

Jackson, Minnesota  
February 19, 2019

The Jackson City Council met in regular session in the Council Chambers of City Hall at 6:30 p.m. on Tuesday, February 19, 2019 with the meeting called to order by Mayor Wayne Walter. On the roll call, the following persons were present: Mayor Wayne Walter, Aldermen Matt Madden, Larry Anderson, Brandon Finck, Jeffrey Gay, Donnie Schoenrock and Dave Cushman, City Administrator Matt Skaret, City Attorney Brad Anderson, Engineer Maria Tiegs of SEH, Engineer Greg Mitchell of Bolton and Menk, Jackson County Sheriff Shawn Haken, Jackson County Central School Community Services Director Jacqueline Knips, Street Superintendent Phil Markman, MRES Jackson Distribution Maintenance Foreman Jeremy Boogerd, Paul Hargus, Pastor Eunice Woodberry of Salem Lutheran Church in Jackson, City Clerk/Council Secretary Dave Maschoff, Justin Lessman of the Jackson County Pilot and Dave Schmidt of KKOJ/KUXX Radio. (A quorum of the City Council was present.)

#### **CALL THE MEETING TO ORDER**

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Mayor Wayne Walter called the regular meeting of the Jackson City Council to order. He noted the roll call showed there was a quorum with all Councilmembers present.

**There were no public hearings, no bid lettings and no open forum.**

#### **CONSENT AGENDA**

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

**There were no unscheduled guests who attended the meeting.**

## **Council Discussion Items**

### **REORGANIZATION OF THE SHERIFF'S OFFICE – SHERIFF SHAWN HAKEN**

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Jackson County Sheriff Shawn Haken explained prior to the Sheriff's Department absorbing the Jackson Police Department, the Police Department historically had both an investigator position and a sergeant's position. He said the Sheriff's Department now has an opening on their staff.

Haken said the Sheriff's Department has had an investigator as well for a couple of decades.

Haken explained when the Police Department was absorbed; an agreement between the Sheriff's Department and the City was created that stated "services shall be provided by the assignment of six full time deputies to serve the City. These services shall allow for the provision of 24 hour coverage within the City." Haken said there was no language in the agreement regarding specific positions of investigator, sergeant, captain and the like where required.

Haken said in order to provide 24 hour coverage needed for the City, the sixth position had to be either the sergeant position or investigator position. He explained the sergeant's position was chosen and has two primary tasks which include supervising the five deputies positions and assisting the County investigator when needed.

Haken said he feels the Chief Deputy can adequately supervise the five City deputies in addition to the six County deputies that he already is supervising. Haken added that he also assists in supervising all of them.

Haken explained there is a more pressing need to assist the County investigator who investigates all felonies and gross misdemeanors for the entire County. He noted this newly created investigator would focus on drug investigations in the City and also help the County investigator on all felony and gross misdemeanor cases. Haken said this will result in these major criminal cases being investigated in a faster time frame and more focus being put on drug activity in the area.

Haken pointed out the County's drug investigations have nearly doubled in the last two years. He noted the graphs he provided to the Mayor and Councilmembers outlining the statewide statistics in meth and cocaine seizures which show a dramatic increase in both drugs. Haken said the County's drug investigations mimic the statewide statistics.

Haken said there is also a financial savings with this proposal. He explained the sergeant's position is graded one spot higher than an investigator. Haken said right from the start there should be about a \$3,500 savings in wages to the City. He said there is a difference in the grading for next year.

Haken said if approved by the City Council, the position would be filled from within the Sheriff's Department which in turn would create a patrol deputy opening. Haken explained a similar presentation was made to the Jackson County Commission. He said the County Commission approved it pending approval from the Jackson City Council.

Haken explained that was the background and what the Sheriff's Department is hoping to accomplish by making the switch.

Responding to a question from Finck, Haken said the City will still have six designated officers to the City of Jackson. He said the sergeant's position will be switched to an investigator's position.

Skaret explained the City currently has five regular patrolmen. He said with the change, the City would still have five patrolmen and instead of a sergeant, the City would have an investigator.

