

**July 30, 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 6:00 p.m. on Tuesday, July 30, 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 and Aldermen Mark Titus, Chris Naumann, Nathan Peterson and Joe Pell. Also attending in-person were Interim City Administrator Rick Almich, City Attorney Brad Anderson, Jackson Chamber Executive Director Corey Christopher, Jackson Economic Development Director Wendy Anderson, Luke Ewald of Des Monies Valley Health and Human Services, Jackson Public Works Director Tony Oxborough, MRES Jackson Distribution Maintenance Foreman Tony Nitchals, Jackson Ambulance Director Grant Landbo, Chris Tusa, City Clerk/Council Secretary Dave Maschoff, Mathew Grisham of KKOJ/KUXX Radio and Justin Lessman of the Jackson County Pilot. (Alderwoman Sara Mix and Alderman Brandon Finck were absent.) (A quorum of the City Council was present.)**

#### **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 except for Alderman Brandon Finck and Alderwoman Sara Mix.

**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.

Chris Tusa said he wanted to speak to the City Council about his plans to develop the former Coast to Coast building in Jackson. He noted he had written an op-ed about the building and his plans to develop it in the Jackson County Pilot about a year ago. Following that, Tusa said he received a letter from Mayor Polz regarding his plans to develop the property.

Tusa explained after he received Mayor Polz's letter, he proceeded to have five weekly meetings with former Jackson Economic Coordinator Dave Schmidt about trying to do something with the former Coast to Coast building.

Tusa said when the City Council terminated the City's contract with CEDA who Schmidt worked for, he was uncertain who was going to be the new Economic Developer or how long that person would serve in that position.

Tusa said he then waited to contact the Jackson Economic Development Office. He said he called Wendy Anderson at the Economic Development office about a month ago to discuss the former Coast to Coast building. Tusa said Anderson didn't get ahold of him at that time, but did contact him approximately a week ago.

Tusa said he explained to Anderson that he wanted to develop a laundromat in the former Coast to Coast building. He said Anderson informed him that she would need to talk with Mayor Polz and others regarding what is currently happening with the building.

Tusa said he didn't hear back from Anderson. He pointed out the very next time anything was mentioned publicly about the former Coast to Coast building, it was stated that the City was looking at tearing down the building. Tusa said that just proves his point in the op-ed that he wrote literally a year ago in the Jackson County Pilot, that the City would rather have a parking lot than a functional business in this town. Tusa said he thinks that's a sad state of affairs.

Tusa thanked Mayor Polz and Councilmembers for their time.

Mayor Polz said Tusa was very welcome.

## **CONSENT AGENDA**

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Mayor Polz entertained a motion to approve the Consent Agenda.

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

### **Council Discussion Items**

#### **COREY CHRISTOPHER – JACKSON CHAMBER BLOCK PARTY PLANS FOR AUGUST 14, 2024**

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Jackson Chamber of Commerce Executive Director Corey Christopher thanked Mayor Polz and Councilmembers for having him on the Council's agenda.

Christopher said he wanted to outline plans for a City Employee and Volunteer Recognition Event that's going to be held on Monday evening, August 5<sup>th</sup> at the Fendt Lodge in Jackson. He explained there's been a group of Councilmembers who have been working with a group from the Chamber of Commerce on the event to recognize and honor all the people who helped with flood relief efforts. Christopher said the group has worked for about a month to organize the event.

Christopher said the August 5<sup>th</sup> event is being graciously sponsored by Fendt and also NextEra Energy. He said Henning Rental and Sunshine Foods are also helping to put on the event. Christopher said it's really going to be a nice evening.

Christopher explained there are two portions to the August 5<sup>th</sup> gathering. He said from 5 p.m. to 6 p.m. it's an invitation event and from 6 p.m. to 7 p.m. it's open to the public.

On behalf of the Chamber of Commerce, Christopher said they are very thankful for what everybody did and the Chamber is certainly excited to be a part of planning the appreciation event.

Christopher said he also wanted to talk about the events for the upcoming Jackson Days. He distributed a flier to the Mayor and Councilmembers listing all the events scheduled during Jackson Days. Christopher said posters listing all of the events will also be posted around the community and in the area.

Christopher said the flier is also a guide for those visiting and staying in Jackson for the Jackson Nationals. He said it's a guide outlining the businesses in Jackson and includes a map for visitors showing how to get to those businesses. He said the guide also lists all of the events happening for Jackson Days.

Christopher outlined some changes to the Jackson Days' schedule this year. He said the first change pertains to the Race for the Keys. Christopher said there will be four winners this year because families love playing Race for the Keys. He said clues for the Race for the Keys will be distributed on Sunday, Monday and Tuesday nights.

