

**Jackson, Minnesota
Special City Council Meeting
March 30, 2020**

The Jackson City Council met in Special Session in the Council Chambers of City Hall at 6:30 p.m. on Monday, March 30, 2020 with the meeting called to order by Mayor Wayne Walter. On the roll call, the following persons were present, Mayor Wayne Walter, Aldermen Larry Anderson, Brandon Finck, Jeffrey Gay, Donnie Schoenrock and Dave Cushman, City Administrator Matt Skaret, City Attorney Brad Anderson, Community and Business Development Specialist Thomas Nelson of Community and Economic Development Associates (CEDA), Bridget Kolander-Gilbert, City Clerk/Council Secretary Dave Maschoff, Justin Lessman of the Jackson County Pilot and Dave Schmidt of KKOJ/KUXX Radio. (Alderman Matt Madden was absent.) (A quorum of the City Council was present.)

CALL THE MEETING TO ORDER

Mayor Wayne Walter called the Special Meeting of the Jackson City Council to order. He noted the roll call showed all Councilmembers were present except for Alderman Matt Madden.

Council Discussion Items

DECLARE A LOCAL EMERGENCY DUE TO THE COVID-19 PANDEMIC

City Administrator Matt Skaret explained Ordinance No. 106 is an emergency ordinance that basically declares a local emergency in response to Covid-19.

Skaret said Ordinance No. 106 outlines the various Executive Orders that have been made by President Trump and Minnesota Governor Tim Walz due to the Covid-19 Pandemic. He explained if the need arose, Ordinance No. 106 would make it easier to hold City Council meetings by telephone conference call. Skaret said Ordinance No. 106 would loosen up some of the open meeting requirements.

Skaret said the City Council would still need to follow the open meeting law. He noted the City Council would still have to allow the public to participate and have the Council's conversations open to the public. Skaret said Ordinance No. 106 would allow the City Council to meet easier without having to gather in one spot. Skaret pointed out the efforts across the nation to reduce large groups and public gatherings.

Skaret said some communities' City Councils are now meeting electronically and some aren't. He said it's up to every town to do what they think works best for them.

City Attorney Brad Anderson pointed out it's any form of communication. He noted there are conference services such as Zoom, Web-X and all different kinds of electronic meeting services. He explained it's any way that works where you have an electronic meeting. Attorney Anderson said it applies not only to the City Council, but any committees, staff or any organization of the City that has to have a meeting. He said Ordinance No. 106 would apply equally to those groups as well.

Alderman Jeffrey Gay pointed out the Animal Control Committee held a meeting the other day by telephone conference call. He said it was a little awkward, but it worked. Gay said he's done conference calls in the past with State and Federal Government agencies.

Attorney Anderson noted he participated in a conference call on March 30th using Web-X and he has participated in conference calls in the past using Zoom. He said the Web-X conference call worked pretty well and you could see those you were talking to through the computer. Attorney Anderson said it was pretty effective. He noted the Jackson County Central School District uses Zoom. He said there's a lot of different ways to communicate electronically.

For transparency, Schoenrock asked if the press would also be able to participate in an electronic conference call.

Attorney Anderson said they would be able to.

Finck said the Bank uses Web-X and that works well. He noted they've had 190 people participate in a meeting.

Gay commented to have the meeting facilitator remind people participating in an electronic conference to mute their phones except when they are talking.

Attorney Anderson said the electronic conference meetings are all subject to the open meeting rules and the press needs to be informed of the meeting and they can join in the electronic meeting if they wish.

CUSHMAN/SCHOENROCK moved and it was unanimously carried to approve Ordinance No. 106 adopting Emergency Regulations pertaining to conducting meetings and functions of the City during the Minnesota Peacetime State of Emergency.

RESOLUTION NO. 10-0320 ADOPTING COVID-19 PANDEMIC CONTINUITY OF OPERATIONS PLAN

Skaret explained Resolution No. 10-0320 is basically a summary of all of the different City Departments and how they are currently operating now. He said the situation is very fluid as everyone knows.

Skaret said Resolution No. 10-0320 basically spells out how the City Departments are operating now and gives the City Administration the flexibility to adjust accordingly. He pointed out things are happening very fast and there's not always time to have a meeting every time a decision needs to be made.