With the change, Haken said staffing would remain the same, there would be a slight reduction in salary for the investigator's position and more focus on investigations. Haken said the Sheriff's Department can take care of the supervisory tasks with the staffing the Sheriff's Department already has.

Cushman asked what would be the measuring stick to determine if the change is working or not and would the City have any say in that.

Haken said the change could be revisited in a year. He said that would be a common practice for review. Haken said continuing the change at that time would be up to the City Council.

Skaret noted this is the last year of the City's contract with the County Sheriff's Department so the change in positions can be reviewed when the new contract agreement is discussed.

Mayor Walter asked for a motion.

**CUSHMAN/FINCK moved and it was carried to accept Sheriff Shawn Haken's recommendation for the reorganization in positions from sergeant to investigator in the Sheriff's Department.**

**Aldermen Matt Madden, Brandon Finck, Jeffrey Gay, Donnie Schoenrock and Dave Cushman voted in favor of the motion.**

**Alderman Larry Anderson abstained.**

#### **LIFT STATION #4 BIDS – GREG MITCHELL OF BOLTON AND MENK**

Engineer Greg Mitchell of Bolton and Menk said bids were opened for the Lift Station #4 Improvement Project on Tuesday, February 12<sup>th</sup>.

Mitchell explained four bids for the project were submitted. He said three of the bids were under the engineer's estimate. He said the low bid was submitted by R & R Excavating, Incorporated of Hutchinson, Minnesota for a total cost of \$662,122 which is about 24 percent less than the engineer's estimate.

Mitchell pointed out Bolton and Menk has worked with R & R Excavating on other projects in the past. He noted in Bolton and Menk's recommendation letter to the Council three projects that R & R Excavating has worked on in the past in other communities. Mitchell said they have not had any issues with them and don't see any reason not to award the contract to R & R Excavating.

Mitchell said a motion was needed from the City Council to award the bid to R & R Excavating of Hutchinson, Minnesota.

**SCHOENROCK/MADDEN moved and it was unanimously carried to award the bid for the Lift Station #4 reconstruction project to R & R Excavating, Incorporated of Hutchinson, Minnesota with the low bid of \$662,122.**

**RESOLUTION NO. 10-0219: RESOLUTION SUPPORTING PURSUIT OF 2019 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING FROM MnDOT FOR THE PROSPECT LANE AND HOMEDALE DRIVE RECONSTRUCTION PROJECT**

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Skaret explained the Local Road Improvement Program is a State funded program that's intended to improve roads of local or regional significance.

Skaret said the City of Jackson submitted an application for a project in 2017. He said the Legislature funded \$25 million for that program. Skaret said unfortunately there were about \$125 million worth of requests. He said the City of Jackson's, including most other projects, did not get funded.

Skaret said there is actually no funding for the program at the moment, but the Minnesota Department of Transportation (MnDOT) is trying to show that there is still a need for more funding so they are soliciting requests for proposals for projects.

Skaret said City staff is recommending the City submit another application. He said this time it's for Prospect Lane and Homedale Drive on the north side of Jackson, just north Eagle Ridge and southwest of the Industrial Park in the area of the new liquor store.

Skaret explained the maximum amount of the grant the City of Jackson could receive would be \$750,000. He said the overall estimate for construction of those two streets is almost \$1.2 million.

Basically, Skaret said the proposed plan is to take the temporary gravel road that was installed when the infrastructure was put in a few years ago and make it a 40 foot wide bituminous street with curb and gutter. He said there would also be a little bit of underground utility work and storm sewer improvements. Skaret said it would be a great project to help entice more commercial, retail and residential development in that area. He said it would also improve access to the Eagle Ridge Townhomes as well.

Because Jackson is a City of less than 5,000, Skaret said the City cannot apply directly for this grant. He explained the application has to be sponsored by the County. Skaret said he attended the Jackson County Commission meeting on February 19<sup>th</sup>. He reported the County Commission approved a resolution in support of the project and agreed to be a sponsor. Skaret said there's no financial commitment on the County's part. He said basically the County has to be a sponsor and the money flows through the County.

Skaret said a motion is needed to authorize the City's engineer and City staff to submit the application.

