

January 16, 2024  
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, January 16, 2024 with the meeting called to order by Mayor Marcus Polz. On the roll call, the following persons were present in-person, Mayor Marcus Polz, Alderwoman Sara Mix and Aldermen Mark Titus, Chris Naumann, Brandon Finck, Nathan Peterson and Joe Pell. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Public Works Director Tony Oxborough, John Weland of the Jackson County Animal Protection Society, Engineer Troy Nemmers of Bolton and Menk, Luke Ewald of Des Moines Valley Health and Human Services, Shannon Sweeney of David Drown Associates, Rachel Landherr, Trisha Porter, Mike Schwartz, Pastor John Schuetz of Our Redeemer Lutheran Church in Jackson, City Clerk/Council Secretary Dave Maschoff and Joshua Schuetz of the Jackson County Pilot. Joining the meeting via Zoom and Teleconference was Kim and Crosby Klassen and Jackson Economic Development Administrative Assistant Shelley Pohlman. (A quorum of the City Council was present.)

#### **PRAYER**

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Pastor John Schuetz of Our Redeemer Lutheran Church in Jackson led the Mayor and Council and all those present in the Council Chambers in a moment of prayer before the Council meeting was called to order.

#### **PLEDGE OF ALLEGIANCE**

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

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

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

**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.

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

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

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

**CONSENT AGENDA**

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Mayor Polz entertained a motion to approve the Consent Agenda.

Alderman Peterson said he would like to move Council Discussion item 8(A) which was the Animal Committee's Recommendation to approve up to \$2,000 in funding, \$150/cat for spaying and neutering, taken in from inside the City limits of Jackson for animal groups that are registered 501-C3 organizations and also Council Discussion item 8(C) which was the Liquor Committee's Recommendation to approve Liquor Store Sunday hours of 11 a.m. to 4 p.m. effective April 7<sup>th</sup> to September 29<sup>th</sup>, 2024 with a \$2 per hour pay incentive for Liquor Store staff to the Consent Agenda.

Mayor Polz asked for a motion.

**PETERSON/PELL moved and it was unanimously carried to move Council Discussion Items 8(A) and 8(C) from the Council Discussion to the Consent Agenda.**

Mayor Polz then asked for a motion to approve the amended Consent Agenda including Council Discussion items 8(A) and 8(C).

**PETERSON/TITUS moved and it was unanimously carried to approve the amended Consent Agenda.**

## **Council Discussion Items**

### **RACHEL LANDHERR REGARDING DOWNTOWN SNOW REMOVAL**

Rachel Landherr thanked Mayor Polz and Councilmembers for allowing her to speak to them.

Landherr said she moved to Jackson about four years ago and started a massage therapy business a few years ago. She said she noticed following a snow storm that all the snow is pushed to the west side of Main Street and pushed to the south side of the side streets. Landherr explained that poses a pretty big issue for her clients to get into her business on the west side of Main Street. She noted she has a lot of elderly people who are clients of hers. Landherr said, just in general, it's not safe for people to be walking over snow. She explained sometimes her clients are people who are disabled or injured. Landherr said the person who works next door to her has lot of clients who use wheelchairs and walkers. She said there's not even access because the crosswalks aren't cleared of snow so there's no access for to people to get to her business. Landherr said it's impacting her income.

Landherr said she took videos of children tripping and falling over the snow. She noted children coming to the dance studio next to her business that are climbing over huge masses of snow.

Landherr said she knows the situation with the snow can be remedied.

Landherr noted this is not an issue with City workers because she sees them working hard and nobody is standing around. She said it's not an issue of anybody being lazy. Landherr said she thinks it's a matter of a snow removal plan that needs to be redone. She said she's talked with several other business owners who are also impacted by this. Landherr said other business owners said they also lost money due to the snow removal and have expressed concerns.

Landherr said she understands why the Street Department plows the snow the way they do on Main Street. She said she believes probably the mindset is that there's more parking on the east side of Main Street than there is on the west side, but by plowing snow that way you're shutting off all those businesses on the west side of the street.