Skaret said Resolution No. 10-0320 would grant the City Administrator and other City Department Heads some discretion as far as adjusting hours of operations. He said that's already been done with the Street and Water Departments starting this week. Skaret said they are working in teams. For example, with the Street Department, Skaret explained there are three people on duty this week and then they'll rotate so the three people off this week will be working next week. He said the same schedule pertains to the Water Department with two people on duty and two off duty each week. Skaret pointed out the Electric Department has been doing this type of scheduling for the past couple of weeks and it seems to be working. He said the goal is to keep essential services going and try to minimize the possibility of a Covid-19 outbreak within a particular City Department. Skaret said the City can't afford to have the entire Electric Department, Water Department or Street Department go down at the same time. He said no rotations like that have been done at City Hall yet, but it might be coming. Skaret said we'll just have to see how things go.

Skaret explained Resolution No. 10-0320 goes on to reiterate how City business will be done. He said right now, the City is trying to do as much as possible by phone and email.

Skaret said the resolution also talks about the Senior Citizens building. He said right now the City isn't taking reservations to rent the building until further notice. Skaret noted people will be refunded their money if their event was cancelled at the Senior Citizens building.

At the City's parks, Skaret said the restrooms are not being opened until the pandemic is over. He said the City doesn't want to encourage large gatherings in the City's parks and so forth.

Skaret said things are constantly changing at the Liquor Store as hours and operations are adjusted accordingly.

Skaret explained he thought the City should have a plan in writing as we go forward.

Gay asked if this plan will be adopted into an Emergency Management Plan for the City so if a similar event arose in the future a plan would already be in place.

Skaret said the plan could certainly be included in an Emergency Management Plan.

SCHOENROCK/GAY moved and it was unanimously carried to approve Resolution No. 10-0320 adopting the Covid-19 Pandemic Continuity of Operations Plan.

UTILITY DISCONNECTS AND LATE FEES DUE TO THE COVID-19 PANDEMIC

Skaret said the Minnesota Public Utilities Commission had sent out a notice at the request of the Governor strongly recommending as part of the Governor's Executive Order, but not requiring, that Cities and Utilities waive any utility disconnects at this time outside of the Cold Weather Rule. He said they are also recommending waiving late fees for utility payments. As part of that, Skaret said the State is giving Cities until April 3rd to provide feedback on how they are going to approach this situation.

Skaret said as everyone knows, there are a lot of people in Jackson that are affected by the Covid-19 pandemic either directly or indirectly. He said City utility bills are in the mail right now and people will be receiving them any day.

Skaret said the City's utility disconnect day, under normal conditions, would be coming up on Tuesday, April 7th. He said the City Council needs to make some decisions.

Schoenrock asked is there would be a way for the City to provide an incentive for residents who pay their utility bills on time and don't get behind.

Gay said he agreed with Schoenrock. He said people may respond to an incentive to keep current with their utility payments. Gay said it would be a pretty good idea.

Cushman said the unfortunate part is we know there are some residents where the late fees should be waived for, but then there's some people that will take full advantage of the waiving of late fees and they don't have any right to. He said that becomes the slippery slope that we start to go down.

Schoenrock agreed with Cushman. He said if there were people who needed to have the late fees waived, they could, but there would be at least an incentive to keep current with utility bills.

Skaret asked if there would be stipulations placed on waiving the fees such as requiring someone to show they were directly impacted either by the Governor's Executive Order, loss of employment or reduction in hours.

Schoenrock said that may be a possibility such as a letter from an employer or something like that.

Skaret said the Minnesota Municipal Utilities Association (MMUA) sent an email supporting forgiveness programs regarding late utility bills or delaying utility shut offs.

Attorney Anderson said we may be too early in this situation for the City Council to make a decision at this time until we see how things develop.

Skaret said he doesn't think the City Council needs to make a decision on what to do for the entire time of the pandemic at one time. He asked how is the City going to respond? Skaret said will the City take questions about forgiving utility late fees or shut offs on a month by month basis? He also asked who would be eligible or who would qualify. Skaret said how does the City want to do this.