Christopher said Wednesday, August 14<sup>th</sup>, is the night for the parade. He said as of right now, the makings are there for a really good parade. Christopher said the Shiner's group, the Minnesota Over 60 Band, jugglers from Mountain Lake, and the Groove Incorporated Drum Line group from Sioux Falls will be performing before the parade and be a part of the parade. He said Miss Minnesota will also be appearing in the parade.

Christopher said the Jackson Block Party has been combined with the parade. He said the Chamber received a lot of feedback that people wanted to have a lot of things to do and see during the parade and so the Block Party is going to be held on Wednesday night as well. Christopher said something new this year, after the parade, will be the Foam Party starting at 8 p.m. and continuing until 9 p.m. He said the event is tailored mostly for young people. Christopher said Jackson businesses and the Jackson American Legion will be hosting fun events.

Christopher said on Thursday, August 15<sup>th</sup>, there will be the free family swim, a free movie night, and the Classic Car Cruise-in that evening. He said one of the new things this year will be Jackson Race Day Live which is a joint project between the Racing Hall of Fame, Subway and the Jackson Chamber of Commerce. Christopher said Jackson Race Day Live will be live on the radio on Extreme Country from 5 p.m. to 6 p.m. every night, not only previewing the racing action for the night, but also providing a good opportunity to promote the Jackson community.

Christopher said Friday afternoon, August 16<sup>th</sup> will feature the Fendt Funday Friday family friendly event in the Blue Building at the Jackson County Fairgrounds.

Christopher said on Saturday, August 17<sup>th</sup>, events will be held in downtown Jackson including the family trail bike ride, Jackson Days Derby races for the kids that's free. He said Dr. Mark Titus will also be holding a walking history tour in downtown Jackson at 9 o'clock Saturday morning. Christopher said there will also be a driver's meet and greet at Smokin' Java at 10 a.m. and Hot Wheels racing. He said events then move up to the Motorplex for the final night of the Jackson Nationals.

Christopher thanked the Chamber Board for coordinating all of the events. He said he feels a pretty full slate of events have been put together that's family friendly and certainly welcoming to not only people in the community, but also those from outside the community who may be visiting Jackson during that time period.

Christopher thanked Mayor Polz and Councilmembers for their time.

Mayor Polz thanked Christopher for his presentation.

**GRANT PERMISSION FOR BRDIGET KOLANDER-GILBERT TO SERVE ALCOHOL IN FRONT OF HER BUSINESS AND FOR PEOPLE TO SIT IN FRONT OF HER BUSINESS FROM 5 P.M. TO 9:30 P.M. DURING THE BLOCK PARTY ON AUGUST 14<sup>TH</sup>**

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City Clerk Dave Maschoff said Kolander-Gilbert was in contact with him and was unable to attend the City Council meeting. He said Kolander-Gilbert asked him to speak on her behalf. Maschoff said Kolander-Gilbert's request to serve alcohol in front of her business would be during Wednesday night's Block Party activities in downtown Jackson. He said Kolander-Gilbert would follow all the protocols needed for her request.

Peterson asked if the City would be liable if the City Council allowed Kolander-Gilbert to serve alcohol on the street in front of her business. He noted a year ago, Kolander-Gilbert and the Legion stated they could not allow alcoholic drinks to leave their premises due to insurance reasons. Peterson recalled Kolander-Gilbert and the Legion saying that if alcohol left their building, the City would be liable. He said now Kolander-Gilbert is saying she can serve alcohol on the street in front of her business.

Maschoff noted if the City Council declares a Community Festival, then alcohol can be allowed on the street.

Peterson asked City Attorney Brad Anderson if the City would be liable if alcohol was allowed on the street.

Attorney Anderson noted it was the liquor establishment's insurance companies saying that they couldn't allow alcoholic beverages to leave their doorway.

Peterson said he just wants to make sure the City is not liable.

City Attorney Anderson said he would say that the City is not liable. He said if some of the liquor establishment's patrons break the law, that's going to come back to the establishment first, and not the City. Attorney Anderson the City is not permitting Kolander-Gilbert to do anything that's illegal with the Council's action in approving Kolander-Gilbert's request.

Peterson said he just wanted clarification.

Almich noted it's an insurance issue.

