top of the changes so they're providing the best in technology and really a superior experience to their customers.

As far as the next 12 months, Thies said he doesn't expect Southwest Broadband to have any major changes or buildouts.

Thies said to contact him if the Mayor or City Councilmembers have any further questions or would like another update.

Mayor Walter thanked Thies for his update.

FIRST CONSIDERATION: ORDINANCE NO. 124 ADDING CHAPTER 154 TO THE JACKSON CODE OF ORDINANCES PERTAINING TO PERMITS AND UNPAID PROPERTY TAXES OR CHARGES FOR SERVICES

Skaret explained Ordinance No. 124 would bring the City of Jackson more in line with what other cities are doing when it comes to building permits to better ensure that people are caught up with paying their City utilities and property taxes.

Skaret said according to Ordinance No. 124, if a person wants to obtain a building permit, it would be required that the person be current with their City utilities payments and property taxes on the property in which a building permit is being sought.

Skaret said determining whether a person is current on their City utility bills can be checked pretty easily. He said determining whether the property taxes are current can be easily checked online since it's all public information.

Skaret said the Planning Commission discussed this idea at their most recent meeting and they were in favor of adding this requirement to the City's ordinances.

Skaret said the information regarding the City utilities and property taxes is tied to the property, not the contractor or anyone else doing the work.

Skaret said a motion was needed to approve First Consideration of Ordinance No. 124.

PETERSON/MORE moved and it was unanimously carried to approve First Consideration of Ordinance No. 124 adding Chapter 154 to the Jackson Code of Ordinances pertaining to permits and unpaid property taxes or charges for services.

SET PUBLIC HEARING ON ORDINANCE NO. 124 FOR TUESDAY, SEPTEMBER 6TH AT 6:30 P.M.

Mayor Walter said the City Council needed to set a public hearing on Ordinance No. 124 for Tuesday, September 6th at 6:30 p.m.

POLZ/FINCK moved and it was unanimously carried to set the Public Hearing on Ordinance No. 124 for Tuesday, September 6th at 6:30 p.m.

FIRST CONSIDERATION: ORDINANCE NO. 125 – FEE ORDINANCE 2022 DRAFT UPDATES REVISED AUGUST 2022

Skaret said this was an item that was discussed at the Ambulance Advisory Board meeting on Monday, July 25th.

Skaret explained there are calls when the ambulance is dispatched in cases where someone needs help getting out of a chair or other situation in which the person doesn't have to be transported or even treated. He said right now, the Ambulance Department cannot bill someone for a call like that. Skaret noted the Ambulance Department doesn't really get a lot of those types of calls, but they do get a few.

Skaret noted the Lakefield Ambulance charges a flat rate of \$150 for calls in which the ambulance is dispatched but the patient isn't transported and there's either no treatment or minimal treatment and the person doesn't even have to go to the hospital. He said the Jackson Ambulance Advisory Board recommended doing a tiered rate system. Skaret said the fee would be \$150 for an ambulance call where there is no transport and no treatment and \$500 per call in situations where there's no transport but there is treatment for a cut or wound or something like that.

Skaret said the City and Ambulance Advisory Board isn't trying to gouge folks with these fees, but they don't want those types of calls to just be more of a convenience if a person needs help getting out of a chair or the sofa or anything like that. He said there are situations where it does get to be a problem where some people are misusing public services.

PETERSON/FINCK moved and it was unanimously carried to approve First Consideration of Ordinance No. 125 – Fee Ordinance 2022 Draft Updates revised August 2022.

AIRPORT RUNWAY RECONSTRUCTION PROJECT PAY APPLICATION NO. 1

Skaret reported work is progressing at the Jackson Municipal Airport. He said the first Pay Application in the amount of \$146,274.15 has been submitted by Svoboda Excavating. Skaret said the Pay Application includes the dirt work done up to this point and the storm sewer pipe material approved at the July 25th Special City Council meeting.

Skaret said the airport project is on schedule and the earth work will continue for the next month or so.

Finck asked if the work is all within the budget for the project.

Skaret said it is within the budget.

Finck asked if the City pays the bill and then gets reimbursed.

Skaret said the City will be reimbursed by the FAA (Federal Aviation Administration). He said it will take several months for the City to get reimbursed by the FAA.

FINCK/PALMER moved and it was unanimously carried to approve Airport Runway Reconstruction Project Pay Application No. 1 in the amount of \$146,274.15 to Svoboda Excavating of Jackson.