Landherr said people live in a society of convenience and if a person drives by and there's not a parking spot to pull in and get a cup of coffee or quickly stop into a store, a person is just going to keep going if you have to walk or climb over snow. She said a lot of people won't do that.

Landherr said she's lived in different places in the past and snow removal has never been an issue. She said she feels it's time for the City to look at their snow removal procedure and figure out a different way to do it. Landherr said as a business owner she should be able to just come in and work without having to worry about the snow. She knows there are times when there's extenuating circumstances.

Public Works Director Tony Oxborough noted there are a lot of issues downtown regarding snow removal and it has been brought up multiple times in the past. He suggested referring the matter of downtown snow removal to the Street Committee to discuss appropriate ways to handle this kind of thing.

Oxborough said as far as the amount of snow that's been downtown in the past, the reason the Street Department waits to pick up the snow is to allow business owners time to clear their own sidewalks so the Street Department doesn't have to pick up the snow twice. He explained the Street Department personnel come in at 4 a.m. which is difficult to do multiple days in a row to pick up snow downtown so they try to schedule the pick up the best as possible. But Oxborough said there's always room for improvement. He said he thinks with the Street Committee, a plan could be put together to basically clear snow from both sides of Main Street.

Landherr said she thinks it's a fixable situation. She said she just wants it done as quickly as possible. Landherr said if the snow removal is like it has been all winter, she will be appearing at every City Council meeting. She said she can't help it because it's affecting her income.

Finck asked if the Street Committee could discuss the snow removal procedures and then have the Committee or Oxborough report back to the City Council so if there are questions about snow removal from community members, Councilmembers are aware of what the snow removal plan is.

Mayor Polz thanked Landherr for her time.

Titus said he was also concerned about the hodge-podge the City has of business owners cleaning their sidewalks. He noted he was at a restaurant prior to the City Council meeting where the sidewalk had not been cleaned and he walked through hard-packed snow. Titus noted there's also some vacant businesses that don't get their sidewalks shoveled. He said he thinks the City needs to look at what the expectation is because that's part of the problem. Titus said if the sidewalk in front of a business is not shoveled before the Street Department comes through, then the snow just sits there and becomes ice and becomes a safety issue.

Finck asked if the Street Committee could also address what the expectations are for snow removal from downtown sidewalks. He said a notice could be sent to downtown business owners to notify them, for example, that the Street Department is going to come through downtown by 4 a.m. and determine what will work for business owners so all the snow can be removed in one sweep downtown.

Landherr asked about where tenants living above the businesses in downtown Jackson are supposed to park when there's snow.

Mayor Polz said residents who live on Main Street are informed to park in the City's municipal parking lot during snow events.

Landherr said some residents are unaware of that. She asked if landlords could be reminded to inform their tenants to park in the Municipal parking lot when there's a snow storm.

Finck asked if a reminder could be included in the City's utility billing.

Skaret said it's re-explained each time a Snow Emergency is declared about parking in the Municipal parking lot.

Mayor Polz said a reminder is posted on Facebook and also on the City's mobile app each time.

**MIX/FINCK moved and it was unanimously carried to refer the downtown snow removal policy to the Street Committee for review, but would also like the Street Committee to review what the City is charging for people not cleaning their sidewalks of snow and due to some concerns downtown, potentially look at increasing fees when the City has to remove snow from sidewalks similar to what the City adopted for mowing unkept lawns.**

Landherr thanked Mayor Polz and Councilmembers. She said she really appreciated their time.

## **TRAIL SNOW REMOVAL POLICY UPDATE**

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Skaret said consideration is being given to looking at plowing more trails during the winter due to popular demand.

Skaret said the City has their Snow Removal Policy regarding the trails which essentially has been clearing the snow on the Safe Routes to School trails, Springfield Parkway from Highway 71 to Dewey Street, Dewey Street from Springfield Parkway to North Highway, the North Highway sidewalk from the Jackson Medical Center to Frost Avenue, North Highway 71 trail from the Des Moines River to Prospect Lane and the North Highway sidewalk extension from The Pines to Sayles Drive.