Schoenrock said he agrees with the points Skaret made about making that area more attractive to entice new businesses and retail. However, Schoenrock said as of right now, there's no property owners in that area to assess the cost of the street improvements back to other than the JEDC.

Schoenrock said he was concerned if the grant was received, would it tie up \$550,000 in City matching funds that could be used for streets in Jackson that critically need to be upgraded. He said he would like to see Prospect Lane and Homedale Drive improved, but maybe that could be done two or three years down the road when adjacent property owners can be assessed. Schoenrock expressed concern about the City spending \$550,000 on those roads when there are other streets in the City that need upgrading.

Skaret explained if the City was successful in obtaining the grant; it would take \$750,000 off the cost of the improvements on Prospect Lane and Homedale Drive. He said the assessments back to the property owners should then be less and would make that property a little more enticing to develop. Conceivably, Skaret said when that land is purchased, then the assessments would be paid back to the City. He said the City would be up-fronting the costs for the improvements but it's something the City would be paid back overtime.

Finck asked if there's been any progress in determining what the City's overall infrastructure needs are and what the costs would be.

Skaret said a comprehensive master plan regarding the City's streets and infrastructure were discussed last year. However he said there were a few pieces of the puzzle missing at that time with the South Highway and Lift Station Number 4 projects. Skaret said now that the bids have been received for those projects, the City can actually use those hard numbers to put in a plan going forward. He said that effort for a comprehensive plan will be restarting now that hard cost numbers have been received to work with for the South Highway and Lift Station Number 4 projects.

Schoenrock said the application for the grant can be made. He said he just wanted to make the City Council aware that if the grant was awarded, is Prospect Lane and Homedale Drive something the City can take on as a project.

Alderman Anderson asked what the Street Department's view was regarding improving Prospect Lane and Homedale Drive.

Street Superintendent Phil Markman said those streets are tough to plow snow on because it's difficult to know where you're at because there's no established road. He said the Street Department received a request from Palmer Bus Service to keep that road open because of the traffic flow for them to pick up children living at the Eagle Ridge Townhomes. Markman said the Street Department has been making an effort to keep that road open but it's difficult because everything drifts in. He said an established paved road with curb and gutter and street lights would help immensely. Markman noted the Street Department can make do because it's not a steep ditch along that road and you won't get stuck with a snowplow. He said it would be a lot easier to maintain a hard surfaced road verses a gravel road. Markman said a wet snow in the spring can cause the gravel road to get tore up and then it will have to be repaired.

Engineer Greg Mitchell said if the grant was successful and the City felt there were other needs that should take priority, the City would probably have the option to turn down the grant if they so desired.

Attorney Brad Anderson noted the cost of the first part of Prospect Lane that was installed was assessed all back to the property owners. He said there's an agreement that ties payback to development which the City has paid some back for the liquor store. Attorney Anderson said if the City would spend \$550,000 to finish the road, past City policy would be to assess that cost back to the property owners. He said that would probably be primarily the JEDC at this point and the City may have to enter into an agreement similar to one that's already on record.

**FINCK/ANDERSON moved and it was unanimously carried to approve Resolution No. 10-0219, a Resolution supporting pursuit of the 2019 Local Road Improvement Program Funding from MnDOT for the Prospect Lane and Homedale Drive Reconstruction Project.**

#### **APPROVE POOL HEATING SYSTEM REPAIR PROPOSALS**

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Jackson County Central School Community Services Director Jacqueline Knips explained the repairs needed for the swimming pool's heating system.

Knips said the pool has been closed since January 13<sup>th</sup> because of the failure of the heating ventilation system. She said the chimney and venting is rusted and corroded and no longer functional and thus not in compliance with State Code.