FIERCE CONVERSATIONS STAFF TRAINING PROPOSAL

Skaret said the Fierce Conversations Staff Training proposal was first discussed by the Personnel Committee. He explained it's a program offered by a consultant who has worked with Bank Midwest and that all of the Bank Midwest employees have gone through the training.

Skaret said it's a program that really focuses on communication, relationships and working together as a team in solving problems and challenges together. He said the program is not just for one City Department. Skaret said it's a program for all Departments.

Skaret said he reached out to Suzi Kalsow, Vice-President of Learning and Development with Bank Midwest. He said he understands Kalsow does a fabulous job.

Skaret said there would be roughly 19 full-time City employees that would participate in the program. He said Kalsow recommends having three training sessions spread out about a week apart. Skaret explained that way employees have a week to soak in the material and apply what they've learned.

Skaret said the cost for Kalsow's services would be \$5,000. He said there's also tool kits that each employee receives at \$250 each. Skaret said for all full-time City employees to go through the training, along with the tool kit, amounts to a total cost of \$9,750.00.

Finck noted that Kalsow is a Bank Midwest consultant and does the Fierce Conversations Training on her own and is not as an employee of Bank Midwest. He said all employees should participate to get the full value and benefit of the training.

Polz said he feels it's important to give the City employees the tools they need to do their job.

POLZ/FINCK moved and it was carried on a 5 to 1 vote to approve the proposal from Suzi Kalsow for the Fierce Conversations training for all full-time City employees.

Voting in favor of the motion were Aldermen Michael More, Brandon Finck, Nathan Peterson, Marcus Polz and Dave Cushman.

Voting against the motion was Alderman Jerome Palmer.

BASEBALL/SOFTBALL FIELDS CONSULTANT REPORT

Skaret noted what to do with Albertus Field has been discussed by the Finance Committee and also discussed by the City Council this summer. He said developing a dog park at Albertus Field brought about broader questions about the complex, its future, and in taking a look at the bigger picture of whether Albertus Field is meeting the needs of the community. He said if not, what would it take for the City of have a ballfield complex that does meet the community's needs and would Albertus Field be the right or wrong location or would there be a better location.

Skaret said one of the things that Jackson could really capitalize on if the City had an appropriate facility, is hosting tournaments, especially youth and high school baseball and softball tournaments. He said maybe even the recreational adult softball league could get organized again if the City had appropriate facilities.

Skaret said he reached out to a company called Mammoth Sports which is headquartered in Meridian, Kansas but has a branch office in Sioux Falls. He said the company does a lot of ballfield projects in this region. Skaret said representatives from Mammoth Sports came to Jackson to do an on-site visit to see what Jackson has available. He said they looked at Albertus Field and were very excited about the possibilities for that area. Skaret said there's potential there for possibly four or five fields if they're designed correctly. He said that complex could be an asset to the community. Skaret said Albertus Field has a great location along Highway 71. He also noted the trail system goes by Albertus Field and there is water and sewer utilities located there.

Skaret said the biggest issue for Albertus Field is the flooding. In his opinion, Skaret said it's a shame that the area isn't used for what it could be used for. He noted there was flooding in 2018 and 2019, but there are years where there's no flooding.

Skaret said the next step for Mammoth Sports is to gather information on what maps may be available of Albertus Field. He said the Albertus Field property was gifted to the City by the School District many years ago. Skaret said another point of interest for Mammoth Sports is the existing levy that starts on the south end of Memorial Park and goes all the way past the Highway 71 bridge and beyond. He said files with that information have been found.

Skaret said once the information regarding the area is compiled, Mammouth Sports will put together a proposal for the City regarding doing some preliminary site examination, survey work, topography work so they have an idea of what they have to work with regarding soil conditions.

Skaret said in the coming weeks and months, Mammouth Sports will probably be coming back with a proposal to basically do preliminary Phase One type of work to see exactly what they are working with regarding soils. He said once that's done, Mammouth Sports can come back and start working on some concepts and provide the City with some options and rough cost estimates.

Skaret said a project like this will probably have to rely on some outside funding whether it be bonding dollars or a local option sales tax.

Skaret said preliminarily, Mammouth Sports was very excited about Albertus Field and said there's a lot of potential for that site.

Peterson asked if Mammouth Sports had looked at any other locations in Jackson.

Skaret said he knows Mammouth Sports went by the school to see what facilities the school currently has. He said as far as other locations, the City can certainly give Mammouth Sports some other locations to look at.

Finck said looking at the Albertus Field location is a starting point. He said there may be other locations to look at on the outskirts of the community. Finck said he's glad Mammouth Sports came to look at Albertus Field.