Skaret said City staff is proposing to add trails to the list. He said the additional trails would include the Des Moines River Trail through Dann's Island Park to Highway 71, the Des Moines River Trail from Highway 71 to Memorial Park and up to Highway 71 (West side of the River), the Des Moines River Trail Highway 71 through Ashley Park through the bayou to Ashley Street (East of the river) and the Memorial Park Trails.

Finck asked if the Public Works Department had the manpower to plow all those trails.

Skaret said those trails were plowed once.

Public Works Director Tony Oxborough said the trails were plowed on January 16<sup>th</sup>.

Mayor Polz asked if the City had the resources to plow the additional trails.

Mix also asked if the City had the budget to go along with the additional plowing.

Oxborough said the Public Works Department has the resources and the budget to plow the additional trails.

Finck asked if the City salts the trail so there isn't an ice issue.

Mayor Polz said he read in the City policy that salt will not be used on the trails.

Finck asked if the City would have a liability issue? He said it's a liability issue the City will be taking on.

Skaret said it is a new provision that the City has added to their policy regarding assumed risk for icy conditions.

Finck asked if the City was going to assume that risk?

City Attorney Brad Anderson explained what was talked about being added is a warning that people using the trails do so at their own risk. Anderson noted that doesn't get the City totally off the risk. But he said at least it's an attempt to show the City wants to warn people.

Finck asked how does the City take the risk completely off their table.

Mayor Polz said by not moving the snow.

Skaret said everything that's done carries a risk.

Finck said by not salting the trail and knowing what the weather and the City's snow removal policy is, the City is actually taking on a greater liability as he understands, not the other way around.

Mayor Polz asked whether calcium chloride or something non-harsh would work to remove ice on the trails.

John Weland suggested using sand.

Naumann asked long does it take to plow the trails.

Mix asked if the City is clearing a whole bunch more trails for just one or two people.

Mayor Polz asked what additional trails are proposed to be plowed.

Skaret said basically the trail that goes behind City Hall. He said the additional trails to be plowed are basically along the river down through Memorial Park, Albertus Fields to Highway 71 and Dann's Island.

Peterson said it's not that much.

Oxborough said it's basically plowing the trails in the downtown area so there will be full access to the downtown trails. He said from the last snowfall, plowing the trails began a little after 7 a.m. and was completed by 9 a.m. Oxborough said the plowing of the trails went pretty quick. He noted the trails are the last to be plowed after everything else is already cleaned and picked up.

Finck said he likes the idea of sanding the trail if the City can get a sander.

Oxborough noted he's still waiting for the Toolcat the City purchased. He said there's a sanding unit available to fit on the back of the Tool Cat in cases when an ice storm comes through the area. He said they won't use it all the time except when conditions become icy. Oxborough said the sanding unit for the Tool Cat will cost approximately \$5,000 and can be used for sanding parking lots, trails and sidewalks.

City Attorney Anderson said he thinks it would be prudent if the City would have a sign put up in the wintertime that says a person using the trail does so at their own risk and watch out for ice. He said it's not going to get the City off the liability but at least the City is putting their best foot forward to warn people that it can be dangerous.

Mix asked how many signs will the City need for the trails because people can get on the trails at many locations.

Attorney Anderson suggested posting signs at most of the main entry points. He noted even with the State Trespass Law, it only requires signs every 500 feet.

Finck said he would suggest posting a sign by the school because that's where children get on the trail. He said it's a double-edged sword.

Oxborough said a parks survey pointed out all the trails Jackson has and the gold rating the trails have received. He said survey respondents asked why aren't the trails plowed during the winter. Oxborough said he thinks people that are going to use the trails are going to have that expectation there's going to be a risk involved. He said if someone gets hurt, the City will quit plowing them.

Skaret noted every survey that has ever been done regarding parks, trails and amenities, one of the top comments is plowing more trails in the winter.

**MIX/NAUMANN moved and it was carried on a 5 to 1 vote to approve the updated Trails Snow Removal Policy adding the trail segments of the Des Moines River Trail through Dann's Island Park to Highway 71, Des Moines River Trail from Highway 71 to Memorial Park and up to Highway 71 (West Side of the River), Des Moines River Trail Highway 71 through Ashley Park through the bayou, to Ashley Street (East Side of the River) and the Memorial Park Trails.**

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

**Voting against the motion was Alderman Brandon Finck.**



Finck said he voted no because of not sanding the trails. He said he's all for plowing the trails but feels not sanding is a mistake for liability reasons.