**NAUMANN/TITUS moved and it was unanimously carried to grant permission for Bridget Kolander-Gilbert to serve alcohol in front of her business and for people to sit in front of her business from 5 p.m. to 9:30 p.m. during the Block Party on August 14, 2024.**

#### **DECLARE A COMMUNITY FESTIVAL FOR THE CHAMBER'S BLOCK PARTY ON AUGUST 14, 2024**

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Chamber Director Corey Christopher explained the Wednesday, August 14<sup>th</sup> Jackson Days Parade will be staged on North Highway west of Highway 71 all the way up to the High School. He said the parade route will be the same as in the past where the parade will cross Highway 71 on North Highway and then turn south onto Main Street for three or four blocks to Ashley Street and then to City Hall and back on River Street. He said for the Block Party, the Chamber would like to close the two blocks from Sherman Street from Highway 71 in front of Bob's Fleet to First Street in front of Bridget's Buck Snorts for the Block Party.

Attorney Anderson pointed out, so everyone was clear, the Block Party will be on those two blocks on Sherman Street from Highway 71 to First Street. He said that's where Bridget's Bucksnort's serving of alcohol has to be limited to and where the Community Festival is limited to. Attorney Anderson said if somebody brings beer in, it's on those two blocks where they can drink it.

**PETERSON/NAUMANN moved and it was unanimously carried to declare a Community Festival for the Chamber's Block Party on August 14, 2024.**

## **INFORMATION UPDATE REGARDING FLOODING**

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Mayor Polz said on July 30<sup>th</sup>, the City of Jackson became eligible for individual aid from FEMA (Federal Emergency Management Agency), so that was a good thing.

Public Works Director Tony Oxborough explained when it comes to FEMA, there's different multiple branches of it. He said discussions about rules and restrictions regarding any of the buildings, businesses or residential properties that are in the flood plain are ongoing. Oxborough said when it comes to FEMA reimbursement, as it pertains to City assets, that meeting is on July 31<sup>st</sup>. He said that discussion will include whether the City can receive reimbursement for sandbagging operations and installing the clay dikes and what can be done with them.

Oxborough said it's a slow process, but at least it's moving in the right direction. He said as far as for the City side of things, work is underway in cleaning up things on City time with no overtime.

Oxborough said work is underway and once more information is available, that information will be made available to everyone that needs to know what's going on. He noted individual aid will be available. Oxborough said arrangements are being made for a location to host the FEMA officials so individuals can come and speak with them to inquire and submit applications.

Jackson Ambulance Director Grant Landbo also noted that individuals can apply for individual assistance on-line right now and don't have to wait for FEMA officials to arrive in Jackson.

Oxborough said that information will be posted on the City's Facebook page.

Titus said the City needs to be very proactive in letting people affected by the flood be clearly informed on what they can and need to do. He said he doesn't want to see the ball dropped regarding informing those that were affected by flooding.

Almich said whatever public information or rules and regulations the City has to deal with, he would like to be able to transmit that information to both the City Councilmembers and the affected property owners so everyone is well informed.

In addition to FEMA, Mayor Polz said there's also Small Business Administration low interest loans available for individuals who have been impacted by flooding.

Naumann thanked everyone for the sandbagging help and reiterated the appreciation event on Monday, August 5<sup>th</sup> for all those who volunteered during the flooding.

Mayor Polz said all those in the community who volunteered are invited to the August 5<sup>th</sup> appreciation event from 6 p.m. to 7 p.m.

### **STATUS OF THE FORMER PRAIRIE WINDS MOTEL PROPERTY – BRAD ANDERSON, CITY ATTORNEY**

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City Attorney Brad Anderson reported the appeal by the property owner of the former Prairie Winds Motel has been rejected by the Minnesota Appeals Court. He said the time frame for any further appeal is September 23<sup>rd</sup>. Attorney Anderson said a notice was personally served upon the property owner that the City intends to proceed with demolition on that date or possibly sooner. He said the property owner has received fair notice from the City.

Attorney Anderson said the defendant was advised that she has until August 19<sup>th</sup> to get any personal property removed or it probably will just be disposed of.

Attorney Anderson said he checked with the City's contractor regarding demolition of the building. He said the reasonably earliest date is probably the day after Labor Day or shortly thereafter when the contractor can start tearing the building down.

Attorney Anderson said the 60-day appeal period gets done on September 23<sup>rd</sup>. He said it would seem reasonable just to wait and make sure nothing else happens before the City moves forward with the demolition.

Attorney Anderson said it's his recommendation that the contractor be notified and allow them to start mobilizing after that September 23<sup>rd</sup> date unless they hear otherwise from the City.