Knips explained she sought quotes from HVAC contractors find out what the cost would be to make the needed repairs. She said those quotes ran from \$8,000 up to \$120,000. She said the quote for \$8,000 would not meet State Code. Knips said the next best option that would meet State Code and allow the pool to reopen would be approximately \$40,000. She said the repair would include installing a new stainless steel chimney and venting system with a 20 year life cycle along with cleaning and tuning the existing three boilers and one heater. Knips said the only disadvantage is if the two small boilers ever have to be replaced they will need to be replaced with the same type of boiler instead of installing a newer energy efficient type boiler. Knips said the proposed repair plans and cost were discussed at the February 13<sup>th</sup> Pool Board meeting who recommended the City Council and School Board approve a proposal from NAC in the amount of \$39,650. Knips pointed out the cost for the repairs would be split evenly between the City and the School District. She said the City's share would be approximately \$20,000.

Cushman asked about the timetable to complete the repairs.

Knips said she anticipated the repairs would take about three weeks depending on the contractor's schedule.

Gay asked about the life expectancy of the boilers at the swimming pool.

Knips said it's hard to say. She said the system has been so bad for so long. Knips explained condensation actually comes down into the boilers which is very hard on them. Knips said a few parts on the boilers have already been replaced. She said the large main swimming pool boiler is fairly new and the other boilers are about 12 years old.

Knips added she has been writing grants seeking funding for the pool including replacement of the boilers.



Knips said the other option is not to make any repairs and the pool would remain closed.

Finck said the swimming pool is an asset to the community.

**SCHOENROCK/GAY moved and it was unanimously carried to approve the recommendation from the Pool Board to approve a proposal from NAC in the amount of \$39,650 to install a new stainless steel chimney and venting systems along with cleaning and tuning the existing three boilers and one heater at the swimming pool pending the approval of the Jackson County Central Schoolboard.**

### **WATER STORAGE TANK PAY APPLICATION NO. 3**

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Engineer Maria Tiegs of SEH gave a recap of the work that's been completed so far with the Water Storage Tank project.

Tiegs said the raw water lines have been completed all the way through the garage and just needs insulation. She also said work has started on the suction and discharge header through most of the pump room. Tiegs said connections are expected to be made in the garage soon.

Tiegs said Pay Application No. 3 for the Water Treatment Plant project from Magney Construction of Chanhassen is for \$80,683.67 for the period of January 1<sup>st</sup> through January 25<sup>th</sup>, 2019.

Cushman asked Tiegs if the project is on schedule.

Tiegs said the construction work is on track and is anticipated to be completed within the completion date.

**CUSHMAN/FINCK moved and it was unanimously carried to approve Pay Application No. 3 in the amount of \$80,683.67 to Magney Construction of Chanhassen, Minnesota.**

### **120 EAST MAPLE STREET NUISANCE PROPERTY**

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Skaret said the house at 120 East Maple Street has been a long time eyesore and has garnered numerous complaints from the neighbors. He pointed out in addition to the house being severely dilapidated, a tree fell on it over the past summer and fall during strong winds. Skaret said the owner of the property lives in Mississippi and has been paying the mortgage, insurance and property taxes on the property, but otherwise has little interest in doing anything with the property.

Skaret referred to a letter from City Attorney Brad Anderson outlining three options the City could pursue regarding the property. He said the first option would be to accept a deed from the current owner which would cost the City about \$300. He said once the property is in the City's name the City could then demolish the house. Skaret noted three quotes to demolish the house which included Edlin Excavating with a quote of \$7,062.99, Stevens Construction with a quote of \$7,500 and Svoboda Excavating with a quote of \$5,000 to \$10,000 because landfill fees are an unknown and the quote would be based on actual costs.

Skaret said Attorney Anderson has been in contact with the owner who is willing to deed the property over to the City. He said the City would then own the property and could demolish the house.

Skaret said the second option would be to declare the house a hazardous building and put a lien on the property for demolition costs. He said that could be a fairly lengthy process in getting the house demolished. Skaret said the cost for demolition would be assessed back to the property owner however it's unlikely the City would ever recover any money.

Skaret said the third option would be for the City to do nothing which is the least expensive route, but it would also lead to continued neighborhood frustration.

Attorney Anderson noted there was \$236,000 in IRS liens against the property but he believes the City's risk is low. He said there were about 10 different liens at one time and that's down to three or four smaller liens. Attorney Anderson said the chances of the IRS foreclosing on the property would be pretty minimal. He asked who's going to buy the property with the tax liens against it. Attorney Anderson said the house at 120 East Maple Street is a disaster and is falling together. He said there's no resurrection or retrofitting of the structure that can be done.