Mix said she would like to make a second motion.

**MIX/PETERSON moved and it was unanimously carried that sanding is required along with additional signage which can be determined by the Trails Committee for the trails that are plowed during the winter.**

**PARK BOARD RECOMMENDATION: APPROVE MEMORIAL PARK SHELTER/SKATING RINK WARMING HOUSE CONCEPT AND AGREEMENT**

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Public Works Director Tony Oxborough recommended sending the Memorial Park Shelter/Skating Rink Warming House concept back to the Park Board for further discussion. Oxborough said he's been reviewing the plans for the building. After further review, he said he believes a building could be constructed working with a local contractor. Oxborough said working with a local contractor would provide more of an opportunity for input and flexibility rather than working with a company from Colorado.

**PETERSON/PELL moved and it was unanimously carried to refer the Memorial Park Shelter/Skating Rink Warming House concept and agreement back to the Park Board for further review, discussion and a recommendation to the City Council.**

**EDA RECOMMENDATION: APPROVE A.J. AND BRIDGETTE LUSK (DBA A&B PHOTOGRAPHY) REQUEST TO REDUCE THE PAYBACK AMOUNT ON THE BUSINESS CHALLENGE FORGIVEABLE LOAN PRORATED TO \$1,250 PROVIDED THAT A.J. AND BRIDGETTE PROVIDE A RECEIPT THAT THEY PAID THE BACK TAXES ON THE PROPERTY AND GIVE THEM SIX MONTHS TO REPAY THE \$1,250**

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Mayor Polz explained this item had appeared on the Economic Development Association's agenda as an update. He then provided background information regarding the request from A.J. and Bridgette Lusk and the recommendation from the EDA to approve reducing the payback amount on the Lusk's Business Challenge Forgivable Loan prorated to \$1,250 provided that A.J. and Bridgette Lusk provide a receipt that they paid the back taxes on the property and give them six months to repay the \$1,250.

Finck said the challenge he has with the EDA's recommendation is that the Business Challenge is a JBDC (Jackson Business Development Committee) Program. He said the JBDC made the original recommendation to the EDA and the EDA voted unanimously and the City Council voted unanimously. Finck said there's a signed contract, as he understands, that the Lusk's signed. He noted Skaret provided the Mayor and Councilmembers with copies of the contract on what the Lusk's responsibilities are. Finck said there's all those things sitting out there.

Finck said these issues never went back to the JBDC for their recommendation. He said the EDA took action without going through the proper channels on how to handle things. Finck said the EDA was actually very adamant this summer on how things should be handled and was very clear on how those procedures should be handled. Finck noted the EDA got after the City Council and certain Councilmembers for not following protocol.

Finck said the issue regarding the Lusk's Business Challenge Forgivable Loan needs to be referred back to the JBDC. He said it's the JBDC's program and the JBDC is an entity that is not part of the EDA.

Finck said he checked with the President of the JBDC and their recommendation was to follow the terms of the contract as it was stated.

Pell said he's concerned that the City Council is going to make this "a thing" in the future. He said the Council has committees that make recommendations and his concern is the Council just takes them off the Council's Consent Agenda and doesn't follow the committee's recommendation.

Finck said he thinks it's shame on the Committee for not going to the proper entity. He said he doesn't know why the issue didn't end up where it was supposed to. Finck said otherwise the whole Business Challenge Program needs to be changed to match whatever the City wants it to be. He said that was discussed by all committee members and nobody wanted to change the rules of that. Finck said he's not sure what we're trying to accomplish.

Mayor Polz asked if it would be prudent to reach out to the Lusk's so they can plead their case to the JBDC.

Councilmembers agreed with Mayor Polz to reach out to the Lusk's.