Mayor Walter asked if the State wanted feedback on how the City was going to handle late utility bills and shut offs by April 3rd.

Skaret said the State wanted to know what the City of Jackson was going to be doing. He explained the State is not requiring that the City Council make a decision, but just want to know what the City's plan or approach is.

Mayor Walter said he liked Skaret's idea of putting some limitations on whether late fees for utility bills are forgiven and utilities are shut off so the offer isn't open to everyone. He noted, for example, situations where a business is shut down or people are out of work. Mayor Walter suggested looking at the situation on a monthly basis.

Skaret said it was his understanding that the State just wanted to know what the City was doing.

Attorney Anderson concurred with Mayor Walter in looking at utility late fee forgiveness on a month by month basis. He noted there's a lot of other issues that can come into play such as financial situations, small businesses and the amount of utility loads. Attorney Anderson said the pandemic is going to probably affect everybody. He asked can the City afford to forgive big utility loads? Attorney Anderson noted that's a lot of revenue for the City and then the City will also be affected if the revenue is not coming in.

Mayor Walter pointed out the City still has to pay for the power no matter what.

Gay said the more restrictions that's imposed the messier it gets. He said he would like to see any program be simple. Gay agreed with having guidelines of who would be or wouldn't be eligible for forgiveness of utility bill late fees.

Finck said he's all for a forgiveness program. However, he pointed out one of the challenges will be determining what the guidelines will be and how will a utility late fee forgiveness program be administered. He asked about the manpower to go through the bills. Finck asked who will administer the guidelines, who's policing it, who's tracking it and how are you going to do it along with everything that goes along with it especially in the middle of a pandemic where potentially there could be less staffing and changes in how City Hall operates. Finck said he's all for the forgiveness program but there's a lot of issues to work through to implement such a program.

Attorney Anderson said he doesn't think there's a person in the Council room that's not going to want to try and have some kind of reasonable, fair policy to help people through this. But he said there's so many sides to this issue that this probably needs some thought, reflection and see what kind of problem we have before the next City Council meeting is held. Attorney Anderson said if the State is satisfied that the City is going to do something, but just not exactly sure what we're going to do.

Skaret pointed out the City Council is going to need to make a decision regarding utility disconnections before the April 7th City Council meeting.

Cushman said he thinks that's a lot easier decision. He said he's on the fence regarding late fees because there's so many ways the City Council has to look at that. Cushman said disconnections can be discussed. He said the City should be figuring out a way to help our businesses and people that are affected so that we can keep things flowing without the threat of a disconnect.

Alderman Anderson agreed.

Schoenrock said the people in Jackson are good. He said he thinks a majority of people are going to pay their utility bills on time. Schoenrock said there are some people that will really need help. He said the City will need to work with them the best they can. Schoenrock said the City does want to help those people. He agreed with Cushman that the City can't be disconnecting utilities for unpaid bills at this time. Schoenrock said the City has to work with people until some guidelines are developed. He asked if this is an issue that should be referred to the Utilities Commission.

Skaret said the Utilities Commission along with the rest of the City's boards aren't meeting right now unless it's absolutely essential.

Mayor Walter said he would ask for a motion to have no utility disconnections on a monthly basis. He said there would be no disconnections for the March bills. Mayor Walter said the City Council could decide at their last regular meeting in April to determine if there would be no disconnections for another month.

SCHOENROCK/FINCK moved and it was unanimously carried to waive disconnections during the month of April, 2020, unless it's for safety reasons and so forth, and to review at the last City Council meeting of each month whether to waive utility disconnections for the following month.

Schoenrock asked if the late fees on utility bills could be addressed at the next City Council meeting.

Skaret said the discussion on the late fees could be addressed at the April 21st Council meeting because the utility bills won't be sent out until the end of April.

Cushman asked if late fees at that point can be looked at on an individual basis.

Gay said he doesn't think looking at late fees on a case by case basis is a problem, but noted the manpower it may take if there's a lot of them to look at.

Skaret explained the late fees are calculated by the computer software and he doesn't know how easy it is to go and manually do that on a case by case basis.