Cushman noted this is not an investment for the City into property, but cleaning up property.

Gay added it also takes care of safety issues.

**FINCK/GAY moved and it was unanimously carried to approve proceeding with accepting a deed from the current owner and demolishing the structure at 120 East Maple Street.**

Skaret noted there were three quotes for demolishing the house at 120 East Maple Street. Skaret said the quotes included Edlin Excavating with a quote of \$7,062.99, Stevens Construction with a quote of \$7,500 and Svoboda Excavating with a quote of \$5,000 to \$10,000 as landfill fees are an unknown but the quote would be based on actual costs. He said the lowest firm quote was from Edlin Excavating.

**ANDERSON/CUSHMAN moved and it was unanimously carried to approve the quote of \$7,062.99 from Edlin Excavating for the demolition of the house at 120 East Maple Street in Jackson.**

### **FEE ORDINANCE UPDATE**

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Skaret explained the Water Department occasionally gets requests from local contractors to purchase supplies such as to fix water main breaks and leaks in other nearby communities. He said rather than make a trip to Mankato or Sioux Falls to purchase parts, they will contact the City and the City will sell parts to them from the Water Department's stock.

Skaret said the past practice has been to charge contactors the City's cost plus 7.5 percent. However, Skaret said on some of the more expensive parts this gets quite high in price. He said in response to a complaint from a local contractor, Water Superintendent Tony Oxborough suggests putting a maximum cap on that, such as 7.5 percent up to \$50 per item.

Following discussion by the Councilmembers, it was decided to word the updated Fee Ordinance to say *All parts not listed – Actual Cost of replacement or our actual cost, whichever is greater, plus 7.5% markup up to \$50 per item plus shipping.*

**FINCK/SCHOENROCK moved and it was unanimously carried to approve the First reading of the updated Fee Ordinance Number 98.**

### **PURCHASE DUMP TRUCK FOR THE STREET DEPARTMENT**

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Street Superintendent Phil Markman said the Street Department would declare their 1995 dump truck that currently doesn't have a snow plow as surplus and replace it with a 1997 truck. He said they also would get a new complete plow/dump truck and sander.

Currently, Markman explained the airport's plow truck has some mechanical issues and has been down for almost two weeks. Because of that, he said the Street Department's spare plow truck is currently at the airport so the Street Department is currently down a truck to haul snow and a truck to plow if an extra driver is available.

Markman said all the 1995 truck can do is haul snow so it doesn't help out for plowing snow. He said the 1995 truck is generally used for hauling heavy big tree trunks because it has a heavier box. Markman said with the purchase of the new dump truck, everything the Street Department has for a spare would have plow capability. Markman explained then the Street Department would not be losing anything if there is an issue with a truck.

Skaret said there was \$75,000 of existing money set aside in the General Fund for road equipment. He said the 2019 budget set aside an additional \$75,000 so there is \$150,000 in the budget to work with.

Skaret said the state bid on the chassis, a 2020 Freightliner, is \$82,806. He said the bid from Crysteel for the box, sander and accessories is \$62,029.30. Skaret said that totals \$144,835.30

Markman said it may be a minimum of 10 to 11 months before the new truck arrives. He said Crysteel knows what type of chassis the City of Jackson is ordering so they can start building the box so when the chassis arrives they can assemble the box onto the chassis.

**MADDEN/FINCK moved and it was unanimously carried to approve the purchase of a new dump truck, box and sander for \$144,835.30 for the Street Department.**

## **MRES 101 MEETING**

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Skaret explained Missouri River Energy Services (MRES) is offering to travel to MRES member communities and hold an informal "MRES 101" meeting. He said the discussion could include staff and other personnel, new or experienced Councilmembers or anyone else that's felt could benefit from the presentation.

Skaret said topics that would be covered include the background on how MRES was formed, the Western Minnesota Power Agency and its role and why it was formed, the City's two power supply contracts with WAPA and MRES, MRES resources and the services beyond supplying power to the community.