**PETERSON/PELL moved and it was unanimously carried to refer A.J. and Bridgette Lusk's request to reduce their payback amount on the Business Challenge Forgivable Loan back to the Jackson Business Development Committee for their recommendation.**

**EDA RECOMMENDATION: APPROVE APPROPRIATING \$500 TO THE JBDC FOR THEIR OPERATION EXPENSES**

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Finck explained the JBDC (Jackson Business Development Committee) talked with Interim Economic Development Coordinator Wendy Anderson about bringing the appropriation of \$500 to the City Council and not going through the EDA (Economic Development Authority) for the funding. He explained the JBDC and EDA are not tied together and the funding for the JBDC should be coming through the City Council. Finck said he spoke with the President of the JBDC. He said the JBDC emailed Anderson and requested the \$500 appropriation be requested by the JBDC and not go through the EDA. Finck said the JBDC and EDA are two separate organizations.

**TITUS/FINCK moved and it was unanimously carried to approve appropriating \$500 to the Jackson Business Development Committee (JBDC) from the City Council’s budget.**

**RACE TRACK COMMITTEE**

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Finck said he had received a call from the Executive Director of the Jackson Chamber of Commerce Corey Christopher.

Finck said it’s been a long time since there’s been a sit-down meeting with the businesses in Jackson. He said the race track is a part of that. Finck said the purpose was to have some dialogue with the race track regarding their upcoming season and what can the City do to help promote and do different things.

Mayor Polz noted there’s already a Race Track Committee that has been established through the Chamber of Commerce. He said this Race Track Committee would be a collaboration between the community and the race track to see how each can better support one another.

Aldermen Nathan Peterson, Brandon Finck and Joe Pell all said they would volunteer to serve on the Race Track Committee along with Mayor Polz. Alderwoman Sara Mix said she would serve as an alternate.

**RESOLUTION NO. 05-0124 APPROVING YEAR END TRANSFERS EFFECTIVE  
DECEMBER 31, 2023**

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Skaret explained the Library Fund ended 2023 with a deficit of about \$11,000 largely due to the HVAC project earlier in the year which cost \$48,000. He recommended transferring \$15,000 from the City's General Fund to the Library Fund to make up the deficit and make the Library Fund whole again.

Skaret said he was also recommending transferring \$121,582 from the 222 Capital Equipment/Improvement Fund with revenue generated by the City's Street Reconstruction Levy to the 421 Fund for the 2022 Street and Utilities Improvements Project to cover the change order for the Northridge Drive hill.

**FINCK/NAUMANN moved and it was unanimously carried to approve Resolution No. 05-0124 approving year end transfers effective December 31, 2023.**

**AGREEMENT WITH JACKSON AREA CHAMBER OF COMMERCE FOR EXTRA  
SERVICES**

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Skaret said with the transition to bring economic development services back in-house, the City is now down to only 30 hours per week of service instead of 60 hours. He said as a result, the City's Finance and Personnel Committees are recommending partnering with the Chamber for additional services to help with some of the duties of the Economic Development Office this year.

Skaret explained under the proposed agreement, the Chamber would provide eight hours of service for a cost of \$1,000 per month for the year. He said specifically the Chamber would perform the services such as taking the lead in working with the Jackson Business Development Committee's (JBDC) functions and activities including the Jackson Business Challenge Program. Skaret said the Chamber would also collaborate with the EDA Coordinator to develop the City's 2024 business directory, administer the JBDC's social media pages and collaborate with the EDA Coordinator on working together on press releases, including promoting housing development projects such as Belmont Heights. He said the Chamber would also be the City's lead organization on promotion of AGCO's Fendt line. He said the extra duties would amount to about a total of eight hours per week. Skaret said the cost would be \$1,000 a month for a total of \$12,000 per year.

Pell asked if the agreement was an interim arrangement or permanent. Skaret said it's for 12 months and then will be re-evaluated.

Finck requested Chamber Director Christopher provide the City Council with quarterly updates.