Schoenrock asked if the number of utility bills with late fees could be determined after April 15th? He noted by the April 21st City Council meeting information would be available to show how many utility customers were late in paying their bill compared to the average number of customers late in the past.

Cushman said that information will show if the number of utility customers late in paying their bills is the same or if there's been an increase or new customers that are late in April. He said the new late customers are the ones everyone is concerned about. Cushman said the information could possibly show if there's been a percentage increase in the number of late utility bills.

SCHOENROCK/ANDERSON moved and it was unanimously carried to table Council action regarding waiving late fees on utility bills until the City Council's April 21st, 2020 meeting when information will be available on many utility customers had late fees following the April 15th payment deadline.

RESOLUTION No. 11-0320 ADOPTING COVID-19 PANDEMIC EMPLOYEE TEMPORARY SICK LEAVE POLICY

Skaret explained Resolution 11-320 is in response to Federal legislation that says the City of Jackson will obey according to the Federal legislation that was enacted on March 18th, 2020. He said it gives employees paid sick leave in the event that they are quarantined due to the Corona Virus or in the event they lost care for their child due to the school or daycare closing.

GAY/CUSHMAN moved and it was unanimously carried to adopt Resolution No. 11-0320 adopting the Covid-19 Pandemic Employee Temporary Sick Leave Policy.

LIQUOR STORE HOURS

Skaret said there have been some Liquor Store employees express concern about their health and safety while working at the store. He noted there have been a number of measures taken at the store already. Skaret said employees have been wearing gloves and trying to limit the number of people in the store to seven per time. He said the Liquor Store has also instituted a no cash policy and is accepting debit or credit cards only. Skaret said employees are disinfecting everything as often as they can.

Skaret said as the pandemic goes on and evolves there are going to be further measures that have to be taken.

Skaret said in speaking with Liquor Store Manager Michelle Bratrud, it's her recommendation that for the time being, the Liquor Store change their hours to operate from 12 noon to 7 p.m. Monday through Saturday. He said there would also be curb-side pickup only. Skaret said customers would not be going into the Liquor Store walking the aisles and interacting with the cashiers and touching things.

Skaret said things are changing on such a quick basis. He said he wanted to let the Mayor and City Council know about the changes and make sure they were in concurrence with that. Skaret said Liquor Store operations may change again such as further restricting operating hours. He said that's where we're at right now.

Cushman said it was talked about that this plan was possibly for the next week and to see where we are at on Friday or Saturday. He said if we have to adjust, we'll have to do what we need to do at that point. Cushman said the Liquor Store will try and stay open as much as possible.

Alderman Anderson asked if the Liquor Store is requesting orders be placed online or over the phone.

Skaret explained customers would be calling in their orders to the Liquor Store. He said the customers would provide their credit card information to the cashier over the phone along with their birthdate. Skaret said when the customer comes to the store to pick up their order, the customer's ID will be checked and made sure their birthdate matches the birthdate that was given over the phone.

Skaret noted other liquor stores are also doing curbside pickup only.

Skaret said “hats off” to Liquor Store Manager Michelle Bratrud and the staff at the Liquor Store. He said they have done an A-plus-plus-plus job. Skaret said you would not believe the demand the Liquor Store has had over the last couple of weeks especially two weeks ago when there were days that sales were four times the average for a normal weekday. He said there was one day where normal sales would have been \$3,000 and sales for that day were over \$13,000.

Mayor Walter asked Councilmembers to thank and tell Liquor Store employees they are doing a good job if they happen to see them.

EMERGENCY ASSISTANCE LOAN PROGRAM DEVELOPED BY THE FINANCE COMMITTEE AND THE REVOLVING LOAN FUND COMMITTEE

Skaret said the Finance Committee and the Revolving Loan Fund Committee have worked very hard. He noted those committees are well aware of the direct impact this whole Covid-19 ordeal has had on Jackson businesses, especially those that were directly ordered to shut down or reduce their operations to take-out/carry-out under the Governor’s Emergency Executive Order 20-04 on March 16th. Skaret said those businesses didn’t have any time to prepare for this and they were totally hit cold.