### **DESIGNATE A COMMUNITY FESTIVAL FOR THE AUGUST 15, 2024 JACKSON CRUISE-IN EVENT**

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**PETERSON/PELL moved and it was unanimously carried to designate a Community Festival for the August 15, 2024 Jackson Cruise-In Event.**



## **Other:**

### **Mayor Marcus Polz**

Regarding comments made earlier in the Council meeting by Chris Tusa, Mayor Polz said anyone that has a business plan and can present a quote as far as getting the former Coast to Coast building up to code and compliant along with proof of financing, then absolutely the City would love to be pro-business development. He said that's the only three requirements that the City has asked of anybody.

Mayor Polz said he hasn't had anybody come forward or approach him with a business development plan. He said the City itself has looked at what it would take to make the building viable. Mayor Polz said he's heard it would cost \$600,000 to get the roof in proper condition. He said he knows there's been some further damage that's occurred to the building. Mayor Polz said the City has been told it would cost between \$2 million to \$3 million to get the building structurally sound.

Tusa said he was in the process of talking with former Economic Development Director Dave Schmidt for five months before he left. Tusa said they were working on a business plan and once they had that all together, he was going to approach the City Council. Tusa said their business plan has fallen apart and apparently current Economic Development Director Wendy Anderson won't call him back.

### **Alderman Joe Pell**

Alderman Joe Pell said he was recently inside the former Coast to Coast building. He said the plywood was taken off the front of the building so the appliances left in the building could be removed.

Pell said when they removed the plywood, it was discovered the roof of the building was caved in and the second floor is now laying in the first floor. He said anything that could be done to the building, if possible, is going to be a huge cost.

Economic Coordinator Wendy Anderson noted a grant application to DEED (Minnesota Department of Employment and Economic Development) will be submitted on July 31<sup>st</sup>.

Pell said with the roof caved-in, he's really worried about the state of the building safety-wise. He said he's worried that the building will either cave-in or cave-out. Pell noted even if somebody were to take on trying to renovate the building, it's going to be a huge cost because the roof will have to be replaced and it's going to be a complete gut job, plus the building has asbestos in it.

Pell said unfortunately that's where we're at. He said he was disappointed to see the condition of the building when they opened it up the other day.

Mayor Polz said he still welcomes anyone that wants to anything with the building.

### **Interim City Administrator Rick Almich**

Interim City Administrator Rick Almich said Economic Development Director Wendy Anderson contacted potential contributors for the racing flags and banners to welcome people to Jackson for the Nationals. He said those contacted were not able to contribute towards the flags and banners at this time.

Almich said the City approved donating \$5,000 dollars towards the flags and banners.

Peterson noted Southwest Minnesota Broadband donated \$2,000 for the purchase of racing flags and banners.

Peterson said flags and banners will be purchased with the funds that are available.

Almich said the City Council will need to approve a resolution accepting the \$2,000 donation for the flags and banners.

Almich said the flags and banners project is definitely something to talk about with other potential donors for the future.

## **City Clerk Dave Maschoff**

City Clerk Dave Maschoff, who also serves on the Jackson County Fair Board, said he wanted to thank Public Works Director Tony Oxborough and the Street Department crew, MRES Jackson Distribution Maintenance Foreman Tony Nitchals, Jackson Ambulance Department Director Grant Landbo and the Jackson Fire Department for all their help with the Jackson County Fair.

Maschoff said it was sure appreciated with the Street Department bringing up picnic tables to the beer garden, Nitchals coming to take a look at things at the fairgrounds, and Landbo and the Ambulance Department having the ambulance at the fair for the bull riding. He said he also wanted to thank the Jackson Fire Department for doing their extrication demonstration at the fair on Saturday, July 27<sup>th</sup>. Maschoff said that was all much appreciated.

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

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Mayor Polz entertained a motion for the City Council to go into Closed Session as permitted by Attorney-Client Privilege, Section 13D.05, Subdivision 3(B) to discuss land negotiations and possible litigation.

**PETERSON/PELL moved and it was unanimously carried for the City Council to go into Closed Session at 6:34 p.m. as permitted by Attorney-Client Privilege, Section 13D.05, Subdivision 3(B) to discuss land negotiations and possible litigation.**

### **COMING OUT OF CLOSED SESSION**

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Mayor Polz entertained a motion for the City Council to exit Closed Session.

**PETERSON/TITUS moved and it was unanimously carried for the City Council to exit Closed Session at 7:27 p.m.**

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

(There was no Council action following the Closed Session)

**ADJOURNMENT**

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Mayor Polz asked if there was any further business. Hearing no further business, Mayor Polz said the Jackson City Council meeting was adjourned at 7:28 p.m.

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**David A. Maschoff, Council Secretary**

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**Marcus Polz, Mayor**