**PETERSON/MIX moved and it was unanimously carried for the City to approve the agreement with the Jackson Area Chamber of Commerce for extra services.**

#### **RESOLUTION NO. 06-0124 APPROVING NON-GENERAL FUND BUDGETS FOR 2024**

Skaret noted at the December 19<sup>th</sup> meeting, the City Council approved the General Fund Budget and tax levy for 2024. However, he said there are other funds that the City has and the Council should approve budgets for these Funds. Skaret said other than the Debt Service Funds which were already included in the levy approved earlier, these Funds are self-supporting and largely project and need driven. He said TIF and Special Revenue Funds are also included which are largely "in and out" funds. Skaret noted conservative revenue forecasts were used.

Skaret said the expenditures on the Enterprise Funds such as water, sewer, electric and liquor may look high, but are misleading because they factor in large amounts of depreciation which are not a direct expense cash-wise, but have to be shown on paper. He said ideally the City would budget to run in the "black" that includes depreciation. However, Skaret said like most cities, the City of Jackson has not been able to budget to fully account for depreciation of assets. He said of particular note are the Water and Sewer Funds. He said the last rate study was conducted back in 2016-2017, resulting in a three-year phase-in of rate adjustments to accommodate for upcoming projects and capital equipment costs. Skaret said since 2021, the City has been continuing to adjust rates to account for additional debt for the City's street and infrastructure projects and increasing operational costs. He noted in 2024, the City will start paying interest on the Belmont Heights Subdivision Project.

Skaret noted trends have changed in recent years on utility consumption, especially related to the COVID pandemic. However, he said consumption is now back to its pre-COVID levels and has been fairly consistent and stable.

Skaret said it took several years of operation for the new Liquor Store to get a “normal” year due to the novelty of a new store and then the COVID pandemic. However, he said it’s now believed there’s a good base line for sales and what to expect.

Skaret said there is still a little bit of uncertainty with the airport budgets with the runway reconstruction project and the timing of reimbursements from the State and Federal Governments. He said they have been slow with reimbursements taking several months or more from the time of submission. Skaret noted it has gotten better. He said it was his understanding that the State and Federal governments are having to administer more grant programs due to COVID legislation with shortages in staff. Skaret said additional funds may need to be transferred to support the airport once all of the airport runway projects and reimbursements have been received, but the City will just need to wait until the projects are closed out to make a final determination.

**PETERSON/FINCK moved and it was unanimously carried to approve Resolution No. 06-0124 approving Non-General Fund Budgets for 2024.**

**JOINT CITY COUNCIL AND JCC SCHOOLBOARD MEETING AT THE HIGH SCHOOL AUDITORIUM ON FEBRUARY 21, 2024 AT 5:30 P.M.**

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Skaret said the scheduling of a joint City Council and JCC Schoolboard meeting for February 21<sup>st</sup> was decided during the last Pool Task Force meeting. He said the purpose of the meeting will be to talk about where plans for the pool are at. Skaret said the City’s Financial Consultant, Shannon Sweeney of David Drown Associates, has presented a preliminary financial plan that would involve seeking a State Bonding request of about \$3.5 to \$3.75 million. He said locally as a community, we would be tasked with coming up with the rest of the funds for renovating the pool.

Skaret said the February 21<sup>st</sup> meeting is also for the Pool Task Force to share where the Task Force is at in their discussions with the Schoolboard and City Council and receive feedback from both boards.

Skaret said it would be a public meeting. He said the public would not be permitted to speak but would be present to listen and observe if they so choose.

Mayor Polz asked if the School District is committed to continuing the partnership with the City regarding the pool.

Skaret said the February 21<sup>st</sup> joint meeting will be a good opportunity to have that discussion. He noted there will be another Pool Task Force meeting a week later on February 28<sup>th</sup>.

## **OTHER:**

### **Alderman Nathan Peterson**

Alderman Peterson said he hasn't seen any of the City's properties that are for sale listed on any of the realtors' websites. He wanted to know what the status of that was.

Skaret said that was discussed earlier in the day. He said it appears not everything regarding the listings were completed. Skaret said that's currently being worked on. He said the properties are being listed as a general listing and not with a specific realtor.

### **Alderwoman Sara Mix**

Alderwoman Sara Mix asked about the former Coast to Coast building.

City Attorney Brad Anderson said he finally had communication from the property owner's attorney on January 16<sup>th</sup>. He said the property owner's attorney would like to meet with a representative from the City Council to discuss three issues the property owner has with the City.