Skaret explained the plan developed by the Finance Committee and the Revolving Loan Fund Committee. He said under the program, businesses that were directly affected by the Emergency Executive Order which would primarily be bars, restaurants, health clubs, hair salons and those types of businesses would be eligible for a loan of up to \$15,000 at zero percent interest from the Revolving Loan Fund to help offset the financial losses for a period of 180 days. Skaret said the loan is payable over a 20-year period with deferred payments for 180 days after the loan is executed.

Skaret said the loan applications would be reviewed and recommended to the City Council for approval by the Finance Committee. He noted the typical loan application fee would be waived and any recording or other fees would just be added onto the loan.

Skaret explained the types of expenses that would be eligible to be included in the \$15,000 loan would be utility bills, water, sewer, garbage, electric, gas, rent, invoices from vendors, employee wages, associated taxes and benefits, property taxes, property and liability insurance, debt payments, any mortgages or that type of thing.

Skaret said the key focus of the Committees was to have a simple loan application process in place that gets the money out quickly. He said the City knows businesses are hurting and are draining cash everyday that they're closed. Skaret said the City doesn't want to see a big void created on Main Street after this pandemic is all done. By Main Street, Skaret said they mean downtown Jackson where most of the businesses affected by the shutdowns are located.

Skaret said the City really wants to say "hats off" to the businesses for trying to weather the storm. He said the City knows they're hurting and wants to say that help is on the way.

Economic Development Coordinator Tom Nelson said CEDA as a whole and specifically the Economic Development Office are continuing to monitor the daily, if not the hourly changes, from the Federal and State Governments. He said one of the biggest strengths the City has is the timeliness and simplicity of the Zero-Interest Loans from the Revolving Loan Program which are two things that are lacking from the State and Federal Programs due to their size.

Nelson said he's going to be constantly trying to do what CEDA can to get those resources to businesses that qualify and are able to utilize them. But ultimately, he said it's still going to be a couple of weeks yet until it's known what the State and Federal assistance programs will look like and those funds available.

Nelson said so while the City's zero percent interest loans through the Revolving Loan Fund might not be the end-all, be-all of what these businesses are going to need, the big benefit is the simplicity and the timeliness of the City's program.

Schoenrock said he has owned a business downtown for the past four years and has served on the City Council for a number of years. He said this is the City's most significant program he has ever seen. He said you have no idea how much this will help and basically keep businesses from locking their doors. Schoenrock said that's as simple as he can say it.

Schoenrock said by the Finance Committee getting this program going, whoever's idea it was, getting after it and getting this done fast, they will change not only what happens in Jackson but family lives as well. He said he means that so emotionally. Schoenrock said with every piece of his heart, he "can tell you that this will save people from shutting their doors". He said he doesn't know what else to say. Schoenrock said this is a fantastic program.

Cushman said the Finance Committee's thought was to have a program that one, was simple, second was fast and thirdly is that we have these dollars sitting there and as a City if we have to turnaround in two months and use Revolving Loan Fund money to attract businesses we've failed our downtown miserably. He said we've got the money there, let's put it to good use today and not be faced with this possibility of looking for new businesses because we have the businesses. Cushman said it goes from attracting to retention. He said that was really the driving force behind the Finance Committee's recommendation to approve the program.

Finck pointed out our downtown businesses and all of the businesses in the community really take care of the City. He said it's kind of time for the City to return the favor. Finck said that's what the Finance Committee really looked at.

Attorney Anderson asked if there was a cap of the amount of Revolving Loan Funds that will be used for the zero percent interest loan program for businesses.

Finck said the Finance Committee agreed that the loan program would be capped at 50 percent of what's currently in the Revolving Loan Fund. He said if that cap is reached, then the Finance Committee may have to reassess and move forward from there.

Alderman Anderson asked how much 50 percent of the Revolving Loan Fund would be.

Nelson said roughly \$250,000 would be 50 percent.

Cushman said at that point if the loans exceed the 50 percent, then the Finance Committee would go back and revisit the issue to see where we're at and make sure we've covered all of our bases.

Mayor Walter said he wanted to reiterate the comments made by the Finance Committee members. He said we needed to do something. Mayor Walter said Finck and Cushman brought the situation to his attention. He thanked City Administrator Matt Skaret for his hard work on assembling a simple plan.