Skaret said this agenda item was informational.

Mayor Walter thanked Skaret for the update.

SPECIAL ANTLERLESS DEER HUNT

Skaret reported he received information from Jackson County Sheriff Shawn Haken that he had received word from the Minnesota DNR (Department of Natural Resources) that the Special Archery Deer Hunt for Jackson has been officially approved for this fall. He said there will be a lot more information coming out about it.

Skaret said the Special Archery Deer Hunt in Jackson will run the normal archery season from September 17th to December 31st. He said archery hunters would need to purchase a normal resident archery tag to be eligible to hunt in the City limits. Skaret said the City of Jackson will be assigned to what's called the "Zone 928" and archery hunters would need to buy two of what's called "430 Resident Bonus Antlerless Deer Tags" that cost \$19 a piece. He said that would give people with those tags a total of three deer, but only two of them could be harvested in the City limits.

Skaret said none of the permitting for the Special Antlerless Deer Hunt will be run through City Hall. He said it will all be run through the Department of Natural Resources.

Palmer asked if archery hunters will be able to hunt on City land.

Skaret said hunters may hunt on public land, not City land. He said hunters would need to get City Council permission to hunt on City owned land. Skaret said hunters can hunt on their own personal land or any State land.

Finck said hunters would need to get permission to hunt on JEDC owned property.

Polz suggested in the future maybe designating areas of City owned land that may be available for archery hunting.

Mayor Walter said he hopes the Special Antlerless Deer Hunt results in the harvest of additional deer.

Other:

Alderman Nathan Peterson

Alderman Peterson asked if the malfunctioning air conditioning compressor in the Library's HVAC unit had been replaced.

Skaret said the air conditioning has been repaired and is working beautifully.

City Administrator Matt Skaret

Elections and Filing Period

Skaret noted the Minnesota Primary Elections and First District Congressional Election will be held on Tuesday, August 9th. He also mentioned the filing period for those interested in running for Mayor or City Council started on August 2nd and will continue through August 16th.

Coalition of Greater Minnesota Cities

Skaret reported he had attended the Coalition of Greater Minnesota Cities Conference in Red Wing on July 27 through the 29th. He said it was a really good conference.

Skaret explained one of the issues highlighted at the Conference is the fact that there are going to be a lot of new State Legislators. He said that also includes our area.

Skaret said there's a record number of legislators retiring due to redistricting. He noted our local legislative districts also changed. Skaret said there will be a lot of education that's going to have to be done with the new legislators. He reported there may possibly be 60 or more new legislators so there will be a lot of new faces at St. Paul.

Skaret said there were a lot of things that were left undone from the last Legislative Session. He said there have been some calls for a Special Legislative Session. Skaret said whether that will happen remains to be seen, especially from now to November during the political season, which isn't conducive to getting very much productive done at the State Capital.

At the Conference, Skaret said there were some good sessions on childcare, housing, the workforce in Minnesota, and the state of the economy itself. He said he also had the opportunity to go on a tour of the Red Wing Shoe factory and Riedell Ice Skate and Roller Skate Factory.

Skaret noted State Senator Julie Rosen sat at their dinner table on Thursday night. He said Senator Rosen received an award from the Coalition of Greater Minnesota Cities. Skaret said it was nice to visit with Senator Rosen.

Skaret said the Coalition of Greater Minnesota Cities Conference was a really good conference.

CLOSED SESSION REGARDING THE PURCHASE OR SALE OF PROPERTY PURSUANT TO MN CHAPTER 13D.05, SUBD. 3(C)

Mayor Walter entertained a motion for the City Council to go into Closed Session regarding the purchase or sale of property.

FINCK/PETERSON moved and it was unanimously carried for the City Council to go into Closed Session at 7:27 p.m. regarding the purchase or sale of property pursuant to Minnesota Chapter 13D.05, Subd. 3(C).

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

COMING OUT OF CLOSED SESSION

PETERSON/FINCK moved and it was unanimously carried for the City Council to go out of Closed Session at 7:41 p.m.

Mayor Walter announced the City Council was out of Closed Session.

ADJOURNMENT

With no further business, Mayor Walter entertained a motion to adjourn.

POLZ/PETERSON moved and it was unanimously carried to adjourn the Jackson City Council meeting at 7:42 p.m.

Mayor Walter thanked Councilmembers for attending.

David A. Maschoff, Council Secretary

Marcus Polz, Mayor Pro Tem