Attorney Anderson said there was no indication whether the property owner was going to sign the deed or not for the City to purchase the building. He said he communicated to the property owner's attorney that the City really needs to know if the property owner is going to sign the deed and if not, the City is looking for their \$500 to be returned. Attorney Anderson said he also communicated that it was very likely the City Council would be considering an abatement order for that building because it's believed it's probably not financially feasible anymore to repair the damage and the building needs to be demolished.

Mix asked if the City could respond to the property owner and his attorney with a deadline.

Attorney Anderson said the City can respond with a deadline for having the deed signed or having the \$500 returned. He asked if the Council thinks it's going to be worthwhile and productive to first sit down and discuss the property owner's issues with the City or set a deadline.

Mix suggested setting a deadline.

Pell asked what the property owner's three issues were with the City.

Attorney Anderson said the three issues include the downtown alley reconstruction, fireworks and the former Coast to Coast building.

Mix suggested giving the property owner 45 days to sign the deed.

Attorney Anderson suggested having an answer from the property owner by February 5<sup>th</sup>.

### **Alderman Joe Pell**

Alderman Joe Pell asked Councilmembers if they remember when the Council decided to remove the "no parking" signs in front of the laundromat in Jackson.

Mayor Polz said he did.

Pell asked what Councilmembers would think about putting the "no parking" signs back up in front of the laundromat. Pell said he's suggesting that because he thinks the parking in front of the laundromat is being abused. He said the agreement was to take the "no parking" signs down for people who were going to use the laundromat. Pell said he drives on Ashley Street a few days a week. He said for three days in a row, he saw a Dodge Durango sitting in the parking space with flat tires.

Pell said there's been some nights when he's driven by the laundromat and there's been cars parked on both sides of the street, but no one is in the laundromat.

Mix said she would be more comfortable of posting a time limit so people who are using the laundromat can park close to it when carrying clothes. She said there could be a two-to-three-hour time limit. Mix said someone will have to police that.

Finck asked Skaret what the City's Main Street Parking Policy is.



Skaret said there's no parking allowed from 1:00 a.m. to 6:00 a.m.

If signs are going to be put up, Finck said he would be more comfortable being consistent using the same parking policy in front of the laundromat as there is on Main Street instead of having different parking policies on various blocks. He said that will get rid of that overnight or two three-day parking that Pell referred to.

Mayor Polz said it's a matter that could be discussed by the Street Committee.

### **Mayor Marcus Polz**

Mayor Polz asked City Attorney Brad Anderson whether there was anything new regarding the legal proceedings pertaining to the former Prairie Winds Motel building.

Attorney Anderson said there was an order issued on January 11<sup>th</sup> or 12<sup>th</sup> and the Appellate Court denied the Prairie Winds property owner's motion for more time to prepare a brief and get a transcript. He said the Court did, in its very last statement, basically say if the property owner doesn't have their brief filed and served by January 29<sup>th</sup>, that the Court could dismiss the appeal without further notice. Attorney Anderson said he's taking that to mean that the Court is kind of getting fed up with the property owner and that the City probably has a fairly good chance that the Court will dismiss the appeal if the property owner doesn't refile her appeal.

Attorney Anderson said he's hoping that week will finally put an end to this.

### **CLOSED SESSION AS PERMITTED BY ATTORNEY-CLIENT PRIVILEGE, SECTION 13D.05, SUBDIVISION 3(B) TO DISCUSS POTENTIAL LITIGATION**

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**PETERSON/FINCK moved and it was unanimously carried for the City Council to go into Closed Session at 7:37 p.m. as permitted by Attorney-Client Privilege, Section 13D.05, Subdivision 3(b) to discuss potential litigation.**

**COMING OUT OF CLOSED SESSION**

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

**FINCK/PETERSON moved and it was unanimously carried for the City Council to go out of Closed Session at 8:12 p.m.**

**ADJOURNMENT**

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

**PETERSON/PELL moved and it was unanimously carried to adjourn the Jackson City Council meeting at 8:13 p.m.**

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**David A. Maschoff, Council Secretary**

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**Marcus Polz, Mayor**