Cushman also pointed out Bridget Kolander-Gilbert brought the situation facing businesses to the City Council's attention on March 17th when she inquired about pro-rating the cost for her liquor license since her business was now closed due to the Governor's Executive Order. He said after that, the thought was there's got to be more that can be done. Cushman said that's what started efforts towards developing a program. He said following the March 17th City Council meeting, Finance Committee members said they needed to meet. Cushman said he wanted to recognize Kolander-Gilbert for her comments that inspired work on a program to begin. He thanked Kolander-Gilbert who was present at the special City Council meeting.

Schoenrock commented he seriously thinks the zero-percent loan program could be a program that you look back on in a year from now and say it saved downtown. He said he thinks it's that significant.

FINCK/ANDERSON moved and it was carried on a vote of four in favor and one abstention to approve the Emergency Assistance Loan Program subject to a cap of 50 percent of the funds in the City's Revolving Loan Fund.

Voting in favor of the motion were Aldermen Brandon Finck, Dave Cushman, Larry Anderson and Jeffrey Gay.

Alderman Donnie Schoenrock abstained.

EXTRA \$35,000 APPROPRIATION AS RECOMMENDED BY THE FINANCE COMMITTEE TO THE JACKSON CHAMBER OF COMMERCE TO HELP SUPPORT, PROMOTE AND ASSIST JACKSON DOWNTOWN BUSINESSES DURING THE COVID VIRUS PANDEMIC

Skaret said no doubt about it, the Jackson Chamber of Commerce has their work cut out for them during this time.

Skaret explained a lot of the businesses affected by the pandemic are Chamber members and non-Chamber members. He said a lot of the small businesses downtown are going to be affected by the Covid-19 pandemic.

Skaret said the Chamber's job is to help and support the business community. He said even with the Emergency Loan Program the Council just approved, there's still a lot of work that needs to be done.

Skaret said it's going to take a long time for our businesses to recover. He said the Chamber of Commerce has limited resources. Skaret said the City appropriates \$15,000 a year to the Chamber as a City contribution.

Skaret explained the Finance Committee really believes the City needs to do more on a one-time basis as a result of the Covid-19 pandemic. He said the City is capped by State Law at \$50,000 per year on how much the City can appropriate to an economic development or Chamber type organization. Skaret said that's how the Finance Committee arrived at the \$35,000 figure.

GAY/CUSHMAN moved and it was unanimously carried to approve the City appropriating \$35,000 as recommended by the Finance Committee to the Jackson Chamber of Commerce to help support, promote and assist Jackson Downtown Businesses during the Covid Virus Pandemic.

Alderman Anderson said he hasn't had an opportunity to drive down Main Street. Just out of curiosity, he asked how many downtown businesses are open or can still be open? Alderman Anderson inquired if any of the other Councilmembers have driven down Main Street.

Finck said Main Street is pretty desolate. He said he doesn't know exactly which businesses are open, but there are no vehicles downtown.

Schoenrock commented that he and his daughter took a walk around Jackson. He noted the accomplishments that have taken place in Jackson and the trail system that people are making use of.

Schoenrock complimented fellow Councilmembers and said he's proud to serve on the Council with them. He thanked Councilmembers for their action to assist businesses during this time.

Alderman Anderson said he's seen a tremendous increase in people walking and biking in his neighborhood.

Gay noted he's seen people walking on Third Avenue he's never seen out walking before. He said one thing that's a positive side of this situation is that it's getting families back together again and doing things together.

Other:

Mayor Wayne Walter

Mayor Walter said he wanted to thank the Councilmembers and everyone for attending the Special City Council meeting. He said he wanted to thank the Finance Committee and especially City Administrator Matt Skaret for all their extra work.

(There was a round of applause by the Councilmembers and those attending.)

ADJOURNMENT

With no further business, SCHOENROCK/FINCK moved and it was unanimously carried to adjourn the Special Meeting of the Jackson City Council at 7:14 p.m.

David A. Maschoff, Council Secretary

Wayne Walter, Mayor