Skaret asked if this is something the Councilmembers would be interested in. He said the meeting would take about an hour and could be completed over lunch or anytime that would work for everyone's schedule.

Cushman said it's always good to hear what the City's partners are doing. He said maybe an informal meeting would work well. Cushman said he thinks it's important for the City Council to know what's going on with MRES or if the Council has any concerns.

Cushman asked Skaret to check with MRES and find out what dates and times may be available for a "MRES 101" meeting.

#### **Other:**

#### **Ashley Park Court**

Schoenrock said he was reading the recent Park Board minutes and was wondering if plans are still in place to resurface the tennis court at Ashley Park into a basketball court with basketball equipment and striping.

Alderman and Park Board member Anderson said that is still the plan.

#### **Liquor Store**

Skaret gave the Mayor and Council an update on the new liquor store. He said he visited the new facility today and reported the lighting is completed and looks very nice. Skaret said work was underway on the trim around the doors and the floor is scheduled to be done on February 20<sup>th</sup> or whenever the weather permits.

Skaret said the racks for the cooler did not line up with the cooler doors so some parts have been ordered to remedy that problem.

Skaret said the shelving for the store is scheduled to be shipped on Friday, February 22<sup>nd</sup>. He said he didn't have a delivery date for that.

Skaret said the liquor store project is coming along.

## **Snow Removal**

Skaret thanked Street Superintendent Phil Markman and his staff for keeping up with the snow. He said it's been a never ending battle. Skaret said the City declared a snow emergency beginning at 1 a.m. on Wednesday, February 20<sup>th</sup> in anticipation of the storm that's forecast. He said the snow emergency will be in effect until it stops snowing or the streets are plowed curb to curb.

Markman said the Street Department is planning to come in starting at 4 a.m. on February 20<sup>th</sup> to plow the snow that's fallen so far and then keep everything open the best they can. He said the Street Department will then come in on Thursday, February 21<sup>st</sup> to clean up the downtown area and get ready for the next storm forecast for the weekend.

Markman said there's sufficient room down by the ballfields for dumping snow. He said it's getting really difficult in the residential areas to get the snow pushed back. Markman said they have been taking the snow blower in select areas to try and make room and will continue to do that and try to make the intersections as safe as they can.

Markman noted there are a lot of people that now have their own snow removal equipment such as ATVs with plows on them. He said some are pushing snow out into the street and across the street. Markman said residents are not allowed to do that. He said some are pushing snow up onto the neighbor's boulevards and public parks boulevards. Markman said that is illegal. He said he's tried to talk to individuals and contractors who have been doing that. Markman said there are a few people who have blatantly put snow into the street after the City plow has gone by. He said the City plows will push the snow right back into the driveway where it came from. Markman said the Street Department plows are not going to pass the snow along to the neighbor. He asked the newspaper and radio station to relay that information to the public.

Markman asked for the public's help. He said he knows everybody's frustrated with the snow and the plow drivers are getting tired but everyone gets the same amount of snow. Markman pointed out when the Street Department personnel gets done with work for the day, they have to go home and deal with the snow in their own driveways. He asked the public to please refrain from illegally dumping snow out into the street.

Mayor Walter thanked Markman and the Street Department and City crews for the job they've done in removing the snow.

### **Thank-you from Maschoff**

Mayor Walter acknowledged the thank-you card from City Clerk/Council Secretary Dave Maschoff.

Maschoff said he wanted to thank Mayor Walter and the City Council for the sympathy card and memorial gift his family received upon his father's passing.

### **South Highway Reconstruction Project**

Skaret noted the Jackson County Board of Commissioners approved their part of the bid for the South Highway Reconstruction project. He said the next thing will be when construction begins. Skaret added there will be a pre-construction meeting with the contractor before work begins. After that he said there will also be a meeting with the residents who will be affected by the South Highway reconstruction project to let them know what's going on and when.

### **ADJOURNMENT**

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**With no further business, FINCK/ANDERSON moved and it was unanimously carried to adjourn the meeting at 7:37 p.m.**

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**David A. Maschoff, Council Secretary**

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**Wayne Walter, Mayor**

